

File No. 251223

Committee Item No. \_\_\_\_\_

Board Item No. 1

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: February 3, 2026

#### Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | Introduction Form                            |
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| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
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| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Draft Redevelopment Plan Amendment</u>                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>OCII Report to BOS 12/04/25</u>                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 21874 12/4/25</u>             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 21874 12/4/25 (Corrected)</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CCII Resolution No. 30-2025 11/18/25</u>                     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CCII Resolution No. 31-2025 11/18/25</u>                     |
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Prepared by: Jocelyn Wong

Date: January 23, 2026

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (i) On December 4, 2025, the Planning Commission, in Motion No. 21874, adopted  
21 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
22 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board  
23 adopts these findings as its own. A copy of said Planning Commission Resolution is on file  
24 with the Clerk of the Board of Supervisors in File No. 251223, and is incorporated herein by  
25 reference.

1 (j) The Board of Supervisors held a public hearing on January 27, 2026, on the  
2 adoption of the Plan Amendment in the Board Legislative Chamber at City Hall, 1 Dr. Carlton  
3 B. Goodlett Place, Room 250, San Francisco, California. The hearing has been closed.  
4 Notice of such hearing was duly and regularly published in a newspaper of general circulation  
5 in the City and County of San Francisco, once per week for three successive weeks prior to  
6 the date of such hearing in accordance with Redevelopment Law Section 33452. At such  
7 hearing, the Board considered the report of the Successor Agency Commission, the Planning  
8 Commission Motion No. 21874, and all evidence and testimony regarding the Plan  
9 Amendment. The Board hereby adopts findings to the extent required by the Redevelopment  
10 Law as set forth in Section 5 of this ordinance.

11  
12 Section 2. Purpose and Intent. The purpose and intent of the Board of Supervisors  
13 with respect to the Plan Amendment is to increase the maximum building height and increase  
14 the number of dwelling units for an affordable housing project on the northern one-half of  
15 Block 4 East, which will contribute to, and complement, the overall goals and objectives of the  
16 Redevelopment Plan, facilitate the completion of redevelopment of the Plan Area, and  
17 increase affordable housing dedicated to lower income households consistent with the  
18 Redevelopment Dissolution Law.

19  
20 Section 3. Plan Incorporation by Reference. The Redevelopment Plan as amended by  
21 this ordinance is incorporated in and made a part of this ordinance by this reference with the  
22 same force and effect as though set forth fully in this ordinance.

23  
24 Section 4. The Board of Supervisors approves the following amendments to the  
25 Redevelopment Plan for the Mission Bay South Redevelopment Project:

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

304.4 Number of Dwelling Units

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

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

304.5 Limitation on Type, Size and Height of Buildings

\* \* \* \*

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

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

3 \* \* \* \*

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Plan.

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

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

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

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

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

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

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

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

13 4908-0168-3328, v. 1  
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25

## **LEGISLATIVE DIGEST**

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

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

### **Existing Law**

The Board of Supervisors approved the Mission Bay South Redevelopment Plan ("Redevelopment Plan") in 1998, and approved amendments to the Redevelopment Plan in 2013, 2018, 2020, and 2021. The Redevelopment Plan establishes, among other things, the land use controls for the Mission Bay South Redevelopment Plan Area (the "Plan Area"), including building height and dwelling unit density limits within the Plan Area.

### **Amendments to Current Law**

The ordinance would amend the Redevelopment Plan to increase the maximum building height from 160 feet to 250 feet and to increase the number of dwelling units permitted on the northern one-half of Block 4 East (Assessor's Parcel Block No. 8711, Lot No. 029B) ("Plan Amendments"). The Plan Amendments would facilitate the development of an affordable housing project at the site.

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**REDEVELOPMENT PLAN FOR THE**

---

**MISSION BAY SOUTH REDEVELOPMENT PROJECT**

---



*office of*

**COMMUNITY INVESTMENT**  
*and* **INFRASTRUCTURE**

**SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY OF THE  
CITY OF SAN FRANCISCO**

**Mission Bay South Redevelopment Plan Approved  
and Adopted by the Board of Supervisors of the City  
and County of San Francisco  
Ordinance No. 335-98, November 2, 1998**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 143-13, July 11, 2013**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 032-18, March 6, 2018**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 128-20, July 31, 2020**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 209-20, October 9, 2020**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 014-21, February 12, 2021**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. X-X, Month XX, 20XX**

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**REDEVELOPMENT PLAN  
FOR THE  
MISSION BAY SOUTH REDEVELOPMENT PROJECT**

---

**Mission Bay South Redevelopment Plan  
Approved and Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 335-98, November 2, 1998**

**Amendment Approved and Adopted by the Board of Supervisors  
of the City and County of San Francisco,  
Ordinance No. 143-13, July 11, 2013**

**Amendment Approved and Adopted by the Board of Supervisors of  
the City and County of San Francisco,  
Ordinance No. 032-18, March 6, 2018**

**Amendment Approved and Adopted by the Board of Supervisors of  
the City and County of San Francisco,  
Ordinance No. 128-20, July 31, 2020**

**Amendment Approved and Adopted by the Board of Supervisors of  
the City and County of San Francisco,  
Ordinance No. 209-20, October 9, 2020**

**Amendment Approved and Adopted by the Board of Supervisors of  
the City and County of San Francisco,  
Ordinance No. 014-21, February 12, 2021**

**Amendment Approved and Adopted by the Board of Supervisors of  
the City and County of San Francisco,  
Ordinance No. X-X, Month XX, 20XX**

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## **100 INTRODUCTION**

All initially capitalized terms shall have the meaning set forth herein, including Section 304.9 and Attachment 5.

## **101 Legal Foundation**

This is the Redevelopment Plan (the “Plan”) for the Mission Bay South Redevelopment Project in the City and County of San Francisco (the “City”), State of California, and consists of the Text, the Legal Description of the Plan Area (Attachment 1), the Plan Area Map (Attachment 2), the Redevelopment Land Use Map (Attachment 3), the Zone Map (Attachment 3A), Proposed Public Improvements (Attachment 4) and Definitions (Attachment 5). This Plan was prepared by the Redevelopment Agency of the City and County of San Francisco (the “Agency”) pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the California Constitution and all applicable local laws and ordinances. The Plan is also referred to as the “Mission Bay South Redevelopment Plan.” The Mission Bay South Project Area covered by this Plan is hereinafter referred to as the Plan Area.

The proposed redevelopment of the Plan Area as described in this Plan is consistent with the Central Waterfront Plan, adopted by the Planning Commission of the City and County of San Francisco (the “Planning Commission”) on September 27, 1990, and other applicable elements of the General Plan for the City and County of San Francisco, in effect on the effective date of this Plan, and is in conformity with the eight Priority Policies of Section 101.1 of the City Planning Code in effect at the date of adoption of this Plan.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission by **Motion No. 14483**, on October 23, 1997. It provides the Agency with the powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the Plan Area. This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Plan Area will be pursued. It is consistent with provisions of the Community Redevelopment Law in effect at the date of adoption of this Plan.

This Plan and the other Plan Documents, including the Design for Development, shall supersede the San Francisco Planning Code in its entirety, except as otherwise provided herein.

Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies applicable to and governing the overall design, construction, fees, use or other aspect of development of the Plan Area shall be (i) this Plan and the other applicable Plan Documents, (ii) to the extent not inconsistent therewith or not superseded by this Plan, the Existing City Regulations and (iii) any new or changed City Regulations permitted under this Plan.

## **102 Relationship of Plan to Plan Documents**

This Plan is enacted to establish the powers, duties, and obligations to implement and further the program generally formulated in this Plan. All real property in the Plan Area is made subject to the controls and requirements of this Plan, and the other applicable Plan Documents.

In order to facilitate the implementation of this Plan, the City and the Agency have entered into the Mission Bay South Interagency Cooperation Agreement (“ICA”). The ICA is intended to provide the framework for cooperation among various City Agencies and the Agency in accordance with this Plan and the other applicable Plan Documents with respect to the review and approval of development authorizations in the Plan Area and, where appropriate, to facilitate cooperation of the City Agencies in issuance of those permits, approvals, agreements and entitlements at each applicable stage of development.

## **103 Redevelopment Project Objectives**

The purposes of the Community Redevelopment Law, which will be attained through, and the major objectives of this Plan are:

- A. Eliminating blighting influences and correcting environmental deficiencies in the Plan Area, including, but not limited to, abnormally high vacancies, abandoned buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities and utilities.
- B. Retaining and promoting, within the City and County of San Francisco, academic and research activities associated with the University of California San Francisco (“UCSF”), which seeks to provide space for existing and new programs and consolidate academic and support units from many dispersed sites at a single major new site which can accommodate the 2,650,000 square foot program analyzed in the UCSF Long Range Development Plan.
- C. Assembling land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Plan Area.
- D. Replanning, redesigning and developing undeveloped and underdeveloped areas which are improperly utilized.
- E. Providing flexibility in the development of the Plan Area to respond readily and appropriately to market conditions.
- F. Providing opportunities for participation by owners in the redevelopment of their properties.
- G. Strengthening the community’s supply of housing by facilitating economically feasible, affordable housing through installation of needed site improvements and expansion and improvement of the housing supply by the

construction of up to approximately 3,440 very low-, low- and moderate-income and market-rate units, including approximately 1,100 units of very low-, low- and moderate-income housing.

H. Strengthening the economic base of the Plan Area and the community by strengthening retail and other commercial functions in the Plan Area through the addition of up to approximately 400,000 Leasable square feet of retail space, a hotel of up to 300 rooms and associated uses in the Hotel land use district, a hotel of up to 230 rooms and associated uses on Blocks 29-30 in the Commercial Industrial/Retail land use district, and about 6,123,600 Leasable square feet of mixed office, research and development and light manufacturing uses.

I. Facilitating emerging commercial-industrial sectors including those expected to emerge or expand due to their proximity to the UCSF new site, such as research and development, bio-technical research, telecommunications, business service, multi-media services, and related light industrial, through improvement of transportation access to commercial and industrial areas, improvement of safety within the Plan Area, and the installation of needed site improvements to stimulate new commercial and industrial expansion, employment, and economic growth.

J. Facilitating public transit opportunities to and within the Plan Area to the extent feasible.

K. Providing land in an amount of approximately 41 acres for a variety of publicly accessible open spaces.

L. Achieving the objectives described above in the most expeditious manner feasible.

## **104 Planning Objectives and Policies**

The Central Waterfront Plan of the San Francisco General Plan sets forth broad land use planning objectives and policies for the entire Central Waterfront, of which Mission Bay South is a part. In addition to the redevelopment objectives listed in Section 103, the following planning objectives and policies provide a more detailed treatment of the basic General Plan objectives and policies for the Plan Area, and will guide the uses permitted in the Plan Area, the construction of facilities therein, and other physical development of the Plan Area. Application of these objectives and policies is a concerted effort to recognize the positive attributes of the City, to enhance and conserve those attributes, and to improve the quality of the living environment based on human needs. This Plan implements the following to the extent feasible:

### **A. LAND USE**

Objective 1 Create a vibrant urban community in Mission Bay South which incorporates a variety of uses including medical research, office, business

services, retail, entertainment, hotel, light industrial, education, utility, housing, recreation and open space, and community facilities.

Policy 1 Consider land use compatibility in siting the various uses.

Policy 2 Integrate Mission Bay South land uses, scale and circulation systems with surrounding districts and San Francisco Bay.

Policy 3 Create a variety of retail and other visitor-serving uses that benefit residents, workers and visitors, including regional retail, entertainment, recreational, and hotel uses.

Policy 4 Where appropriate, encourage the siting of ground floor neighborhood-serving retail and personal service uses in locations convenient to serve Mission Bay South businesses, residents, visitors and working populations, and/or encourage the siting of other pedestrian-interest activities along pedestrian pathways, at major intersections and at transit stops.

Policy 5 Where appropriate, design building forms and ground floor uses that enliven and activate streets and open space and which provide visual interaction between building occupants and pedestrians (“eyes on the street”) for safety and security.

Objective 2 Assure that adequate community services and facilities are provided for Mission Bay South residents and working population.

Policy 1 Provide for general community services and recreational facilities at a scale appropriate to serve Mission Bay South.

Policy 2 Include adequate public improvements, utilities and amenities.

## B. URBAN DESIGN

Objective 3 Emphasize in Mission Bay South the characteristic San Francisco development patterns, which give its neighborhoods image and means of orientation.

Policy 1 Provide pedestrian scale and interest in ground floor treatments of buildings through the use of treatments such as clear glass fenestration, cornice treatments and detailed facades.

Policy 2 Design in consideration of protecting major views of the Bay, the Bay Bridge and the Downtown skyline from Mission Bay South and, if feasible, the elevated 1-280 freeway along Mission Bay South, using street view corridors, open space, the careful placement of building forms and building massing.

## Mission Bay South Redevelopment Plan

Policy 3 Create a visual and physical access to San Francisco Bay and the channel of China Basin.

Policy 4 Recognize that buildings, open spaces and view corridors, seen together, will create the character of Mission Bay South.

Policy 5 Achieve high quality design for buildings and landscaping.

Policy 6 Emphasize the importance of intersections by encouraging higher density uses, taller buildings (one to two stories or the tallest portion of buildings) and architectural variety on street corners.

Policy 7 Avoid extreme contrasts in color, shape and other characteristics, which will cause new buildings to stand out in excess of their public importance.

Policy 8 Promote building forms that enhance sun exposure on public open spaces.

Objective 4 Create a building form for the Mission Bay South area such that the scale of new development relates to the adjacent waterfront and to adjacent buildings.

Policy 1 Building heights should decrease as they approach the water's edge.

Policy 2 Provide variety in building design within a block to break up the perception of bulk and to achieve a visually interesting streetscape.

### C. NEIGHBORHOOD ENVIRONMENT

Objective 5 Develop new residential neighborhoods in consideration of the character and quality of traditional San Francisco neighborhoods.

Policy 1 Create a pattern of buildings built to the front property line so that building facades generally define streets and public places.

Policy 2 As appropriate to the neighborhood, provide on-street parking in the manner typical throughout the City. Limit the amount of curb cut and garage door access to off-street parking in housing blocks.

Policy 3 Whenever possible, orient housing entrances toward the street or walkway.

Policy 4 Screen parking garages at-grade along streets with retail, housing, art elements or landscape treatments.

Policy 5 Encourage social interaction by use of outdoor common areas for horizontal circulation in residential blocks, when feasible.

## Mission Bay South Redevelopment Plan

Policy 6 Provide adequate active outdoor recreation spaces, including passive recreational spaces, and facilities for the area's residential population.

Policy 7 Provide for building security through street orientation of housing, housing design and adequate street lighting.

Policy 8 Provide for pedestrian and open space security through visibility of public spaces and avoid obscured spaces with little sense of proprietorship.

Policy 9 Design buildings in consideration of noise and traffic in the area. Such design can include measures such as placing residential units above a podium of parking or commercial uses, installing double-glazed windows and using sound attenuation construction methods and materials along the traffic-facing walls, placing sleeping quarters away from noise sources, and installing varieties of trees that tolerate traffic impacts.

### D. RECREATION AND OPEN SPACE

Objective 6 Provide a variety of open spaces adequate to serve the Mission Bay South community and to augment the City's open space network.

Policy 1 Create parks, open space and recreational facilities within a comfortable walking/wheelchair traveling distance to serve the needs of Mission Bay South residents, workers and visitors of all ages and that are accessible to everyone, including the physically disabled and the elderly.

Policy 2 Create an open space network which provides walking, jogging and bicycle paths between recreation and open space areas throughout Mission Bay South, and provide connections to City-wide pedestrian, bicycle and open space networks, where applicable.

Policy 3 Orient development and parks, public and private open space, and pedestrian areas to facilitate solar access and wind protection for public open space where feasible and consistent with the land uses and intensities contemplated by this Plan.

Policy 4 Enhance parks and open spaces by maintaining view corridors from such areas.

### E. COMMERCE AND INDUSTRY

Objective 7 Maintain, enhance and diversify a sound and dynamic economic base for Mission Bay South and the City.

Policy 1 Encourage the siting of educational institutions, medical research and development, retail, multi-media/ telecommunications, recreational, entertainment and public and private utility uses at Mission Bay South in a manner compatible with adjacent uses.

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Policy 2 Encourage complementary support services to Mission Bay South such as office, light industrial, business service and neighborhood-serving retail in order to add to the economic diversity of the area and the City.

Objective 8 Expand employment opportunities in Mission Bay South for San Francisco residents.

Policy 1 Promote the creation of jobs for a highly skilled and professional work force.

Policy 2 Promote efforts to attract, retain and expand employment improvement opportunities for unskilled and semi-skilled workers.

### F. TRANSPORTATION

Objective 9 Establish a street system, which is consistent in function and design with the character and use of adjacent land and efficient traffic flow.

Policy 1 Design the Mission Bay South street system in consideration of the layout of surrounding City streets consistent with the Infrastructure Plan for Mission Bay South.

Policy 2 Design the Mission Bay South streets (curb to curb) to the minimum scale necessary to provide required movement, parking, transit, bicycle and access functions.

Policy 3 Establish a truck route system to facilitate truck movements within and through Mission Bay South.

Policy 4 Within a “Transit First” environment, provide parking facilities in consideration of the needs of residents, workers, visitors and their service providers.

Policy 5 Explore opportunities for shared use of parking facilities, both day and night.

Objective 10 Accommodate the expansion of transit services to, from, through and within Mission Bay South.

Policy 1 Work with transit providers to coordinate the siting of transit stops at locations serving high-density uses.

Policy 2 Encourage the siting of shelters, and retail and personal service uses at or near transit stops.

Objective 11 Provide for the safe and convenient use of the bicycle as a means of transportation and recreation.

Objective 12 Provide for convenient, safe, and pleasant pedestrian circulation.

Policy 1 Recognize the importance of the pedestrian environment in the street level design of buildings.

Policy 2 Where appropriate, provide for public pedestrian-dominated streets with limited vehicular access.

Policy 3 Ensure quality street level environments, including street furniture.

Policy 4 Expand and enhance pedestrian access to San Francisco Bay and to the channel of China Basin.

## **200 DESCRIPTION OF THE PLAN AREA**

The boundaries of the Plan Area are described in the “Legal Description of the Plan Area,” attached as Attachment I and shown on the “Plan Area Map,” attached as Attachment 2.

## **300 USES PERMITTED IN THE PLAN AREA**

### **301 Redevelopment Land Use Map**

The “Redevelopment Land Use Map,” attached hereto as Attachment 3, illustrates the location of the Plan Area boundaries, major streets within the Plan Area and the proposed land uses to be permitted in the Plan Area.

### **302 Designated Land Uses**

Land uses are permitted in the Plan Area as either principal or secondary uses as provided below. Principal uses shall be permitted in the Plan Area in the particular land use district as set forth in Sections 302.1 through 302.7 of this Plan, in accordance with the provisions of this Plan.

Secondary uses shall be permitted in a particular land use district as set forth in Sections 302.1, 302.3 and 302.4, provided that such use generally conforms with redevelopment objectives and planning and design controls established pursuant to this Plan and is determined by the Executive Director to make a positive contribution to the character of the Plan Area, based on a finding of consistency with the following criterion: the secondary use, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

#### **302.1 Mission Bay South Residential**

The Mission Bay South Residential land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of residential uses and compatible local-serving retail and other uses which can be in mixed use facilities.

## Mission Bay South Redevelopment Plan

- A. The following principal uses are permitted in the Mission Bay South Residential district:

Dwelling Units

Retail Sales and Services:

Local-Serving Business, excluding Bars, aerobics studios, and  
dry- cleaning facilities that conduct onsite dry-cleaning operations  
Restaurants  
Automobile Rental

Arts Activities and Spaces:

Arts activities in ground floor commercial spaces and/or in Live/Work  
Units

Office Use:

Local-Serving Business above the ground floor

Home and Business Services:

Catering Establishment  
Household and business repair  
Interior decorating shop

Other Uses:

Family Child Care Facility  
Home Occupation  
Live/Work Units  
Open Recreation  
Outdoor Activity Area  
Parking  
Automated Teller Machines (ATMs)  
Telecommunications antenna and equipment  
Installation of tower or antenna for reception of radio and television for  
benefit of building occupants

- B. The following secondary uses shall be permitted in the Mission Bay South Residential district if the criteria set forth in this Section 302 are met:

Institutions, including but not limited to:

Local-Serving Child Care Facility  
Small residential care facility licensed by the State  
Small social service/philanthropic facility  
Small vocational/job training facility  
Church/religious institution

Retail Sales and Services:

Aerobics studios

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### Animal Care:

Animal Services in enclosed building

### Office Use:

Local-Serving Business on the ground floor

### Other Uses:

Walk-Up Facility, except ATMs

Commercial wireless transmitting, receiving or relay facility with these reports if required

## 302.2 Hotel

The Hotel land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of primarily hotel, retail sales, destination retail, assembly and entertainment with compatible other uses, excluding Theaters.

The following principal uses are permitted in the Hotel district:

### Retail Sales and Services:

Tourist Hotel

All Retail Sales and Services, including Bars and aerobic studios and excluding dry-cleaning facilities that conduct onsite dry-cleaning operations

Restaurants

Automobile Rental

### Art Activities and Spaces

### Assembly and Entertainment:

Amusement Enterprise

Nighttime Entertainment

Recreation building

### Institutions:

Local-Serving Child Care Facility

### Home and business services:

Catering Establishment

### Animal Care:

Animal Services in enclosed building

### Other Uses:

Open Recreation

Outdoor Activity Area

Parking

Walk-Up Facility, including ATMs

Commercial wireless transmitting, receiving or relay facility with required  
EMR reports  
Telecommunications antenna and equipment  
Installation of tower or antenna for reception of radio and television for  
benefit of building occupants

The following secondary uses shall be permitted in the Hotel district if the criterion for a secondary use as set forth in Section 302 is met:

Dwelling Units, as long as they do not preclude within the Hotel land use district the development of an economically feasible hotel (subject to the limitations in Section 304.5 of this Plan) that will comply with the Design for Development and other Plan Documents, which determination the Agency shall make at the time it approves any dwelling units in the Hotel land use district.

### 302.3 Commercial Industrial

The Commercial Industrial land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of Commercial Industrial uses, including Manufacturing, Office Use, Animal Care facilities, Wholesaling and Other Uses, as described below. This district also includes compatible local-serving retail and personal services (excluding Theaters), consisting of the balance of the uses discussed below.

A. The following principal uses are permitted in the Commercial Industrial district:

Manufacturing (including office space and administrative uses associated therewith):

Light manufacturing uses involving assembly, packaging, repairing or  
processing of previously prepared materials  
Software development and multimedia  
Industrial or chemical research or testing laboratory  
Medical research and bio-technical research facility  
Experimental laboratory

Institutions:

Vocational/job training facility

Retail Sales and Services:

Local-Serving Business, including Bars and aerobics studios  
Automobile Rental

Arts Activities and Spaces

Office Use

Home and business services:

Blueprinting shop

## Mission Bay South Redevelopment Plan

- Building, plumbing, electrical, printing, roofing, furnace, or pest-control contractor's office
- Carpenter shop, sheet metal fabrication
- Household and business repair shop
- Multi-media business services
- Newspaper publication, desktop publishing
- Printing shop
- Sign-painting shop

### Animal Care:

- Animal Services in enclosed building
- Animal care facilities for animal housing, handling, treatment, transport
- Commercial kennel

### Wholesaling:

- Storage of household or business goods in enclosed building
- Wholesale Sales and Services in enclosed building
- Wholesale storage warehouse
- Cold storage plant

### Automotive:

- Automobile service station
- Automobile wash

### Other Uses:

- Greenhouse or plant nursery
- Open Recreation
- Outdoor Activity Area
- Parking
- Walk-Up Facility, including ATMs
- Commercial wireless transmitting, receiving or relay facility with required EMR reports
- Telecommunications antenna and equipment
- Installation of tower or antenna for reception of radio and television for benefit of building occupants

- B. The following secondary uses shall be permitted in the Commercial Industrial district if the criteria set forth in this Section 302 are met:

### Institutions, including but not limited to the following:

- Clinic for outpatient care
- Local-Serving Child Care Facility
- Post secondary school
- Social service/philanthropic facility
- Church/religious institution
- Clubhouse
- Lodge building

Meeting hall

Assembly and Entertainment:  
Nighttime Entertainment  
Recreation building

Other Uses:  
Public structure or use of a nonindustrial character

#### 302.4 Commercial Industrial/Retail

The Commercial Industrial/Retail land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of industrial, commercial and office uses, retail and compatible other uses, excluding theaters, which can be in mixed-use facilities. The definitions of “Commercial Industrial” and “Retail” are as provided in Section 302.3.

A. The following principal uses are permitted in the Commercial Industrial/Retail district:

Manufacturing (including office space and administrative uses associated therewith):

Light manufacturing uses involving assembly, packaging, repairing or processing of previously prepared materials  
Software development and multimedia  
Industrial or chemical research or testing laboratory  
Medical research and bio-technical research facility  
Experimental laboratory

Institutions:

Vocational/job training facility

Retail Sales and Services:

All Retail Sales and Services, including Bars and aerobic studios  
Restaurants  
Automobile Rental  
Tourist Hotel (Blocks 29-30 only)

Arts Activities and Spaces

Office Use

Home and business services:

Blueprinting shop  
Building, plumbing, electrical, printing, roofing, furnace, or pest-control contractor's office  
Carpenter shop, sheet metal fabrication  
Household and business repair shop  
Multi-media business services  
Newspaper publication, desktop publishing

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- Printing shop
- Sign-painting shop

### Animal Care:

- Animal Services in enclosed building
- Animal care facilities for animal housing, handling, treatment, transport
- Commercial kennel

### Wholesaling:

- Storage of household or business goods in enclosed building
- Wholesale Sales and Services in enclosed building
- Wholesale storage warehouse
- Cold storage plant

### Automotive:

- Automobile service station
- Automobile wash

### Dwelling Units (Blocks 29-30 only)

### Other Uses:

- Greenhouse or plant nursery
- Open Recreation
- Outdoor Activity Area
- Parking
- Walk-Up Facility, including ATMs
- Commercial wireless transmitting, receiving or relay facility with required EMR reports
- Telecommunications antenna and equipment
- Installation of tower or antenna for reception or radio and television for benefit of building occupants

- B. The following secondary uses shall be permitted in the Commercial Industrial/Retail district if the criteria set forth in this Section 302 are met:

### Institutions, including but not limited to:

- Local-Serving Child Care Facility
- Social service/philanthropic facility
- Church/religious institution
- Clinic for outpatient care
- Post secondary school
- Clubhouse
- Lodge building
- Meeting hall

### Assembly and Entertainment:

- Nighttime Entertainment
- Recreation building

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### Other Uses:

Public structure or use of a nonindustrial character

### 302.5 UCSF

The UCSF land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of institutional and academic uses as outlined in the 1996 Long Range Development Plan ("LRDP"). The land use district includes a proposed approximately 2.2-acre San Francisco Unified School District public school site. (Refer to Section 403 herein regarding cooperation between UCSF and the Agency.) The following indicates the type of uses, as defined in the UCSF LRDP, that will be developed by The Regents in the UCSF land use district, and which are generally consistent with the uses contemplated under this Plan:

#### Instruction:

Auditoriums, classrooms, seminar rooms  
Teaching laboratories

#### Research:

Medical and biomedical laboratory facilities  
Office-based or computer-based research facilities  
Cold rooms, glass wash, microscopy areas, and other instrument areas

#### Clinical:

Community-serving clinic for outpatient care

#### Academic Support:

Animal care facilities for animal housing, handling, treatment, transport  
Library and library facilities  
Multimedia business services  
Newspaper publication, desktop publishing

#### Academic/Campus Administration:

Administrative offices and administrative service  
Academic offices and academic department/school facilities  
Non-academic offices such as police and personnel offices

#### Campus Community:

Arts activities  
Local-serving business and professional service  
Local-serving child care facility  
Elementary school or secondary school  
Local-serving retail business or personal service establishments  
Social service/philanthropic facility  
Meeting hall  
Recreation building  
Open recreation/open space  
Public structure or use of a non-industrial character

## Mission Bay South Redevelopment Plan

### Logistics:

- Automatic laundry
- Dry-cleaning establishment and hand-ironing establishment
- Hospital laundry plant
- Blueprinting shop
- Building, plumbing, electrical, printing, roofing, or pest-control office
- Carpenter shop, sheet metal fabrication
- Printing shop
- Sign-painting shop
- Service yard
- Storage building
- Cold storage plant
- Utility plant
- Installation of tower or antenna for reception
- Uses accessory to and supportive of the principal uses within a building

### 302.6 Mission Bay South Public Facility

The Mission Bay South Public Facility land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of land other than housing sites or open space owned by a governmental agency or other public or semi-public entity and in some form of public or semi-public use.

The following principal uses are permitted in the Mission Bay South Public Facility district:

- Fire/Police station
- Open lot or enclosed Storage
- Railroad tracks and related facilities
- Other public structure or use

### 302.7 Mission Bay South Open Space

The Mission Bay South Open Space land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of a comprehensive system of open spaces, including parks, plazas, and open space corridors. Only recreational uses and uses accessory to and supportive of recreational use are permitted in this district including, but not limited to, accessory parking,

kiosks and pushcarts; except that a facility containing up to 13,637 Leasable square feet of retail uses on a development footprint not to exceed 7,500 gross square feet may be constructed on parcel P22 on Attachment 2.

## 303 Other Land Uses

### 303.1 Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment 3) the major public streets within the Plan Area include: Owens Street, Third Street, Terry Francois Boulevard,

Channel Street, Sixteenth Street, and Mariposa Street. Up to five new east-west major streets will be created between Channel Street and Sixteenth Street. Alignments are not exact and are shown on the Redevelopment Land Use Map for illustrative purposes.

Fourth Street will be realigned and extended from the channel of Mission Creek to Mariposa Street; Owens Street will be extended from Sixteenth Street to Mariposa Street; and Channel Street will be extended from Fourth Street to Third Street. Other existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Plan Area.

Any changes in the existing street layout within the Plan Area, and in the event that Agency funding is used, outside of the Plan Area, shall be in accordance with the objectives of this Plan.

The public rights-of-way may be used for railroad, vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way. Railroad rights-of-way are allowed in any land use district.

Railroad rights-of-way may be outside the street rights-of-way.

### 303.2 Other Public and Semi-Public Uses

In any area shown on the Redevelopment Land Use Map (Attachment 3), the Agency is authorized to permit the maintenance, establishment or enlargement of utility easements and boxes and equipment appurtenant thereto. Other permitted public uses are specified in Sections 302.6 and 302.7 of this Plan.

### 303.3 Temporary and Interim Uses

Pending the ultimate development of land consistent with the land use program described in Attachment 3, certain interim and temporary uses are authorized as follows:

- A. Temporary Uses: The following uses are authorized as of right pursuant to this Plan for a period not to exceed ninety (90) days:
  - Booth for charitable, patriotic or welfare purposes;
  - Exhibition, celebration, festival, circus or neighborhood carnival;
  - Open Air Sales of agriculturally produced seasonal decorations including, but not necessarily limited to, Christmas trees and Halloween pumpkins;
  - Convention staging;
  - Parking; and
  - Truck parking and loading.
- B. Interim Uses: Interim Uses of over ninety (90) days may be authorized for an initial time period to be determined by the Executive Director of the Agency not to exceed fifteen (15) years, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Plan Area as contemplated in this Plan. Extensions of this approval period may be authorized

by the Executive Director in increments of up to five (5) year periods, subject to the same determination as required for the initial period. Permissible interim uses are as follows:

Rental or sales office incidental to a new development, provided that it be located in the development or a temporary structure;

Structures and uses incidental to environmental cleanup and staging;

Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including but not limited to construction staging of materials and equipment;

Storage;

Parking; and

Truck Parking.

- C. Interim Pacific Bell Ballpark Parking: Interim parking associated with the Pacific Bell (San Francisco Giants) Ballpark within the Plan Area which was previously approved by the City Zoning Administrator is permitted as a matter of right, pursuant to the terms and conditions of the Zoning Administrator letter. Extensions of the original approval shall be governed by Section 303.3(B).

#### 303.4 Nonconforming Uses

The Agency shall provide for the reasonable continuance, modification and/or termination of nonconformities as provided in this Section 303.4 to promote compatibility of uses, eliminate blighting conditions and effectuate the purposes, goals, and objectives of this Plan. The Agency shall permit the continuation of existing, nonconforming uses and structures for (1) 15 years after the date of adoption of this plan; or (2) for such use in fully enclosed warehouse buildings east of Third Street for an initial period through February 27, 2001 with an additional period of at least 25 years after the expiration of this initial period. In either case, the Executive Director is authorized to grant extensions of time if he/she determines that the extension will not impede the orderly development of the Plan Area. No extension shall be for a period in excess of two years. Successive extensions, subject to the same limitations, may be granted upon new application.

The Executive Director may authorize additions, alterations, reconstruction, rehabilitation, or changes in use through uses or structures which do not conform to the provisions of this Plan, subject to the same determination as is provided above for extensions of the nonconforming use period.

### **304 General Controls and Limitations**

All real property in the Plan Area is made subject to the controls and requirements of this Plan. No real property shall be developed or rehabilitated after the date of the adoption of this Plan, except in conformance with the provisions of this Plan and the other applicable Plan Documents.

304.1 Construction

All construction in the Plan Area shall comply with the provisions of Section 306 of this Plan, the applicable Plan Documents, and all applicable laws.

304.2 Rehabilitation and Retention of Properties

Any existing structure within the Plan Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

304.3 Limitation on the Number of Buildings

The number of Buildings in the Plan Area shall not exceed 500.

304.4 Number of Dwelling Units

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

304.5 Limitation on Type, Size and Height of Buildings

The type of buildings may be as permitted in the Building Code as in effect from time to time. Approximately 400,000 Leasable square feet of retail space, an up to 300 room hotel in the Hotel land use district and an up to 230-room hotel on Blocks 29-30 in the Commercial Industrial/Retail land use district, including associated uses such as retail, banquet and conferencing facilities, approximately 6,123,600 Leasable square feet of mixed office, research and development and light manufacturing uses, with about 2,650,000 square feet of UCSF instructional, research and support uses are allowed in the Plan Area.

The 6,123,600 Leasable square feet is allocated to the Zones depicted on Attachment 3A as follows: 504,000 Zone B; 414,000 Zone C; 35,600 Zone D. The balance is permitted in Zone A and on other sites designated Commercial Industrial on Attachment 3 (except that 170,000 Leasable square feet of the balance may only be located on Parcel 7 of Block 43). In addition to the 6,123,600 Leasable square feet of Commercial Industrial uses, up to 45,000 Leasable square feet of such Commercial Industrial uses are permitted in Zone B and 36,000 Leasable square feet in Zone C, respectively, in lieu of all or a portion of the retail allocations provided below for such zones; provided, however, that the total development programs for Zones B and C shall not

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exceed 549,000 and 450,000 Leasable square feet, respectively. Of the 400,000 Leasable square feet, up to 170,700 Leasable square feet may be City-serving retail, allocated as follows: 85,700 on Blocks 29, 30, 31, 32 and 36 in Zone A (except that approximately 65,000 Leasable square feet of such City-serving retail may only be located on Blocks 29-32); 45,000 Zone B; 36,000 Zone C; 4,000 Zone D. The balance of the permitted retail use, 229,300 Leasable square feet, is allocated as follows: 50,000 entertainment/neighborhood-serving retail in the Hotel district, 159,300 neighborhood-serving retail in Zone A and sites designated Commercial or Mission Bay South Residential on Attachment 3 in the Plan Area, and 20,000 neighborhood-serving retail on Agency-sponsored affordable housing sites.

In addition to the maximum densities described above, the following uses are permitted: (a) a total of up to approximately 10,000 additional Leasable square feet of neighborhood-serving retail uses on Agency-sponsored affordable housing sites (bringing the total permitted allocation of neighborhood-serving retail on Agency-sponsored affordable housing sites to 30,000 Leasable square feet); and (b) an up to approximately 13,637 Leasable square foot retail facility on parcel P22 on Attachment 2.

The floor area ratio (FAR) for Commercial Industrial and Commercial Industrial/Retail shall be a maximum of 2.9:1, averaged over the entire area of these two land use districts combined, except that the area in Zones B-D shall be excluded from the calculation and except that if some or all of the additional Leasable square feet allocated to Parcel 7 of Block 43 is constructed, the maximum average of the FAR of 2.9:1 for Commercial Industrial and Commercial Industrial/Retail shall be increased to, but shall not exceed, 2.95:1, to account for the additional Leasable square feet allocated to Parcel 7 of Block 43. The floor area ratio for Zones B-D shall be a maximum of 2.9:1, calculated separately for each Zone. Maximum building height within the Plan Area is 160 [feet, except that the maximum building height for affordable housing on the northern one-half of Block 4 East in the Mission Bay South Residential land use district is 250 feet.](#)

The maximum size of the hotel within the Hotel land use district shall be up to 300 rooms and the maximum amount of retail square footage within the Hotel land use district shall be 25,000 Leasable square feet.

### 304.6 Open Space

Open space to be provided in the Plan Area is the total of all public open spaces and shall be approximately 41 acres, including approximately 8 acres of publicly accessible open space that will be provided within the UCSF land use district.

### 304.7 Utilities

All utilities within the Plan Area, and in the event Agency funding is used, outside of the Plan Area, shall be placed underground whenever physically and economically feasible.

### 304.8 Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, or disability including HIV/AIDS status permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Plan Area.

304.9 Fees and Exactions: All Plan Area Property Excepting X2, X3 and X4

The following provisions shall apply to all property in the Plan Area excepting the property designated X2, X3 and X4 on Attachment 2 and parcels utilized as affordable housing developed by Agency-sponsored entities.

- A. Definitions: For purposes of this Section 304.9 only, the definitions below shall apply.

**Administrative Fee.** Any fee charged by any City Agency or the Agency in effect at the time of submission for the processing of any application for Building Permits, subdivision maps, other City regulatory actions or approvals for a Major Phase or Project in the Plan Area that are generally applicable on a City-wide basis for similar land uses.

**Art Requirement.** The installation and maintenance of works of art costing an amount equal to 1 percent of the hard costs of initial construction (excluding therefrom the costs of Infrastructure and tenant improvements) of a Project for retail or commercial uses exceeding 25,000 gross square feet of floor area prior to the issuance of the first certificate of occupancy or such later time as may be determined by the Agency not to exceed one year thereafter; provided, however, that where the works of art are proposed to be included within an Open Space Parcel, such installation may occur any time prior to completion of the improvements to the Open Space Parcel. Such works may include sculpture, bas-relief, murals, mosaics, decorative water features, fountains, tapestries or other artwork and shall be located in and permanently affixed to a Project, its grounds or an Open Space Parcel or the surrounding area.

**Child Care Requirements.** The requirements set forth in City Planning Code Section 314.

**City-Wide.** All privately-owned property within (1) the territorial limits of the City or (2) any designated use district or use classification of the City so long as (a) any such use district or use classification includes more than an insubstantial amount of affected private property other than affected private property within the Plan Area and the Mission Bay North Plan Area, (b) the use district or use classification includes all private property within the use district or use classification that receives the general or special benefits of, or causes the burdens that occasion the need for, the new City Regulation or Development Fees or Exactions, and (c) the cost of compliance with the new City Regulation or

Development Fee or Exaction applicable to the same type of use in the Plan Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in, the Plan Area (or portion thereof).

**Development Fees or Exactions.** A monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, which is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement for a Major Phase or Project or any requirement for the provision of land for a construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fee or Exaction does not include Building Codes in effect from time to time generally applicable on a City-wide basis to similar land uses.

**Improvements.** Buildings, structures, Infrastructure and other work of improvement to be constructed in or for the benefit of the Plan Area.

**Infrastructure.** Open space (including, among other items, park improvements and restrooms), streets, sewer and storm drainage systems, water systems, street improvements, traffic signal systems, dry utilities, and other Improvements any of which are to be constructed in or for the benefit of the Plan Area.

**Major Phase.** A development segment comprising one or more of the numbered parcels shown on Attachment 2 (or portions of parcels) included with a numbered parcel or a remaindered parcel if so approved by Agency pursuant to the design review and document approval procedure under an applicable owner participation agreement containing one or more Projects.

**Open Space Parcel.** Those parcels or portions thereof designated for use as parks, plazas, or other public open space in Attachment 3 of this Plan.

**Project.** An individual Building and the related Improvements anticipated to be constructed in connection therewith under this Plan.

**School Facilities Impact Fee.** The sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

B. Administrative Fees: Nothing in this Plan shall preclude or constrain the Agency or any City Agency from charging and collecting an Administrative Fee or any such fee which may be provided for in any owner participation agreement.

C. Development Fees and Exactions:

(i) Existing Development Fees or Exactions. Except as provided in the following provisions of this Section 304.9C, from and so long as this Plan is in effect, the following Development Fees or Exactions as same are in effect as of the date of adoption of this Plan, and only the following, are applicable to the Plan Area: (a) the School Facilities Impact Fee; (b) the Child Care Requirements; and (c) the Art Requirement.

(ii) New or Increased Development Fees or Exactions. No increase in any Development Fee or Exaction and no new Development Fee or Exaction shall be

applicable to the Plan Area for ten (10) years following the date of issuance to Owner of the first Building Permit for a Project in the South Plan Area and, thereafter, shall only be applicable if said new or increased Development Fee or Exaction is generally applicable on a City-Wide basis to similar land uses; provided, however, that any increase in the School Facilities Impact Fee authorized by any change in state law at any time after the approval of this Plan shall apply. Any new or increased Development Fee or Exaction which becomes effective more than ten (10) years following the date of issuance to Owner of the first Building Permit for a Project in the Plan Area shall be applicable to the Plan Area so long as such new or increased Development Fee or Exaction is (i) generally applicable on a City-Wide basis to similar land uses and (ii) not redundant as to the initial Project of a fee, dedication, program, requirement or facility described in the applicable Plan Documents related to (A) affordable housing or (B) open space.

Notwithstanding the foregoing, new or increased Development Fees or Exactions may be imposed in order to comply with changes in applicable federal or state law or regulations as further provided in Subsection 304.9C(iii); provided, however, that any such new or increased Development Fee or Exaction shall be applied to the Plan Area on a Project by Project basis in a manner which is proportional to the impacts caused by the development in the Plan Area; that is, any such Development Fee or Exaction shall be no more than the equitable share of the cost of funding reasonable compliance with the applicable federal or state law or regulation taking into account the equitable amount allocable to the impacts caused by previous or existing development within the City. In no event shall any Project within the Plan Area be required to pay a new or increased Development Fee or Exaction in connection with compliance with any such federal or state law or regulation which is not applied on a City-Wide basis to similar land uses.

(iii) Protection of Public Health and Safety. Notwithstanding any provision of this Section 304.9C to the contrary, the Agency and any City Agency having jurisdiction, shall exercise its discretion under this Plan and the other applicable Plan Documents in a manner which is consistent with the public health, safety and welfare and shall retain, at all times, its and their respective authority to take any action that is necessary to protect the physical health and safety of the public including without limitation authority to condition or deny a permit, approval, agreement or other entitlement or to change or adopt any new City Regulation if required (a) to protect the physical health or safety of the residents in the Plan Area, the adjacent community or the public, or (b) to comply with applicable federal or state law or regulations including without limitation changes in

Existing City Regulations reasonably calculated to achieve new, more restrictive federal or state attainment or other standards applicable to the City for water quality, air quality, hazardous materials or otherwise relating to the physical environment where such City Regulations are generally applicable and proportionally applied to similar land uses on a City-Wide basis but subject, in all

events, to any rights to terminate any owner participation agreement between an owner and the Agency as set forth in the applicable Plan Documents. Except for emergency measures, any City Agency or the Agency, as the case may be, will meet and confer with the owner in advance of the adoption of such measures to the extent feasible, provided, however, that said City Agency and the Agency shall each retain the sole and final discretion with regard to the adoption of any new City Regulation in furtherance of the protection of the physical health and safety of the public as provided in this Subsection 304.9C(iii).

(iv) Nonconflicting Laws. In addition to the reservation set forth in Section 304.9C(iii), the City Agencies and the Agency reserve the right to impose any new City Regulations and any changes to the Existing City Regulations (except for the Planning Code sections superseded by this Plan) that do not conflict with the development allowed by this Plan and the other applicable Plan Documents. As used herein, “conflict” means any proposed new or changed City Regulations which preclude or materially increase the cost of performance of or compliance with any provision of this Plan or the applicable Plan Documents or do any of the following: alter the permitted uses of land; decrease the maximum building height of buildings; reduce the density or intensity of development permitted; delay development; limit or restrict the availability of Infrastructure; impose limits or controls on the timing, phasing or sequencing of development; or modify Development Fees or Exactions except as permitted by this Section 304.9C. Notwithstanding the foregoing, the City may apply its then current standards for Infrastructure pursuant to then applicable City Regulations. Nothing in this Plan or the other applicable Plan Documents shall be deemed to limit any City Agency’s or the Agency’s ability to comply with the California Environmental Quality Act (“CEQA”).

#### 304.10 Fees and Exactions: Parcels X2, X3 and X4

The parcels designated X2, X3 and X4 (as shown on Attachment 2) shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an owner participation agreement if the Agency determines that the public benefits under the owner participation agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

304.11 Office Development Limitations. By Resolution No. 14702, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). The findings contained in Resolution No. 14702 are incorporated herein by reference and

attached as Attachment 6 to this Plan. Because the office development contemplated by this Plan has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, shall be deemed to have been made for all specific office development projects undertaken pursuant to this Plan. No office development project contemplated by this Plan may be disapproved either (i) for inconsistency with Planning

Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Plan Area and subject to Planning Code Sections 320-325; provided, however, that (x) no office development project shall be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and (y) the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Commission's findings contained in Resolution No. 14702. Upon such determination, the Planning Commission shall issue a project authorization for such project. The decision on the design of any particular office development project reviewed pursuant to this Section 304.11 shall be binding on the Agency.

### **305 Variations**

The Agency may modify the land use controls in this Plan where, owing to unusual and special conditions, enforcement would result in undue hardships or would constitute an unreasonable limitation beyond the intent and purposes of these provisions. Upon written request for variation from the Plan's land use provisions from the owner of the property, which states fully the grounds of the application and the facts pertaining thereto, and upon its own further investigation, the Agency may, in its sole discretion, grant such variation from the requirements and limitations of this Plan. The Agency shall find and determine that the variation results in substantial compliance with the intent and purpose of this Plan, provided that in no instance will any variation be granted that will change the land uses of this Plan.

### **306 Design for Development**

Within the limits, restrictions and controls established in this Plan, the Agency is authorized to establish height limits of buildings, land coverage, density, setback requirements, design and sign criteria, traffic circulation and access standards, and other development and design controls necessary for proper development of both private and public areas within the Plan Area, as set forth in the Design for Development.

## **400 PROPOSED REDEVELOPMENT ACTIONS**

### **401 General Redevelopment Actions**

The Agency proposes to achieve the objectives of Sections 103 and 104 and effectuate the policies of Section 104 of this Plan by:

- A. The acquisition of real property;
- B. The demolition or removal of certain buildings and improvements and the relocation of rail lines;
- C. The provision for participation in redevelopment by owners presently located in the Plan Area and the extension of preferences to business occupants and other tenants desiring to remain or relocate within the redeveloped Plan Area;
- D. The management of any property acquired by and under the ownership or control of the Agency;

- E. The provision of relocation assistance to eligible occupants displaced from property in the Plan Area;
- F. The installation, construction or reconstruction of streets, utilities, parks, other open spaces, and other public improvements;
- G. The disposition of property for uses in accordance with this Plan;
- H. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and to promote economic development of the area;
- I. The rehabilitation of structures and improvements by present owners, their successors and the Agency;
- J. The assembly of adequate sites for the development and construction of residential, commercial or industrial facilities; and
- K. Provision for very low-, low- and moderate-income housing.

To accomplish the above activities in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

## **402 Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Plan Area**

### **402.1 Opportunities for Owners and Business Tenants**

In accordance with this Plan and the rules for participation by owners and the extension of preferences to business tenants adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Plan Area shall be given a reasonable opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan; (2) acquiring adjacent or other properties within the Plan Area and developing or improving such property for use in accordance with this Plan; or (3) selling their properties to the Agency and purchasing other properties in the Plan Area.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Plan Area to participate in the redevelopment of the Plan Area, or to reenter into business within the redeveloped Plan Area, if they otherwise meet the requirements of this Plan.

### **402.2 Rules for Participation Opportunities, Priorities and Preferences**

In order to provide opportunities to owners to participate in the redevelopment of the Plan Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Plan Area, the Agency has promulgated rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Plan Area.

#### 402.3 Owner Participation Agreements

The Agency shall require as a condition to participation in redevelopment that each participant enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan and to be subject to its provisions.

Whether or not a participant enters into an owner participation agreement with the Agency, all other provisions of this Plan are applicable to all public and private property in the Plan Area.

In the event that a participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and the owner participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

#### 402.4 Conforming Owners

Subject to any owner participation agreement provisions, the Agency may determine in its sole and absolute discretion, that certain real property within the Plan Area meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without an owner participation agreement with the Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into an owner participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional contiguous property within the Plan Area.

#### 402.5 Phasing with Development

Subject to the terms of owner participation agreements, owners shall be required to provide for infrastructure, affordable housing and open space in conjunction with development of improvements in the Plan Area.

### **403 Cooperation with Public Bodies**

The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or without the Plan Area) which land, buildings, facilities, structures or other improvements are or would be of benefit to the Plan Area, in accordance with the ICA.

The Regents of the University of California will work cooperatively with the Agency regarding land use and planning issues in that portion of the Plan Area to be used by the University for educational purposes. This cooperative effort will assure that the mutual interests of UCSF and the Agency are addressed. However, because the University is exempt under Article 9, Section 9 of the State Constitution from local planning, zoning and redevelopment

regulations when using its property in furtherance of its educational purposes, the portion of the Plan Area to be used by UCSF for educational purposes would not be subject to the actions of the Agency to implement this Plan. That portion of the Plan Area within the UCSF land use district to be developed either as a site for the San Francisco Unified School District or as public open space and the dedicated public streets (i.e., 4th Street) would be subject to the jurisdiction of the Agency.

The Regents would develop the UCSF site in accordance with the uses and total gross square footage described in UCSF's 1996 Long Range Development Plan ("LRDP"), as it may be amended from time to time. The LRDP has been subjected to environmental analysis pursuant to the California Environmental Quality Act ("CEQA"), and a Final Environmental Impact Report has been certified by the Regents. As each UCSF development project within the Plan Area is proposed, the Regents will determine whether additional environmental review will be necessary. To the extent provided in CEQA, the CEQA Guidelines and the UC CEQA Handbook, the City, the Agency and the public would have an opportunity to comment on any environmental documentation prepared by the Regents for individual development projects.

#### **404 Property Acquisition**

##### **404.1 Real Property**

The Agency may acquire real property located in the Plan Area by any means authorized by law.

It is in the public interest and necessary in order to eliminate the conditions requiring redevelopment and in order to implement this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Plan Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method, except that the Agency is not authorized to employ the power of eminent domain to acquire property on which any persons legally reside. Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ordinance adopting this Plan becomes effective.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

##### **404.2 Personal Property**

Where necessary to implement this Plan, the Agency is authorized to acquire personal property in the Plan Area by any lawful means, including eminent domain.

#### **405 Property Management**

During such time as property, if any, in the Plan Area is owned or leased by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

#### **406 Relocation of Persons, Business Concerns and Others Displaced by the Project**

##### **406.1 Assistance in Finding Other Locations**

The Agency shall assist or cause to be assisted all eligible persons (including individuals and families), business concerns and others displaced from the Plan Area pursuant to this Plan in finding other locations and facilities, as may be required by law. In order to implement this Plan with a minimum of hardship to eligible persons, business concerns and others, if any, displaced by implementation of this Plan, the Agency shall assist such persons, business concerns and others in finding new locations in accordance with all applicable relocation statutes and regulations (Section 33410 et seq. of the Community Redevelopment Law).

##### **406.2 Relocation Payments**

The Agency shall make or cause to be made relocation payments to persons (including individuals and families), business concerns and others displaced by implementation of this Plan as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.), Agency rules and regulations adopted pursuant thereto, and as may be applicable in the event that federal funding is used in the implementation of this Plan, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

#### **407 Demolition, Clearance, and Building and Site Preparation**

##### **407.1 Demolition and Clearance**

The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Plan Area owned or leased by the Agency or other public entity as necessary to carry out the purposes of this Plan.

##### **407.2 Preparation of Building Sites**

The Agency is authorized to prepare, or cause to be prepared, as building sites, any real property in the Plan Area owned or leased by the Agency or other public entity. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, playgrounds and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, public and other uses provided in this Plan.

#### **408 Property Disposition and Development**

##### **408.1 Real Property Disposition and Development**

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to

dispose of or acquire real property by negotiated lease, sale or transfer without public bidding. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Plan Area, without charge to any public body. All real property acquired by the Agency in the Plan Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan, or may be developed by the Agency for public uses.

All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

#### 408.2 Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to owner participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the County Recorder.

All property in the Plan Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, or disability including HIV/AIDS status permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Plan Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Plan Area shall contain such nondiscrimination and nonsegregation clauses.

#### 408.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct any publicly-owned building, facility, structure or other improvement either within or without the Plan Area, for itself or for any public body or entity, which buildings,

facilities, structures or other improvements are or would be of benefit to the Plan Area. Specifically, the Agency may pay for, install or construct the buildings, facilities, structures and other improvements, and may acquire or pay for the land and site preparation required therefor.

In addition to the public improvements authorized under this Section 408 and the specific publicly-owned improvements, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or without the Plan Area, for itself or for any public body or entity for the benefit of the Plan Area, public improvements and public utilities, including, but not limited to, those described in Attachment 4.

The Agency is authorized to install and construct or cause to be installed and constructed temporary public improvements necessary to carry out this Plan. Temporary public improvements may include, but are not limited to, parks, streets, and utilities. Temporary utilities may be installed above ground only with the written approval of the Agency.

The Agency may enter into contracts, leases and agreements with the City or other public body or entity pursuant to this Section 408.3, and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Plan Area and allocated to the Agency under subdivision (b) Section 33670 of the Community Redevelopment Law, Section 502 of this Plan or out of any other available funds.

#### **408.4 Development Plans**

All private development plans shall be submitted to the Agency for approval and architectural review consistent with the Plan and the other applicable Plan Documents. Except for UCSF, all public development plans shall be in accordance with the Plan and any applicable Plan Documents.

#### **408.5 Personal Property Disposition**

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired by the Agency.

### **409 Rehabilitation, Conservation and Moving of Structures**

#### **409.1 Rehabilitation and Conservation**

The Agency is authorized to rehabilitate and conserve or to cause to be rehabilitated and conserved, any building or structure in the Plan Area owned by the Agency. The Agency is also authorized and directed to advise, encourage and assist in the rehabilitation and conservation of property in the Plan Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

It shall be the purpose of this Plan to encourage the retention of existing businesses that are generally compatible with proposed developments in the Plan Area and in conformity with the uses permitted in this Plan, and to add to the economic viability of such businesses by

programs that encourage voluntary participation in conservation and rehabilitation. The Agency is authorized to conduct a program of assistance and incentives to encourage owners of property within the Plan Area to upgrade and maintain their property in a manner consistent with the Plan and with other standards that may be established by the Agency for the Plan Area.

#### 409.2 Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any structure or building which can be rehabilitated to a location within or outside the Plan Area.

### **410 Low-and Moderate-Income Housing**

#### 410.1 Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of implementation of this Plan, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Plan Area or within the territorial jurisdiction of the City in accordance with all of the provisions of Sections 33413 and 33413.5 of the Community Redevelopment Law.

#### 410.2 Affordable Housing Production

In accordance with subdivision (b) of Section 33413 of the Community Redevelopment Law, at least 15 percent of all new or rehabilitated dwelling units developed within the Plan Area by public or private entities or persons other than the Agency, shall be available at affordable housing cost to persons and families of very low, low or moderate income. Not less than 40 percent of the dwelling units required to be available at affordable housing cost to persons and families of very low, low or moderate income shall be available at affordable housing cost to very low income households.

At least 30 percent of all new or rehabilitated dwelling units developed by the Agency shall be available at affordable housing cost to persons and families of very low, low or moderate income. Not less than 50 percent of these dwelling units shall be available at affordable housing cost to, and occupied by, very low income households.

#### 410.3 Increased and Improved Housing Supply

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of housing for persons and families of very low, low or moderate income unless certain findings are

made as required by that section to lessen or exempt such requirement. In carrying out this purpose, the Agency may exercise any or all of its powers, including the following:

- A. Acquire land or building sites;
- B. Improve land or building sites with on-site or off-site improvements;
- C. Donate land to private or public persons or entities;
- D. Finance insurance premiums pursuant to Section 33136 of the Community Redevelopment Law;
- E. Construct buildings or structures;
- F. Provide subsidies to or for the benefit of persons or families of very low, low or moderate income;
- G. Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness or pay financing or carrying charges;
- H. Preserve the availability of affordable housing units which are assisted or subsidized by public entities and which are threatened with conversion to market rates;
- I. Require the integration of affordable housing sites with sites developed for market rate housing;
- J. Assist the development of housing by developers.

The Agency may use the funds specified in this Section to meet, in whole or in part, the replacement housing provisions in Section 410.1 or the affordable housing production provisions in Section 410.2 above. These funds may be used inside the Plan Area, or outside the Plan Area only if findings of benefit to the Plan Area are made as required by said Section 33334.2 of the Community Redevelopment Law.

## **500 METHODS OF FINANCING THE PROJECT**

### **501 General Description of the Proposed Financing Method**

The Agency is authorized to finance the implementation of this Plan with financial assistance from the City, State of California, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, assessments, the lease or sale of Agency-owned property or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

The City or any other public agency may expend money to assist the Agency in carrying out this Plan. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities.

## **502 Tax Increment Funds**

All taxes levied upon taxable property within the Plan Area each year, by or for the benefit of the State of California, the City, any district or any other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan, shall be divided as follows:

- A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Plan Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agencies, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which does not include the territory of the Plan Area on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Francisco last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Plan Area on said effective date).
- B. Except as provided in subdivision (e) of Section 33670 or in Section 33492.15 of the Community Redevelopment Law, that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the implementation of this Plan. Unless and until the total assessed valuation of the taxable property in the Plan Area exceeds the total assessed value of taxable property in the Plan Area as shown by the last equalized assessment roll referred to in subdivision A hereof, all of the taxes levied and collected upon the taxable property in the Plan Area shall be paid into the funds of the respective taxing agencies. When said loans, advances indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Plan Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in 502B above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the implementation of this Plan in whole or in part, including but not

limited to direct and indirect expenses. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out this Plan.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the implementation of this Plan. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The amount of bonded indebtedness of the Agency to be repaid from the allocation of taxes to the Agency pursuant to Section 33670 of the Community Redevelopment Law, which can be outstanding at one time, shall not exceed \$450,000,000, except by amendment of this Plan.

The bonds and other obligations of the Agency are not a debt of the City or the State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the effective date of the ordinance adopting this Plan unless amended following applicable provisions of the Community Redevelopment Law, except that the Agency may incur loans, advances or indebtedness beyond twenty (20) years from the effective date of the ordinance adopting this Plan to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Plan Area after forty-five (45) years from the effective date of the ordinance adopting this Plan.

### **503 Other Loans and Grants**

Any other loans, grants, guarantees or financial assistance from the United States government, the State of California or any other public or private source will be used if available.

### **600 ACTIONS BY THE CITY AND COUNTY**

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and the other applicable Plan Documents, including preventing the recurrence or spread of conditions causing blight in the Plan Area, pursuant to the ICA.

## **700 ADMINISTRATION AND ENFORCEMENT**

Except as otherwise specified in Section 600 above, the administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by legal action instituted by the Agency to seek appropriate remedy, except as may be limited by owner participation agreements. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions, which are expressly for the benefit of owners of property in the Plan Area, may be enforced by such owners.

## **800 PROCEDURE FOR AMENDMENT**

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

## **900 SEVERABILITY**

If any provision, section, subsection, subdivision, sentence, clause or phrase of the Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Plan.

## **1000 DURATION AND EFFECTIVENESS OF THIS PLAN**

The Provisions of this Plan shall be effective for thirty (30) years from the date of adoption of this Plan by the Board of Supervisors, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and,

except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

## ATTACHMENT 1

### **LAND USE PLAN AND LEGAL DESCRIPTION**

All that certain real property situate in the City and County of San Francisco, State of California, more particularly described as follows:

Commencing at the intersection point of the northeasterly line of Sixth Street (82.50 feet wide) with the southeasterly line of Berry Street (82.50 feet wide), said intersection having a coordinate of north 468817.32, east 1451868.98 in the California Coordinate System of 1927, Zone 3; thence along said southeasterly line of Berry Street south  $46^{\circ} 18' 07''$  west 990.05 feet to the southwesterly line of Seventh Street (82.50 feet wide); thence along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 440.00 feet to the southeasterly line of Channel Street (200.00 feet wide), and being the true point of beginning; thence continuing along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 2017.19 feet to the westerly line of Pennsylvania Street (90.00 feet wide); thence along said westerly line of Pennsylvania Street south  $3^{\circ} 10' 56''$  east 600.92 feet to the southerly line of Mariposa Street (66.00 feet wide); thence along said southerly line of Mariposa Street north  $86^{\circ} 49' 04''$  east 1690.17 feet to the westerly line of Illinois Street (80.00 feet wide); thence along said westerly line of Illinois Street south  $3^{\circ} 10' 56''$  east 63.85 feet; thence north  $86^{\circ} 49' 04''$  east 80.00 feet to a point on the easterly line of Illinois Street, last said point being on the Mission Bay Project boundary; thence along said Mission Bay Project boundary the following courses and distances; thence north  $35^{\circ} 06' 05''$  east 616.30 feet; thence northeasterly along an arc of a curve to the left, tangent to the preceding course with a radius of 440.00 feet through a central angle of  $12^{\circ} 49' 53''$  an arc distance of 98.54 feet; thence tangent to the preceding curve north  $22^{\circ} 16' 12''$  east 700.07 feet; thence northerly along an arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet through a central angle of  $12^{\circ} 28' 00''$  an arc distance of 73.98 feet; thence tangent to the preceding curve north  $9^{\circ} 48' 12''$  east 86.42 feet; thence northerly along the arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet, through a central angle of  $11^{\circ} 58' 09''$ , an arc distance of 71.03 feet; thence tangent to the preceding curve north  $2^{\circ} 09' 57''$  west 121.44 feet; thence north  $3^{\circ} 10' 56''$  west 198.86 feet; thence north  $2^{\circ} 19' 47''$  west 292.70 feet; thence northwesterly along an arc of a curve to the left, tangent to the preceding course with a radius of 481.57 feet through a central angle of  $24^{\circ} 30' 49''$ , an arc distance of 206.04 feet; thence tangent to the preceding curve north  $26^{\circ} 50' 36''$  west 402.03 feet; thence northwesterly along an arc of a curve to the right, tangent to the preceding course with a radius of 236.29 feet, through a central angle of  $9^{\circ} 00' 04''$  an arc distance of 37.12

## Mission Bay South Redevelopment Plan

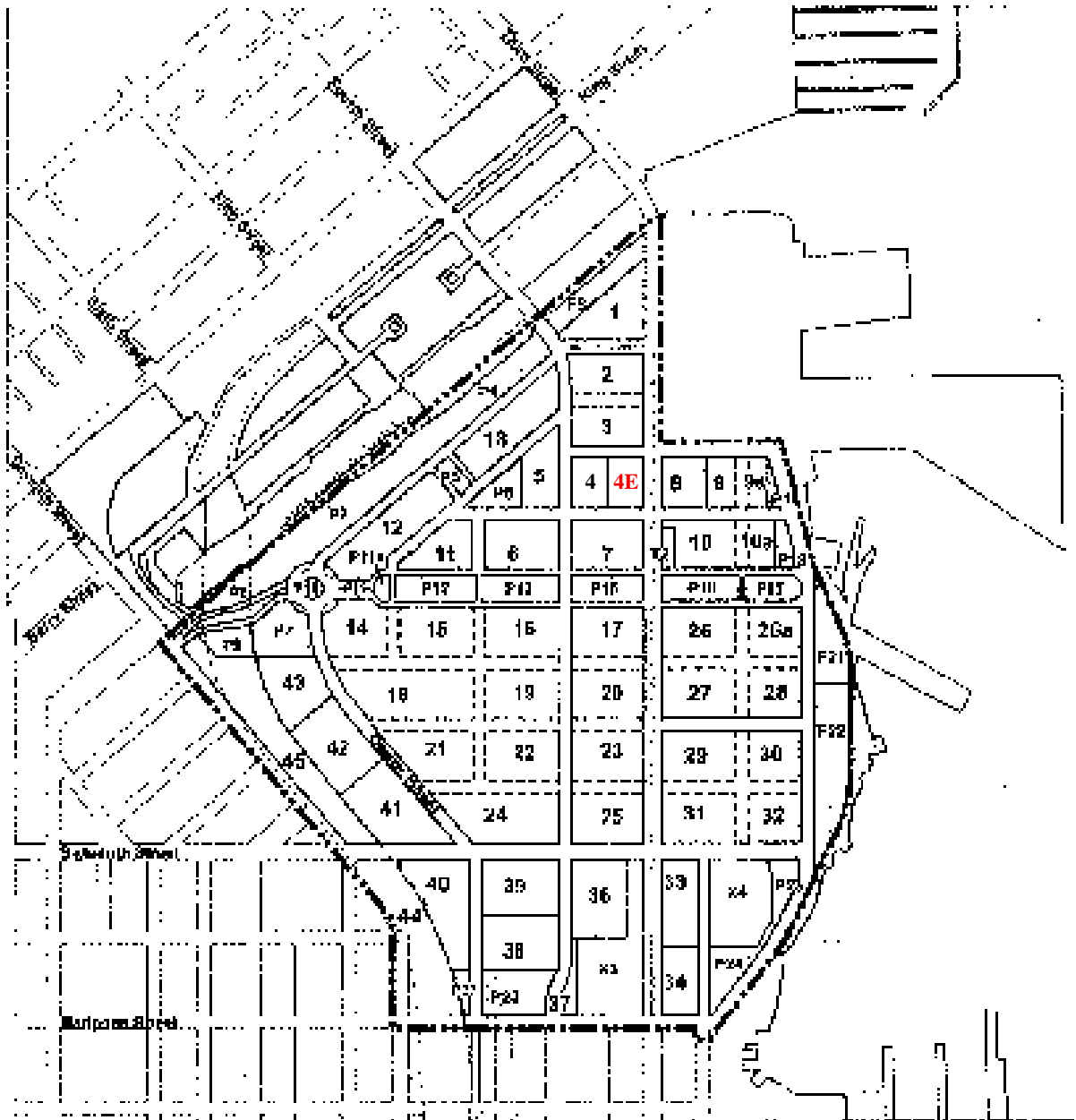
feet; thence tangent to the preceding curve north  $17^{\circ} 50' 32''$  west 652.35 feet to the easterly prolongation of the northerly line of future Mission Rock Street (65.25 feet wide); thence leaving said Mission Bay Project boundary, along said easterly prolongation and along said northerly line of future Mission Rock Street, south  $86^{\circ} 49' 04''$  west 673.43 feet to the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 23.36 feet to an angle point therein; thence along said easterly line of Third Street south  $86^{\circ} 49' 04''$  west 12.50 feet to an angle point in the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 1265.04 feet; thence south  $64^{\circ} 21' 26''$  west 95.76 feet to the intersection of the westerly line of Third Street with said southeasterly line of Channel Street; thence along said southeasterly line of Channel Street south  $46^{\circ} 18' 07''$  west 3578.74 feet to the true point of beginning.

Containing 10,340,343 square feet, more or less.

The bearings used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 0.999928 to obtain grid distances.

ATTACHMENT 2

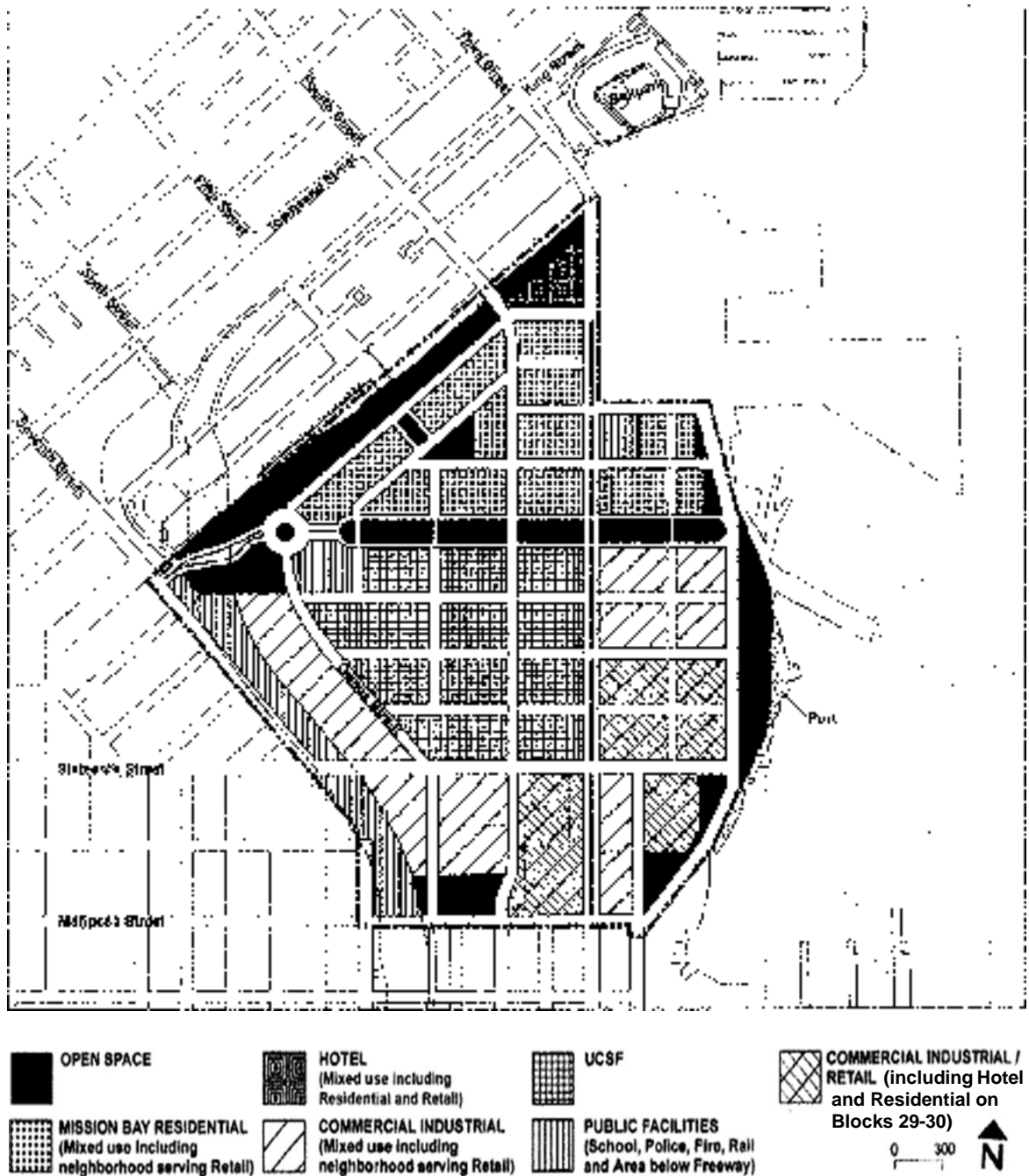
PLAN AREA MAP



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.

## ATTACHMENT 3

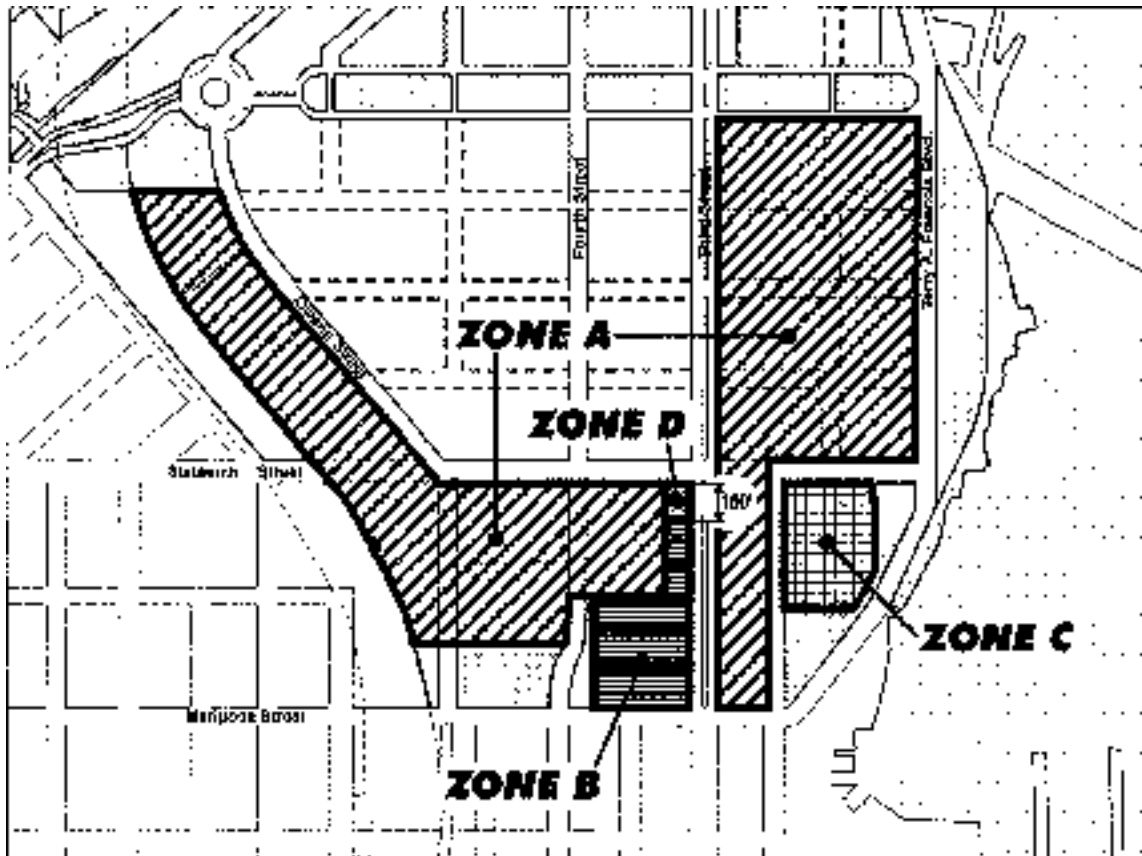
# **REDEVELOPMENT LAND USE MAP**



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.

ATTACHMENT 3a

ZONE MAP



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.

## **ATTACHMENT 4**

### **PROPOSED PUBLIC IMPROVEMENTS**

Public roadways and other walkways, roadways, lanes and connections  
Freeway improvements; such as bridge widenings and freeway ramp and related improvements  
Median, curbs, gutters and sidewalks  
Traffic signals, street signage and pavement striping  
Street lighting Landscaping (including street right-of-way landscaping)  
Public open spaces, including plazas and parks  
Functional and decorative facilities in parks and plazas such as fountains, bathrooms, benches, tables, trash receptacles, signage and landscaping  
China Basin Channel and San Francisco Bay edge improvements and landscaping  
Potable water distribution and fire suppression facilities (low pressure water and high pressure water)  
Reclaimed and/or recycled water facilities  
Combined and/or separated sanitary and storm sewer facilities (including pumping and treatment facilities)  
Storm drains, pump stations facilities, treatment facilities and flood control facilities  
Natural gas, electric telephone and telecommunications facilities  
Utilities and utility relocations  
Suction inlets along China Basin Channel or the San Francisco Bay for fire protection  
Police and/or Fire Station structure and police and fire equipment and facilities  
Pedestrian bridge across China Basin Channel  
Structures for environmental investigations/testing/remediation in connection with roads, plazas, parks or other improvements  
Water recirculation facilities  
Rail facilities, signals, crossings and improvements  
Islais Creek rail bridge and related improvements  
Erosion control features related to public facilities  
Improvements related to overland flows  
MUNI light rail/bus/transit facilities and related improvements  
Public school, school yard and related facilities  
Additional temporary, interim and/or permanent facilities and improvements related to the foregoing

## ATTACHMENT 5

### **DEFINITIONS**

Following are definitions for certain words and terms used in this Plan. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” is mandatory and not directory.

**Adult Entertainment.** An amusement and entertainment use which includes the following: adult bookstore, as defined by Section 791 of the San Francisco Police Code; adult theater, as defined by Section 791 of the Police Code; and encounter studio, as defined by Section 1072.1 of the Police Code, as in effect as of the date of adoption of this Plan.

**Amusement Enterprise.** An amusement and entertainment use which provides eleven or more amusement game devices such as video games, pinball machines or other such similar mechanical and electronic amusement devices, in a quantity which exceeds that specified in Section 1036.31 of the San Francisco Police Code, as in effect as of the date of adoption of this Plan, as accessory uses.

**Animal Services.** An animal care use which provides medical care and accessory boarding services for animals, not including a commercial kennel.

**Arts Activities and Spaces.** Arts activities shall include performance, exhibition (except exhibition of films), rehearsal, production, post-production and schools of any of the following: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance and sound arts and crafts. It shall include commercial arts and art-related business service uses including, but not limited to, recording and editing services; small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Art spaces shall include studios, workshops, galleries, museums, archives, and other similar spaces customarily used principally for arts activities, exclusive of Theaters, dance halls, and any other establishment where liquor is customarily served during performances.

**Automobile Rental.** A retail use which provides vehicle rentals whether conducted within a building or on an open lot.

**Bar.** A principal retail use not located in a Restaurant which provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under 21 years of age is admitted (with Alcoholic Beverage Control “ABC” licenses 42, 48 or 61) and drinking establishments serving liquor (with ABC licenses 47 or 49) in conjunction with other uses which admit minors, such as theaters and other entertainment.

**Building.** Any structure having a roof supported by columns or walls, and intended for permanent occupancy.

**Building Code.** The City's Building Code, Electric Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code of the City (including the Port) and including H-8 occupancy for life science buildings and laboratories above the third floor permitted by the State of California Building Code.

**Building Permit.** A permit issued by the Central Permit Bureau of the City, which will allow the commencement of construction.

**Business or Professional Service.** An office use which provides to the general public, general business or professional services, including but not limited to, accounting, architectural, clerical, consulting, insurance, legal, management, real estate brokerage and travel services. It also includes business offices of building, electrical, furnace, painting, pest control, plumbing or roofing contractors, if no storage of equipment or items for wholesale use are located on-site. It may also include incidental accessory storage of office supplies and samples. Loading and unloading of all vehicles shall be located entirely within the building containing the use. It may provide services to the business community, provided that it also provides services to the general public. This use does not include research service of an industrial or scientific nature in a commercial or medical laboratory, other than routine medical testing and analysis by a healthcare professional or hospital.

**Catering Establishment.** A home and business service, which involves the preparation and delivery of goods, such as the following items: food, beverages, balloons, flowers, plants, party decorations and favors, cigarettes and candy.

**City Agency/Agencies.** Includes all City departments, agencies, boards, commission and bureaus with subdivision or other permit, entitlement, or approval authority or jurisdiction over development within the Plan Area, or any portion thereof, including, without limitation, the Port Commission (the "Port"), the City Administrator, the Public Works Department, the Public Utilities Commission, the Planning Commission, the Public Transportation Commission, the Parking and Traffic Commission, the Building Inspection Commission, the Public Health Commission, the Fire Commission, and the Police Commission, together with any successor City Agency, department or officer designated by or pursuant to law.

**City Regulations.** Includes (i) those City land use codes, including those of its Port Commission (including, without limitation, the Planning and Subdivision Codes, the City General Plan and Waterfront Land Use Plan), (ii) those ordinances, rules, regulations and official policies adopted thereunder and (iii) all those ordinances, rules, regulations, official policies and plans governing zoning, subdivisions and subdivision design, land use, rate of development, density, building size, public improvements and dedications, construction standards, new construction and use, design standards, permit restrictions, development fees or exactions, terms and conditions of occupancy, or environmental guidelines or review, including those relating to hazardous substances, pertaining to the Plan Area, as adopted and amended by the City from time to time.

**Developable Land Area.** All areas within a lot including without limitation, private open space, private lanes, and private sidewalks; but excluding public streets and rights-of-way, and public open space.

**Dwelling Unit.** A room or suite of two or more rooms that is designed for residential occupancy for 32 consecutive days or more, with or without shared living spaces, such as kitchens, dining facilities or bathrooms.

**Existing City Regulations.** Those City Regulations in effect as of the date of adoption of this Plan.

**Family Child Care Facility.** A use in a residential unit, which provides less than 24-hour care for up to 12 children by licensed personnel and which meets the requirements of the State of California and other authorities.

**Floor Area Ratio.** The ratio of the Gross Floor Area of buildings to Developable Land Area, calculated as described in Section 304.5 for Commercial Industrial and Commercial Industrial/Retail areas. In cases in which portions of the Gross Floor Area of a building project horizontally beyond the lot lines, all such projecting Gross Floor Area shall also be included in determining the floor area ratio. If the height per story of a building, when all the stories are added together, exceeds an average of 18 feet, then additional Gross Floor Area shall be counted in determining the floor area ratio of the building, equal to the average Gross Floor Area of one additional story for each 18 feet or fraction thereof by which the total building height exceeds the number of stories times 18 feet; except that such additional Gross Floor Area shall not be counted in the case of Live/Work Units or a church, Theater or other place of public assembly.

**Gross Floor Area.** The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

(a) Except as specifically excluded in this definition, “gross floor area” shall include, although not be limited to, the following:

- (1) Basement and cellar space, including tenants’ storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;
- (2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;
- (3) Floor space in penthouses except as specifically excluded in this definition;
- (4) Attic space (whether or not a floor has been laid) capable of being made into habitable space;

- (5) Floor space in balconies or mezzanines in the interior of the building;
  - (6) Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;
  - (7) Floor space in accessory buildings, except for floor spaces used for accessory off-street parking or loading spaces as described herein, and driveways and maneuvering areas incidental thereto; and
  - (8) Any other floor space not specifically excluded in this definition.
- (b) “Gross floor area” shall not include the following:
- (1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;
  - (2) Attic space not capable of being made into habitable space;
  - (3) Elevator or stair penthouses, accessory water tanks or cooling towers, and other mechanical equipment, appurtenances and areas necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;
  - (4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself if located at an intermediate story of the building and forming a complete floor level;
  - (5) Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;
  - (6) Floor space used for accessory off-street parking and loading spaces and driveways and maneuvering areas incidental thereto;
  - (7) Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;
  - (8) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:
    - (A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot

lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).

(B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.

(C) If, however, 70 percent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

(9) On lower, nonresidential floors, elevator shafts and other life-support systems serving exclusively the residential uses on the upper floors of a building;

(10) One-third of that portion of a window bay conforming to the requirements of Section 136(d)(2) of the San Francisco Planning Code (in effect as of the date of adoption of this Plan) which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed seven square feet per bay window as measured at each floor;

(11) Ground floor area devoted to building or pedestrian circulation and building service;

(12) Space devoted to personal services, Restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75 percent of the area of the ground floor of the building plus the ground level, on-site open space;

(13) An interior space provided as an open space feature in accordance with the requirements herein;

- (14) Floor area devoted to child care facilities provided that:
  - (A) Allowable indoor space is no less than 3,000 square feet and no more than 6,000 square feet, and
  - (B) The facilities are made available rent free, and
  - (C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities, and
  - (D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the Redevelopment Agency that there is a lack of need for child care and that the space will be used for a facility described herein dealing with cultural, educational, recreational, religious, or social service facilities;
- (15) Floor area permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:
  - (A) Owned and operated by a nonprofit corporation or institution, or
  - (B) Are made available rent-free for occupancy only by nonprofit corporations or institutions for such functions. Building area subject to this subsection shall be counted as occupied floor area, except as provided herein, for the purpose of calculating the off-street parking and freight loading requirements;
  - (C) For the purpose of calculating the off-street parking and freight loading requirement for the project, building area subject to this subsection shall be counted as occupied floor area, except as provided herein.

**Home Occupation.** A work-related use in a Dwelling Unit intended for sole proprietor businesses.

**Leasable Floor Area.** The Floor Rentable Area, as defined and calculated in the 1996 Building Owners and Managers Association International publication “Standard Method for Measuring Floor Area in Office Buildings.”

**Live/Work Unit.** A building or portion of a building combining residential living space with an integrated work space principally used by one or more of the residents. Live/work Units are subject to the same land use controls as Dwelling Units.

**Local-Serving Business.** A local-serving business provides goods and/or services which are needed by residents and workers in the immediately surrounding neighborhood to satisfy basic

personal and household needs on a frequent and recurring basis, and which if not available would require trips outside of the neighborhood. Also referred to as “neighborhood-serving” business.

**Local-Serving Child Care Facility.** A local-serving institutional use, which provides less than 24-hour care for children by licensed personnel and which meets the requirements of the State of California and other authorities. Such use is local-serving in that it serves primarily residents and workers of the immediately surrounding neighborhood on a frequent and recurring basis, and which if not available would require trips outside of the neighborhood.

**Nighttime Entertainment.** An assembly and entertainment use that includes dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities, excluding Adult Entertainment, which require dance hall keeper police permits or place of entertainment police permits which are not limited to non-amplified live entertainment, including Restaurants and Bars which present such activities, but shall not include any arts activities or spaces as defined by this Plan, any Theater performance space which does not serve alcoholic beverages during performances, or any temporary uses permitted by this Plan.

**Office Use.** A space within a structure intended or primarily suitable for occupancy by persons or entities which perform for their own benefit or provide to others at that location, administrative services, design services, business and professional services, financial services or medical services, excluding office space and administrative uses associated with Manufacturing, as described in Sections 302.3 and 302.4, above.

**Open Air Sales.** A retail use involving open air sale of new and/or used merchandise, except vehicles, but including agricultural products, crafts, and/or art work.

**Open Recreation.** An area, not within a building, which is provided for the recreational uses of patrons of a commercial establishment.

**Outdoor Activity Area.** An area, not including primary circulation space or any public street, located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, sitting, eating, drinking, dancing, and food-service activities.

**Parking.** A parking facility serving uses located on either parcels or blocks occupied by said facility or on other parcels or blocks.

**Plan Documents.** This Plan and its implementing documents including, without limitation, any owner participation agreements, the Mission Bay South Design for Development and the Mission Bay Subdivision Ordinance and regulations adopted thereunder.

**Restaurant.** A full service or self-service retail facility primarily for eating use which provides ready-to-eat food to customers for consumption on or off the premises, which may or may not provide seating, and which may include a Bar. Food may be cooked or otherwise prepared on the premises.

**Retail Sales and Services.** A commercial use which provides goods and/or services directly to the customer including Outdoor Activity Areas and Open Air Sales Areas. It may provide goods and/or services to the business community, provided that it also serves the general public.

**Storage.** A use which stores goods and materials used by households or businesses at other locations, but which does not include junk, waste, salvaged materials, automobiles, inflammable or highly combustible materials. A storage building for household or business goods may be operated on a self-serve basis.

**Theater.** An assembly and entertainment use other than Adult Entertainment, which displays motion pictures, slides, or closed-circuit television pictures, or is used as live theater performance space.

**Walk-Up Facility.** A structure designed for provision of pedestrian-oriented services, located on an exterior building wall, including window service, self-service operations, and automated bank teller machines (“ATMs”).

**ATTACHMENT 6**

**PLANNING COMMISSION RESOLUTION**

September 17, 1998

Case No. 96.771EMTZR  
Finding of Consistency  
With the General Plan and  
Sections 320 through 325 of the  
Planning Code And Recommending  
For Approval of the Mission  
Bay South Redevelopment Plan

SAN FRANCISCO  
CITY PLANNING COMMISSION

RESOLUTION NO. 14702

WHEREAS, On September 17, 1998, by Resolution No. 14698, the Planning Commission adopted amendments to the General Plan and recommended to the Board of Supervisors approval of those amendments to the General Plan including amendments to Part 2 of the Central Waterfront Plan which would eliminate the Mission Bay Specific Plan in order to facilitate the adoption of proposed Mission Bay North and Mission Bay South Redevelopment Plans which would guide the development of the Mission Bay area of the City, generally bounded by Townsend Street to the north, Third Street and Terry Francois Boulevard to the east, Mariposa Street to the south, and Interstate 280 and Seventh Street to the west, for the term of the Redevelopment Plans; and

WHEREAS, Pursuant to Section 33346 of the California Health and Safety Code regarding California Redevelopment Law, the planning policies and objectives and land uses and densities of the Redevelopment Plans must be found consistent with the General Plan prior to Redevelopment Plan approval by the Board of Supervisors; and

WHEREAS, The Planning Commission wishes to facilitate the physical, environmental, social and economic revitalization of the Mission Bay area, using the legal and financial tools of a Redevelopment Plan, while creating jobs, housing and open space in a safe, pleasant, attractive and livable mixed use neighborhood that is linked rationally to adjacent neighborhoods; and

WHEREAS, The proposed Mission Bay South Redevelopment Plan provides for a type of development, intensity of development and location of development that is consistent with the overall goals and objectives and policies of the General Plan as well as the Eight Priority Policies of Section 101.1 of the Planning Code; and

WHEREAS, The Planning Commission believes that the Mission Bay South Redevelopment Plan would achieve these objectives; and

WHEREAS, The proposed Mission Bay South Redevelopment Plan ("Plan") and its implementing documents, including, without limitation, owner participation agreements, the Design for Development and the Mission Bay Subdivision Ordinance (the "Plan Documents") contain the

land use designations of Commercial Industrial and Commercial Industrial/Retail which could allow development of up to approximately 5.9 million square feet of commercial/industrial space, including office space, over the next 30 years; and

WHEREAS, The Design for Development document proposed for adoption by the San Francisco. Redevelopment Agency (“Agency”) contains detailed design standards and guidelines for all proposed development in the Mission Bay South Redevelopment Plan Area (“South Plan Area”); and

WHEREAS, The South Plan Area comprises approximately 238 acres bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street; and

WHEREAS, Any office development in the South Plan Area will be subject to the limitation on the amount of square footage which may be approved, as set forth in Planning Code 321 or as amended by the voters; and

WHEREAS, Planning Code Sections 320-325 require review of proposed office development, as defined in Planning Code Section 320, by the Planning Commission and consideration of certain factors in approval of any office development; and

WHEREAS, Based upon the information before the Planning Commission regarding design guidelines for the South Plan Area, location of the Commercial Industrial and Commercial Industrial/Retail land use designations in the South Plan Area, and the goals and objectives of the Plan and the Plan Documents, the Planning Commission hereby makes the findings set forth below, in accordance with Planning Code Section 321; and

WHEREAS, The Planning Commission has reviewed and considered the factors set forth in Planning Code Section 321(b) in order to make the determination that the office development contemplated by the Plan in particular would promote the public welfare, convenience and necessity. Those factors include consideration of the balance between economic growth and housing, transportation and public services, the contribution of the office development to the objectives and policies of the General Plan, the quality of the design of the proposed office development, the suitability of the proposed office development for its location, the anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses, the extent to which the proposed development will be owned or occupied by a single entity, and the use of transferable development rights for such office development; and

WHEREAS, The Planning Commission will review the design and details of individual office developments which are proposed in the South Plan Area, using the design standards and

guidelines set forth in the Design for Development reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

WHEREAS, On September 17, 1998 by Motion No. 14696, the Commission certified the Final Subsequent Environmental Impact Report ("FSEIR") as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA"); and

WHEREAS, On September 17, 1998 by Resolution No. 14697, the Commission adopted findings in connection with its consideration of, among other things, the adoption of the Mission Bay South Redevelopment Plan, under CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain findings in connection therewith, which findings are hereby incorporated herein by this reference as if fully set forth; and

WHEREAS, The Planning Commission finds the Mission Bay South Redevelopment Plan as described in Exhibit A to this Resolution consistent with the General Plan, as it is proposed to be amended, and to Section 101.1 of the Planning Code as described in Exhibit A to Resolution No. 14699 which findings are hereby incorporated herein by this reference as if fully set forth.

NOW, THEREFORE ,BE IT RESOLVED, That the Planning Commission having considered this proposal at a public meeting on September 17, 1998 pursuant to Planning Code Sections 302(b) and 340, having heard and reviewed oral and written testimony and reports, and having reviewed and certified the Final Subsequent Environmental Impact Report on the Redevelopment Plans as adequate and complete, does hereby find the Mission Bay South Redevelopment Plan , dated September 4, 1998, in conformity with the General Plan as it is recommended to be amended by Resolution No. 14698 ; and

BE IT FURTHER RESOLVED, That the Planning Commission hereby finds that the office development contemplated by the Plan in particular promotes the public welfare, convenience and necessity for the following reasons:

1. The office development is part of the Plan, which would eliminate blighting influences and correct environmental deficiencies in the South Plan Area through a comprehensive plan for redevelopment, including the implementation of Risk Management Plans to address environmental deficiencies.
2. The Plan and Plan Documents include a series of detailed design standards and guidelines which will ensure quality design of office development as well as a quality urban design scheme.
3. The Plan provides the important ability to retain and promote, within the City and County of San Francisco, academic and research activities associated with UCSF through the provision of a major new site and space for adjacent office and related uses.

4. The retention of UCSF through the Plan will also allow the facilitation of commercial-industrial sectors expected to emerge or expand due to their proximity to the UCSF new site, which sectors are likely to need office space as part of their activities.
5. Implementing permitted office uses as part of the Plan enables the achievement of a coordinated mixed-use development plan incorporating many features, such as large open spaces and parks and a new street grid, which would not be achieved if the area were to be developed in a piecemeal fashion under existing land ownership patterns and regulations.
6. Implementing the office use contemplated by the Plan would strengthen the economic base of the South Plan Area and the City as a whole by strengthening retail and other commercial functions in the South Plan Area community through the addition of approximately 358,600 leasable square feet of various kinds of retail space, and about 5,953,000 leasable square feet of mixed office, research and development and light manufacturing use:
7. Build-out, including office uses, of both the Mission Bay North Redevelopment Plan Area and the South Plan Area is anticipated to result in significant positive fiscal impacts to the City. These impacts include a cumulative surplus to the City's General Fund of up to \$452 million in 1998 dollars. Another approximately \$117 million in net revenues will accrue to other City funds with dedicated uses, such as senior programs, hotel tax funds (including grants for the arts, fine art museums, visitors and convention services and housing), the Department of Public Works and MUNI. The San Francisco Unified School District is projected to receive a net cumulative surplus of about \$5 million.
8. The development proposed by the Project will also have significant positive economic impacts on the City. At full build-out, employment in the Mission Bay North and South Plan Areas is expected to be about 31,100. Direct and indirect job generation is estimated to be about 42,000. About 56% of the direct and indirect jobs are expected to be held by San Francisco residents. The estimated total of 23,500 jobs will comprise about 5% of all jobs held by City residents. Project-related construction employment is projected to total 700 annual full-time equivalent jobs over the build-out period, representing a five percent increase in the City's construction job industry base. The employees working at Mission Bay are expected to generate total household wealth of about \$1.5 billion annually. Total direct and indirect wages are expected to be \$2.15 billion, of which \$1.2 billion is expected to be earned by San Franciscans.
9. The Plan provides an unprecedented system for diversity and economic development, including good faith efforts to meet goals for hiring minority-and women-owned consulting and contracting businesses, hiring of minority and women laborers, compliance with prevailing wage policies, participation in the City's "First Source Hiring Program" for economically disadvantaged individuals, and contribution of \$3 million to the City to help fund the work force development program. The Plan also includes the payment of fees for child care and school facilities. Development of office uses will help to create the employment opportunities to achieve such hiring goals.

10. The Plan includes the opportunity for substantial new publicly accessible open spaces totaling approximately 49 acres, including a large Bayfront park and open space on both edges of the Channel. Office users will benefit from the conveniently located open space, and the development of office uses will help to finance the provision of such open space and its maintenance.

11. The office uses would be located in an ideal area to take advantage of a wide variety of transit, including the Third Street light rail system. The South Plan Area has been designed in consultation with the City, including MUNI, to capitalize on opportunities to coordinate with and expand transit systems to serve the Project. The South Plan Area also includes Transportation Management Programs which will be in place throughout the development of the Plan Areas.

12. The South Plan Area includes sites for both a new school site and fire/police stations to serve the South Plan Area, so that necessary services and assistance are available near the office uses and so that office uses will not otherwise burden existing services.

13. The Plan and Plan Documents include significant new infrastructure, including a linked program for creation of a comprehensive vehicular, bicycle and pedestrian circulation system. The public infrastructure will include public streets, underground pipes, traffic signals and open space, plus additional substantial infrastructure as described in the Mission Bay South Infrastructure Plan. The office development would be adequately served by the infrastructure and the tax increment generated by office development in the South Plan Area will also provide a critical component of the financing of such infrastructure.

14. This new infrastructure included in the Plan will be financed through a self-taxing financing device to be imposed upon the South Plan Area (excluding affordable housing sites and open space). If the uses in the South Plan Area, including any office uses, generate new property tax revenue, then 60% of that new revenue will be dedicated to retiring the special taxes which initially will finance the infrastructure to be donated to the City. This system will allow for substantial infrastructure to be constructed without contributions from the General Fund or new taxes on other areas of the City.

15. In addition, 20% of the new property tax revenue generated by the uses in the South Plan Area, including office uses, will be dedicated to the creation of affordable housing in Mission Bay; and

BE IT FURTHER RESOLVED, That the Planning Commission has considered the factors set forth in Planning Code Section 321(b)(3)(A)-(G) and finds as follows:

(A) The apportionment of potential office space over the course of many approval periods during the anticipated 30-year build-out of the South Plan Area will remain within the limits of Planning Code Section 321 and will maintain a balance between economic growth and housing, transportation and public services, pursuant to the terms of the Plan and the Plan Documents which provide for the appropriate construction and provision of housing, roadways, transit and all other necessary public services in accordance with the Infrastructure Plan; and

(B) As determined in this Resolution, above, and for the additional reasons set forth in Planning Commission Resolution No. 14699, the adoption of the Plan, which includes office uses and

contemplates office development, and all of the other implementation actions, are consistent with the objectives and policies of the General Plan and Priority Policies of Planning Code Section 101.1 and will contribute positively to the achievement of City objectives and policies as set forth in the General Plan; and

(C) The design guidelines for the South Plan Area are set forth in the Design for Development. This Planning Commission has reviewed the design standards and guidelines and finds that such standards and guidelines will ensure quality design of any proposed office development. In addition, the Planning Commission will review any specific office development subject to the terms of Planning Code §§320-325 to confirm that the design of that office development is consistent with the findings set forth herein; and

(D) The potential office development contemplated in the Plan is suitable for the South Plan Area where it would be located. As discussed above, transportation, housing and other public services including open space will be provided in the South Plan Area. In addition, the office development would be located convenient to UCSF, which will allow other businesses locating in the South Plan Area to be able to develop research and development, light industrial and office space as necessary to accommodate their needs. The office development would be located in an area which is not currently developed, nor is it heavily developed with other office uses; and

(E) As noted above, the anticipated uses of the office development will enhance employment opportunities and will serve the needs of UCSF and other businesses which wish to locate in the South Plan Area, where the underdeveloped nature of the area provides a readily available supply of space for potential research and development, light industrial and office uses; and

(F) The proposed office development is available to serve a variety of users, including a variety of businesses expected to locate or expand in proximity to the UCSF site, and could accommodate a multiplicity of owners; and

(G) The Plan does not provide for the use of transferrable development rights ("TDRs") and this Planning Commission does not believe that the use of TDRs is useful or appropriate in the South Plan Area, given the availability of space for development and the fact that only one building in the South Plan Area, the former Fire Station No. 30, has been identified as a potential historic resource; and

BE IT FURTHER RESOLVED, That the Planning Commission will review and approve the design of specific office development which may be proposed in the South Plan Area and subject to the provisions of Planning Code §§320-325, using the design standards and guidelines set forth in the Design for Development, as reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

BE IT FURTHER RESOLVED, That upon such determination, the Planning Commission will issue a project authorization for the proposed office development project; and

BE IT FURTHER RESOLVED, That the Planning Commission does hereby recommend approval of the Mission Bay South Redevelopment Plan to the Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at a special joint hearing with the Redevelopment Agency Commission on September 17, 1998.

Linda Avery  
Commission Secretary

AYES: Commissioners Antenore, Chinchilla, Joe, Martin and Mills

NOES: None

ABSENT: Commissioners Hills and Theoharis

ADOPTED: September 17, 1998

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**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT  
TO THE REDEVELOPMENT PLAN FOR THE  
MISSION BAY SOUTH REDEVELOPMENT PROJECT**

**Prepared By:**

**Office of Community Investment and Infrastructure,  
as the Successor Agency to the  
San Francisco Redevelopment Agency**

**DRAFT October 23, 2025**

**As updated December 4, 2025**

## INTRODUCTION

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”) provides this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) in accordance with California Community Redevelopment Law, which requires a report to the Board of Supervisors whenever OCII proposes to amend a redevelopment plan within the City and County of San Francisco (“City”).

This Report addresses a proposed amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”). The Redevelopment Plan establishes, among other things, the land use controls for the approximately 238-acre Mission Bay South Redevelopment Plan Area (“Plan Area”). These controls include a limitation on the number of Dwelling Units (as defined in the Redevelopment Plan) that may be developed within the Plan Area, as well as a maximum allowable building height. The proposed amendment (“Plan Amendment”) would increase, by 250 units, the total number of Dwelling Units that may be developed within the Plan Area from 3,440 to 3,690, and increase the maximum allowable building height from 160 feet to 250 feet; provided that these increases would be applicable only to the northern one-half of Block 4 East. The Plan Amendment would accommodate a planned affordable housing project located on the northern one-half of Block 4 East (the “Project”).

## SCOPE OF THIS REPORT

This Plan Amendment is a minor plan amendment.<sup>1</sup> Under CRL Section 33352, a Plan Amendment submitted to the legislative body for approval must be accompanied by a report containing following information:

- The reason for the Plan Amendment;
- The proposed method of financing the redevelopment of the Plan Area as applicable to the Plan Amendment;
- The report and recommendation of the San Francisco Planning Commission;
- The report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendment; and
- A neighborhood impact report.

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<sup>1</sup> Generally, minor plan amendments are those that do not propose to (a) include a tax allocation provision into a redevelopment plan which does not uses tax increment financing; (b) add new territory to the project area of a redevelopment plan that uses tax increment financing; or (c) extend the time limits for meeting housing obligations or payments to taxing entities.

Furthermore, the Plan Amendment does not trigger the need for a Project Area Committee under CRL Section 33385 because it does not provide for the acquisition of, or the authorization of public projects on, property occupied by low- and moderate-income persons.

## **REASON FOR THE PLAN AMENDMENT (CRL Section 33352(a))**

### **Background**

The Board of Supervisors adopted the Redevelopment Plan by Ordinance No. 335-98 (November 2, 1998) and adopted amendments to the Redevelopment Plan by Ordinance No. 143-13 (July 9, 2013), Ordinance No. 032-18 (March 6, 2018), Ordinance No. 128-20 (July 31, 2020), Ordinance No. 209-20 (October 9, 2020), and Ordinance No. 014-21 (February 12, 2021).

On November 18, 2025, the OCII Commission (the "Commission") held a public hearing to approve and recommend to the Board of Supervisors an amendment to the Redevelopment Plan in conjunction with proposed development of Block 4 East, an approximately 45,738 square-foot parcel bounded by 3<sup>rd</sup> Street, Mission Rock Street, China Basin Street and adjacent to the previously developed Block 4 West (Assessor's Block 8711 Lot 029). The site is currently used as a temporary surface parking lot. Development on Block 4 East is proposed to include two separate buildings and projects, with Block 4 East split equally between the two projects. The combined program will provide a total of 398 affordable rental housing units and approximately 1,253 square feet of community-serving ground floor retail space. The proposed building on the southern half of Block 4 East includes 165 Dwelling Units (including 163 affordable units and two unrestricted manager's units) that will serve low- and moderate income households and households experiencing homelessness, resident-serving open spaces and amenities, resident and staff parking, and an approximately 1,253 square foot retail space (the "Phase I Project"). The proposed Phase I Project does not require a Plan Amendment. The Project (or the "Phase II Project"), located on the northern one-half of Block 4 East, includes 233 Dwelling Units (231 affordable units and two unrestricted manager's units) that will serve low- and moderate-income households and households experiencing homelessness, resident serving open spaces and amenities, and resident and staff parking. The Phase II Project is the subject of this proposed Plan Amendment.

### **Purpose of the Plan Amendment**

The purpose of the Plan Amendment is to increase the total number of Dwelling Units that may be developed within the Plan Area by 250 units and to increase the maximum allowable building height to 250 feet. Both changes are applicable only to the northern one-half of Block 4 East and are intended to facilitate the development of a proposed 100% affordable housing project on the site. The Plan Amendment specifies that the additional height and number of units are only permitted for an affordable housing project.

The Plan Amendment will increase the number of affordable housing units provided within the Plan Area, providing critical housing opportunities and contributing to economic development on a site that is currently underutilized. The additional units will also contribute to the state-mandated Regional Housing Needs Allocation ("RHNA") plan to provide over 82,000 new housing units with approximately half of those required to be affordable to very low-, low- and moderate-income households. The increased building height would distinguish the tower at the Project from the adjacent 160-foot tower planned in the Phase I Project and other existing towers within the Plan Area, and is consistent with and complementary with the scale of newly constructed towers located at Mission Rock, a master planned area adjacent to the Plan Area. The Plan Amendment is

consistent with the following Redevelopment Plan and Planning objectives set forth in Sections 103 and 104 of the Redevelopment Plan:

- Eliminating blighting influences and correcting environmental deficiencies in the Plan Area, including, but not limited to, abnormally high vacancies, abandoned buildings, incompatible land uses, depreciated or stagnant property values, inadequate or deteriorated public improvements, facilities, and utilities. Section 103, Objective A.
- Replanning, redesigning and developing undeveloped and underdeveloped areas which are improperly utilized. Section 103, Objective B.
- Strengthening the community's supply of housing by facilitating economically feasible, affordable housing through installation of needed site improvements and expansion and improvement of the housing supply by the construction of up to approximately 3,440 very low-, low-, and moderate-income and market rate units, including approximately 1,100 units of very low-, low-, and moderate-income housing. Section 103, Objective G.
- Create a vibrant urban community in Mission Bay South, which incorporates a variety of uses including medical research, office, business services, retail, entertainment, hotel, light industrial, education, utility, housing, recreation and open space, and community facilities. Section 104, Objective 1.
- Integrate Mission Bay South land uses, scale, and circulation systems with surrounding districts and San Francisco Bay. Section 104, Objective 1/Policy 2.
- Emphasize the importance of intersections by encouraging higher density uses, taller buildings (one to two stories or the tallest portion of buildings) and architectural variety on street corners. Section 104, Objective 3/Policy 6.
- Create a building form for the Mission Bay South areas such that the scale of new development relates to the adjacent waterfront and to adjacent buildings. Section 104, Objective 4.

#### **PROPOSED METHOD OF FINANCING/ECONOMIC FEASIBILITY OF AMENDMENT (CRL Section 33352(e))**

The Plan Amendment does not increase the amount of obligated property tax necessary to fulfill existing enforceable obligations. Subject to requisite future approvals, funding for the permanent gap loan is expected to be funded through OCII's authority under Senate Bill 593 (2023), which became effective on January 1, 2024, and authorizes OCII to use a limited form of tax increment financing to fund and develop 5,842 units that the former San Francisco Redevelopment Agency destroyed and never replaced.

## **PLANNING COMMISSION REPORT AND RECOMMENDATIONS ON CONFORMANCE TO THE GENERAL PLAN (CRL Section 33352(h))**

On November 18, 2025, after a duly noticed public hearing, the Commission referred the Plan Amendment to the San Francisco Planning Commission (“Planning Commission”) for its report and recommendation on the Plan Amendment and its conformance with the San Francisco General Plan (Resolution No. 31-2025).

On December 4, 2025, after a duly noticed public hearing, the Planning Commission found the Plan Amendment to be consistent with the General Plan, including but not limited to the Housing Element and Urban Design Element, and recommended to the Board of Supervisors approval of the Plan Amendment (Planning Commission Motion No. 21874, included in this report as Exhibit A).

## **ENVIRONMENTAL REVIEW (CRL Section 33352(k))**

OCII, as the Successor Agency to the Former Redevelopment Agency, has land use and California Environmental Quality Act (“CEQA”) review authority of the Plan Area.

OCII has analyzed the Project pursuant to the requirements of CEQA and found that the Project, including the Plan Amendment, is statutorily exempt from CEQA because the Project is affordable housing that satisfies the requirements for an exemption from CEQA as specified in Pub. Res. Code Sec. 21080.40 (Affordable Housing Projects).

## **NEIGHBORHOOD IMPACT REPORT (CRL Section 33352(m))**

The Plan Amendment does not adversely affect the physical and social quality of the neighborhood because it will not cause the destruction or removal of housing units from the low- and moderate-income housing market and will not cause the displacement of low- or moderate-income households. Block 4 East has long been vacant and is currently used as a surface parking lot. No housing units will be disturbed by the development plan for the site. By facilitating a greater density of development at an underutilized site designated for residential use, the Plan Amendment will increase the overall supply of housing, and particularly affordable housing, in the Plan Area.

The Redevelopment Plan includes requirements for affordable housing production. To date, seven affordable housing developments in the Plan Area have been completed, providing a total of 1,053 units (including unrestricted on-site manager’s units). Additional affordable projects are planned at Block 4 East (the subject of this report) and Block 12 West.

Exhibit A: San Francisco Planning Commission Motion No. 21874, adopted December 4, 2025



## PLANNING COMMISSION MOTION NO. 21874

HEARING DATE: DECEMBER 4, 2025

**Project Name:** Mission Bay South Block 4E – Amendment to the Mission Bay South Redevelopment Plan  
**Case Number:** 2025-004714GPR  
**Initiated by:** Planning Commission  
**Staff Contact:** Mat Snyder, Senior Planner, Citywide Planning  
Mathew.snyder@sfgov.org, (628) 652-7460  
**Reviewed by:** Joshua Switzky, Deputy Director of Citywide Planning  
Joshua.Switzky@sfgov.org, (628) 652-7464

RECOMMENDING APPROVAL OF AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT TO INCREASE THE TOTAL NUMBER OF PERMITTED UNITS WITHIN THE PROJECT AREA FROM 3,440 TO 3,690 AND TO INCREASE THE MAXIMUM ALLOWED HEIGHT WITHIN THE MISSION BAY SOUTH BLOCK 4E FROM 160 FEET TO 250 FEET, ADOPTING GENERAL PLAN AND PLANNING CODE SECTION 101.1 FINDINGS, AND RECOMMENDING THE MISSION BAY SOUTH REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL.

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission ("Commission") for certain matters, including determination as to whether a Redevelopment Plan amendment is in conformity with the General Plan prior to consideration by the Board of Supervisors. Similarly, Section 33453 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan may be submitted to the Planning Commission for its report and recommendation concerning the proposed plan amendments; and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") approved the Mission Bay South Project Area ("Redevelopment Plan") by Ordinance No. 335-98 (September 17, 1998), as amended by Ordinance No. 143-13 (July 9, 2013), 032-18 (March 6, 2018), 128-20 (July 31, 2020), 209-20 (Oct. 1, 2020) and 014-21 (February 12, 2021); and,

WHEREAS, The Redevelopment Plan establishes the land use controls for the Project Area. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure ("OCII"), solely administers and enforces land use entitlements for property and projects within Mission Bay South. OCII is completing the enforceable obligations of the Former Agency in the Project Area, consistent with the Redevelopment Dissolution Law and San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (commonly referred to as the "Commission on Community

Investment and Infrastructure” or “CCII”) ) and delegating to the CCII the state authority under the Redevelopment Dissolution Law); and,

WHEREAS, The purpose of the Redevelopment Plan has been to redevelop the previous 238-acre industrial railyard into a new mixed-use neighborhood featuring a wide variety of residential, institutional, office, retail, and other supporting uses. Except for two blocks, Mission Bay South is now fully built out and features 3,280 residential units (1,053 affordable), the University of California Medical Campus and Medical Center, the Chase Center and several blocks of office, biotech and hotel uses, and roughly 38 acres of public open space throughout; and

WHEREAS, The Mission Bay South Redevelopment Plan, among other controls, caps the number of residential units to a total of 3,440 units, and limits the absolute maximum height for a building at 160 feet. The Redevelopment Plan refers the more fine-grain development controls to the Mission Bay South Design-for-Development Document (“D for D”), which acts as Mission Bay South’s planning code and supplements the Redevelopment Plan land use controls; and

WHEREAS, MBS 4E is a 1.05-acre parcel that is bordered by 3<sup>rd</sup> Street to the east, Mission Rock Street to the north and China Basin Street to the south and is improved with a surface parking lot. It is one of the two remaining undeveloped parcels planned for housing in Mission Bay South as of 2025. OCII is seeking to develop MBS 4E with a two-phased 100 percent affordable housing project and is seeking to maximize the number of affordable units that can be realized by its development; and

WHEREAS, Appropriately considered amendments to the Redevelopment Plan caps on the total number of units within the Project Area and caps the maximum height of buildings at 160-feet will achieve OCII’s goals of maximizing affordable housing on the Site and facilitating appropriate density for the site in line with the vision of the Redevelopment Plan and the General Plan; and

WHEREAS, On November 9, 2023, OCII released an RFQ seeking a team to develop, own and operate affordable rental housing units, including units set aside for households experiencing homelessness, on MBS 4E. Based on the results of an interdisciplinary evaluation panel, OCII staff recommended the team led by Curtis Development and Bayview Senior Services, together the Project Sponsor. On September 3, 2024, the CCII authorized the Executive Director to enter into an Exclusive Negotiations Agreement (“ENA”) with the Project Sponsor as well as a predevelopment loan agreement to fund predevelopment activities for the Phase I Project and a portion of the Phase II Project. As was described in the RFQ for MBS 4E, OCII sought to maintain the design intent as set forth in the Redevelopment Plan and D for D while maximizing the potential for housing opportunities on the Site by exploring a design and program that could be larger than what is currently permitted by the Redevelopment Plan; and

WHEREAS, The Project Sponsor submitted Schematic Design Review applications to OCII for the construction of the Project, based on the analysis for possible increased massing as described above. Through the ENA negotiation process described above and the review of the Schematic Design applications, OCII staff determined that an amendment to the Mission Bay South Redevelopment Plan would be advisable. Specifically, an amendment would be required to increase the maximum number of dwelling units allowed within the Plan Area and the maximum height of buildings for this site; and

WHEREAS, The Proposed MBS 4E Project is a 100% affordable housing project that would be comprised of two buildings built in two phases that would rise 160 feet and 225 feet respectively and include a total of 398 units (165 units in Phase 1 and 233 units in Phase 2). The affordable housing would include units dedicated to lower-income households earning no more than 70% AMI as defined by the U.S. Department of Housing and Urban Development and California Tax Credit Allocation Committee, excluding unrestricted manager units. The Project would also include units specifically for homeless families. Along with residential units, the Project includes resident amenity spaces, ground floor retail spaces, private open spaces, streetscape improvements, 88 off-street parking spaces, and bicycle parking. Phase I can be developed within the confines of the Redevelopment Plan controls; the Redevelopment Plan Amendments are required to enable Phase II; and,

WHEREAS, On May 28, 2025, the Planning Department received a General Plan Referral application to amend the Redevelopment Plan for the Mission Bay South Project Area ("Plan Amendment") to increase the maximum allowed number of dwelling units by 250 units from 3,440 to 3,690, and increase the maximum allowed height on the subject site from 160 feet to 250 feet; and

WHEREAS, On November 18, 2025 at a public hearing the CCII adopted Resolution Nos. 28-2025, 29-2025, 30-2025, 31-2025, 32-2025, 33-2025, and 34-2025, which, (1) approved amendments to the D for D related to MBS 4E Phase I; (2) conditionally approved Basic Concept and Schematic Design and related Major Phase for MBS 4E Phase I; (3) approved amendments to the MBS Redevelopment Plan; (4) approved the Report to the Board of Supervisors on the Redevelopment Plan Amendments; (5) conditionally approved Basic Concept and Schematic Design and related Major Phase for MBS 4E Phase II; (6) approved amendments for the D for D related to MBS 4E Phase II; (7) conditionally approved amendments to the Mission Bay South Owner Participation Agreement; and,

WHEREAS, OCII maintains land use permitting jurisdiction and California Environmental Quality Act ("CEQA") review authority for development within the Project Area, including the site of the proposed amendment. OCII has concluded that the MBS 4E Project, including the subject Plan Amendments, satisfy the requirements for an exemption from CEQA as specified in California Public Resources Code Section 21080.40 (Affordable Housing Projects). Effective as of January 1, 2024, California Assembly Bill 1499 amended the California Public Resources Code to exempt 100% affordable housing projects from environmental review under CEQA even when a rezoning is required, such as the Plan Amendment. To qualify for the California AB 1449 affordable housing exemption, projects must satisfy several rigorous requirements centered on affordability, location, environmental constraints, labor standards, and an administrative process.

All residential units must be dedicated to lower-income households (earning no more than 80% of the Area Median Income), excluding manager units. This 100% affordability requirement must be secured via a recorded regulatory agreement or deed restriction lasting at least 55 years for rental projects. Furthermore, projects must adhere to strict labor standards by paying construction workers the prevailing wage.

Location requirements stipulate the project must be in an urban infill area, often within walking distance of public transit or a cluster of amenities. The site must be adequately served by existing utilities. Importantly, the site cannot be located on sensitive lands such as wetlands, flood zones, high fire hazard severity zones, or hazardous waste sites. For any potentially contaminated site, a Phase I Environmental Site Assessment must be completed, and any identified hazardous conditions must be fully remediated before construction can begin.

The administrative requirements include a mandatory tribal consultation process. The local government must notify culturally affiliated tribes within 14 days of an application being deemed complete, and tribes have 60 days to request consultation. This process aims to establish enforceable conditions to protect tribal cultural resources. Finally, the project cannot involve the demolition of existing affordable, rent-controlled, or historic housing units within the last decade.

OCII staff have reviewed these requirements and confirm that the Phase I and Phase II Project complies with the provisions of Section 21080.40 of the Public Resources Code and is therefore exempt from CEQA. In addition, OCII staff have received and reviewed a Phase I Environmental Site Assessment for the MBS 4E site and, working with the City Archaeologist, have completed a tribal consultation process in which the discussions with local Native American tribal leaders have agreed to participate in future archaeological testing and excavations and a land acknowledgement on the site, and have requested that the site maximize the use of native species in its landscaping plan; and,

## FINDINGS

Staff analyzed the proposed Redevelopment Plan Amendment with regards to conformity to the General Plan as described below.

### HOUSING ELEMENT

#### OBJECTIVE 1.B

##### ADVANCE EQUITABLE HOUSING ACCESS

###### POLICY 5

Improve access to the available Affordable Rental and Homeownership units especially for disproportionately underserved racial and social groups.

###### POLICY 6

Advance equal housing access by eliminating discrimination based on race, ethnicity, immigration status, HIV+ status, gender identity, sexual orientation, disabilities, age, prior incarceration, or mental health and improving housing programs for underserved groups.

*The Plan Amendments would enable the additional construction of 250 additional units than what would otherwise be allowed under the MBS Redevelopment Plan. The amendments enable the MBS 4E Project, which seeks to provide affordable housing at a wide variety of affordable levels while also setting aside units for families that have previously experienced homelessness. The Project specifically targets and prioritizes residency for those who are holders of Certificates of Preference and thereby aiming to address past harms to underserved communities.*

#### OBJECTIVE 1.C

##### ELIMINATE HOMELESSNESS

###### POLICY 8

Expand permanently supportive housing and services for individuals and families experiencing homelessness as a primary part of a comprehensive strategy to eliminate homelessness.

*The MBS 4E project specifically sets aside 80 units for families that had previously experienced homelessness.*

#### OBJECTIVE 2.A

**MAKE AMENDS AND INFORM REPARATIVE ACTIONS BY TELLING THE TRUTH ABOUT DISCRIMINATORY ACTIONS AND THE RESULTING HARM**

#### OBJECTIVE 2.B

**OFFER REPARATIONS FOR COMMUNITIES DIRECTLY HARMED BY PAST DISCRIMINATORY GOVERNMENT ACTION<sup>10</sup> AND BRING BACK THEIR DISPLACED PEOPLE**

#### POLICY 10

Acknowledge the truth about discriminatory practices and government actions as told by American Indian, Black, and other communities of color to understand the root causes of the housing disparities in these communities and to inform how to redress the harms.

#### POLICY 13

Amplify and prioritize voices of American Indian, Black, and other people of color, and other disadvantaged communities, and embrace the guidance of their leaders throughout the engagement and planning processes for housing policy, planning, programs, and developments.

*The former San Francisco Redevelopment Agency implemented the Western Addition redevelopment plans throughout the 1950s, 1960s, and 1970s. In carrying out these plans, the Agency demolished large portions of the existing urban fabric, displacing long-established Black and Japanese American communities and causing lasting social and economic harm. To provide a measure of redress for this displacement, the State required the Agency to create the Certificate of Preference (COP) program, which looked to provide displaced households priority in accessing future affordable housing opportunities.*

*The Project Sponsor has stated that integral to developing the MBS 4E program and design, they have engaged the COP Holders community. Both OCII and the Project Sponsor have indicated that MBS 4E is being specifically programmed and affirmatively marketed to COP holders. As such, the project represents a tangible effort to support right-to-return goals and to address, in part, the historic harms experienced by these communities.*

#### OBJECTIVE 4.A

**SUBSTANTIALLY EXPAND THE AMOUNT OF PERMANENTLY AFFORDABLE HOUSING FOR EXTREMELY LOW- TO MODERATE-INCOME HOUSEHOLDS**

#### POLICY 22

Create dedicated and consistent local funding sources and advocate for regional, State, and Federal funding to support building permanently affordable housing for very low-, low-, and moderate-income households that meets the Regional Housing Needs Allocation targets

*The MBS 4E Project is a 100% affordable housing project with affordability levels targeted at no more than 70% AMI as defined by U.S. Department of Housing and Urban Development and California Tax Credit Allocation Committee.*

#### OBJECTIVE 5.A

### CONNECT PEOPLE TO JOBS AND THEIR NEIGHBORHOODS WITH NUMEROUS, EQUITABLE, AND HEALTHY TRANSPORTATION AND MOBILITY OPTIONS

#### POLICY 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in [Well-resourced Neighborhoods](#) and adjacent lower-density areas near transit, including along SFMTA Rapid Network<sup>33</sup> and other transit.

#### POLICY 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities.

*The Plan Amendments will enable a greater number of residential units (and affordable units specifically) within the Mission Bay neighborhood, which features excellent transportation and mobility options. MBS 4E is located along the T-Third Muni line, part of the SFMTA Rapid Network, and is immediately in front of a T-Third Muni stop.*

#### OBJECTIVE 5.C

### ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES

#### POLICY 41

Shape urban design policy, standards, and guidelines to enable cultural and identity expression, advance architectural creativity and durability, and foster neighborhood belonging.

*The Redevelopment Plan amendments will enable the MBS 4E Project. The MSB 4E Project Sponsor has engaged the COP holder community in programming and designing the project. The project architect has designed the façade to be reflective of African culture. The Project's architectural design documentation states that Project's façade features precast concrete formed with textured liners that create surface color and texture with Phase 1's façade to be reminiscent of traditional West African clay beads and Phase 2 to draw inspiration from the rich history and tradition of African textiles.*

#### URBAN DESIGN ELEMENT

#### OBJECTIVE 1

### EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

#### POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The Redevelopment Plan amendments will enable a taller building than what would otherwise be allowed. Related D for D amendments will enable taller street walls along Mission Rock and China Basin Streets and will enable the Phase I and Phase II towers to be closer together than what would otherwise be permitted. While the amendments will allow two larger buildings, they will not be out of place or out of scale in the Mission Bay context. Mission Rock development, which is located immediately northeast of the Project site allows buildings of the height of 240 feet, which is roughly the same as the Phase II tower proposed at 225 feet. While the Phase I and Phase II towers will not feature horizontal setbacks at 55 feet as currently required by the D for D, the design does incorporate vertical notches that breaks down the mass of the two towers and provide for visual relief from the towers massing. Overall, MBS 4E Project is at the same scale as the surrounding Mission Bay and Mission Rock neighborhoods.*

### OBJECTIVE 3

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

#### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

*The subject site is on Third Street and along its T-Third Muni light rail line. The Project's visual prominence is appropriate for its location and use.*

### OBJECTIVE

4

**IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY**

#### POLICY 4.13

Improve pedestrian areas by providing human scale and interest.

*OCII Staff worked with Planning and the Project Sponsor to assure the buildings ground floor frontage along Third Street is well articulated featuring transparency into the building and lined with active lobby, retail and community uses.*

#### Eight Priority Policies of Planning Code Section 101.1

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The proposed Redevelopment Plan Amendment will not result in change in neighborhood-serving retail businesses. The Project will include one street level retail space that will enhance the neighborhood commercial environment. The Project's new residents will provide more customers for neighborhood retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

*The proposed Redevelopment Plan Amendment will not affect existing housing and will help add to the City's housing stock. The site is currently a vacant lot. The proposed residential tower project will transform the current empty parking lot into 398 affordable dwelling units.*

3. That the City's supply of affordable housing be preserved and enhanced.

*The proposed Redevelopment Plan Amendment would increase the supply of affordable housing in San Francisco by increasing the Redevelopment Plan's current cap by 250 units, thereby enabling the development of the MBS 4E Phase II project, which proposes 233 units above the Plan's current cap.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Redevelopment Plan Amendment and Project would not impede MUNI transit service or overburden our streets or neighborhood parking; rather it would create additional residential units in this rich transit neighborhood. The limited amount of parking being included in the Project and easy access to transit and other non-vehicular modes of transportation would help enable residents to get around without having to use private vehicles.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

*The proposed Redevelopment Plan Amendment would not result in displacing existing industrial and service uses or change the existing economic base in this area. The site was most recently used as a surface parking lot.*

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The proposed Redevelopment Plan Amendment will not affect the City's preparedness to protect against injury and loss of life in an earthquake. The proposed Project would be built to the current building code and seismic standards and otherwise will not affect the City's preparedness.*

7. That landmarks and historic buildings be preserved.

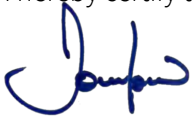
*The site of Project does not include any landmark or historic building and the proposed Redevelopment Plan Amendment will not affect the landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Redevelopment Plan amendments and the MBS 4E Project would not negatively impact our parks and open space and their access to sunlight or to vistas.*

**NOW THEREFORE BE IT MOVED,** That the Commission hereby finds the proposed amendment to the Mission Bay South Redevelopment Plan, as described above, to be on balance consistent with the General Plan, including, but not limited to the Housing Element, Urban Design, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this motion, and recommend to the Board of Supervisors approval of the Plan Amendment.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on December 4, 2025.



Jonas P. Ionin  
Commission Secretary

AYES: Williams, Imperial, McGarry, Moore, So

NOES: None

ABESNT: Braun

RECUSED: Campbell

ADOPTED: December 4, 2025



# PLANNING COMMISSION MOTION NO. 21874

**HEARING DATE: DECEMBER 4, 2025**

**Project Name:** Mission Bay South Block 4E – Amendment to the Mission Bay South Redevelopment Plan  
**Case Number:** 2025-004714GPR  
**Initiated by:** Planning Commission  
**Staff Contact:** Mat Snyder, Senior Planner, Citywide Planning  
Mathew.snyder@sfgov.org, (628) 652-7460  
**Reviewed by:** Joshua Switzky, Deputy Director of Citywide Planning  
Joshua.Switzky@sfgov.org, (628) 652-7464

RECOMMENDING APPROVAL OF AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT TO INCREASE THE TOTAL NUMBER OF PERMITTED UNITS WITHIN THE PROJECT AREA FROM 3,440 TO 3,690 AND TO INCREASE THE MAXIMUM ALLOWED HEIGHT WITHIN THE MISSION BAY SOUTH BLOCK 4E FROM 160 FEET TO 250 FEET, ADOPTING GENERAL PLAN AND PLANNING CODE SECTION 101.1 FINDINGS, AND RECOMMENDING THE MISSION BAY SOUTH REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL.

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission ("Commission") for certain matters, including determination as to whether a Redevelopment Plan amendment is in conformity with the General Plan prior to consideration by the Board of Supervisors. Similarly, Section 33453 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan may be submitted to the Planning Commission for its report and recommendation concerning the proposed plan amendments; and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") approved the Mission Bay South Project Area ("Redevelopment Plan") by Ordinance No. 335-98 (September 17, 1998), as amended by Ordinance No. 143-13 (July 9, 2013), 032-18 (March 6, 2018), 128-20 (July 31, 2020), 209-20 (Oct. 1, 2020) and 014-21 (February 12, 2021); and,

WHEREAS, The Redevelopment Plan establishes the land use controls for the Project Area. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure ("OCII"), solely administers and enforces land use entitlements for property and projects within Mission Bay South. OCII is completing the enforceable obligations of the Former Agency in the Project Area, consistent with the Redevelopment Dissolution Law and San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (commonly referred to as the "Commission on Community

Investment and Infrastructure” or “CCII”) ) and delegating to the CCII the state authority under the Redevelopment Dissolution Law); and,

WHEREAS, The purpose of the Redevelopment Plan has been to redevelop the previous 238-acre industrial railyard into a new mixed-use neighborhood featuring a wide variety of residential, institutional, office, retail, and other supporting uses. Except for two blocks, Mission Bay South is now fully built out and features 3,280 residential units (1,053 affordable), the University of California Medical Campus and Medical Center, the Chase Center and several blocks of office, biotech and hotel uses, and roughly 38 acres of public open space throughout; and

WHEREAS, The Mission Bay South Redevelopment Plan, among other controls, caps the number of residential units to a total of 3,440 units, and limits the absolute maximum height for a building at 160 feet. The Redevelopment Plan refers the more fine-grain development controls to the Mission Bay South Design-for-Development Document (“D for D”), which acts as Mission Bay South’s planning code and supplements the Redevelopment Plan land use controls; and

WHEREAS, MBS 4E is a 1.05-acre parcel that is bordered by 3<sup>rd</sup> Street to the east, Mission Rock Street to the north and China Basin Street to the south and is improved with a surface parking lot. It is one of the two remaining undeveloped parcels planned for housing in Mission Bay South as of 2025. OCII is seeking to develop MBS 4E with a two-phased 100 percent affordable housing project and is seeking to maximize the number of affordable units that can be realized by its development; and

WHEREAS, Appropriately considered amendments to the Redevelopment Plan caps on the total number of units within the Project Area and caps the maximum height of buildings at 160-feet will achieve OCII’s goals of maximizing affordable housing on the Site and facilitating appropriate density for the site in line with the vision of the Redevelopment Plan and the General Plan; and

WHEREAS, On November 9, 2023, OCII released an RFQ seeking a team to develop, own and operate affordable rental housing units, including units set aside for households experiencing homelessness, on MBS 4E. Based on the results of an interdisciplinary evaluation panel, OCII staff recommended the team led by Curtis Development and Bayview Senior Services, together the Project Sponsor. On September 3, 2024, the CCII authorized the Executive Director to enter into an Exclusive Negotiations Agreement (“ENA”) with the Project Sponsor as well as a predevelopment loan agreement to fund predevelopment activities for the Phase I Project and a portion of the Phase II Project. As was described in the RFQ for MBS 4E, OCII sought to maintain the design intent as set forth in the Redevelopment Plan and D for D while maximizing the potential for housing opportunities on the Site by exploring a design and program that could be larger than what is currently permitted by the Redevelopment Plan; and

WHEREAS, The Project Sponsor submitted Schematic Design Review applications to OCII for the construction of the Project, based on the analysis for possible increased massing as described above. Through the ENA negotiation process described above and the review of the Schematic Design applications, OCII staff determined that an amendment to the Mission Bay South Redevelopment Plan would be advisable. Specifically, an amendment would be required to increase the maximum number of dwelling units allowed within the Plan Area and the maximum height of buildings for this site; and

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WHEREAS, OCII maintains land use permitting jurisdiction and California Environmental Quality Act ("CEQA") review authority for development within the Project Area, including the site of the proposed amendment. OCII has concluded that the MBS 4E Project, including the subject Plan Amendments, satisfy the requirements for an exemption from CEQA as specified in California Public Resources Code Section 21080.40 (Affordable Housing Projects). Effective as of January 1, 2024, California Assembly Bill 1499 amended the California Public Resources Code to exempt 100% affordable housing projects from environmental review under CEQA even when a rezoning is required, such as the Plan Amendment. To qualify for the California AB 1449 affordable housing exemption, projects must satisfy several rigorous requirements centered on affordability, location, environmental constraints, labor standards, and an administrative process.

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## FINDINGS

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#### URBAN DESIGN ELEMENT

#### OBJECTIVE 1

### EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

#### POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The Redevelopment Plan amendments will enable a taller building than what would otherwise be allowed. Related D for D amendments will enable taller street walls along Mission Rock and China Basin Streets and will enable the Phase I and Phase II towers to be closer together than what would otherwise be permitted. While the amendments will allow two larger buildings, they will not be out of place or out of scale in the Mission Bay context. Mission Rock development, which is located immediately northeast of the Project site allows buildings of the height of 240 feet, which is roughly the same as the Phase II tower proposed at 225 feet. While the Phase I and Phase II towers will not feature horizontal setbacks at 55 feet as currently required by the D for D, the design does incorporate vertical notches that breaks down the mass of the two towers and provide for visual relief from the towers massing. Overall, MBS 4E Project is at the same scale as the surrounding Mission Bay and Mission Rock neighborhoods.*

### OBJECTIVE 3

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

#### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

*The subject site is on Third Street and along its T-Third Muni light rail line. The Project's visual prominence is appropriate for its location and use.*

### OBJECTIVE

4

**IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY**

#### POLICY 4.13

Improve pedestrian areas by providing human scale and interest.

*OCII Staff worked with Planning and the Project Sponsor to assure the buildings ground floor frontage along Third Street is well articulated featuring transparency into the building and lined with active lobby, retail and community uses.*

#### Eight Priority Policies of Planning Code Section 101.1

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The proposed Redevelopment Plan Amendment will not result in change in neighborhood-serving retail businesses. The Project will include one street level retail space that will enhance the neighborhood commercial environment. The Project's new residents will provide more customers for neighborhood retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

*The proposed Redevelopment Plan Amendment will not affect existing housing and will help add to the City's housing stock. The site is currently a vacant lot. The proposed residential tower project will transform the current empty parking lot into 398 affordable dwelling units.*

3. That the City's supply of affordable housing be preserved and enhanced.

*The proposed Redevelopment Plan Amendment would increase the supply of affordable housing in San Francisco by increasing the Redevelopment Plan's current cap by 250 units, thereby enabling the development of the MBS 4E Phase II project, which proposes 233 units above the Plan's current cap.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Redevelopment Plan Amendment and Project would not impede MUNI transit service or overburden our streets or neighborhood parking; rather it would create additional residential units in this rich transit neighborhood. The limited amount of parking being included in the Project and easy access to transit and other non-vehicular modes of transportation would help enable residents to get around without having to use private vehicles.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

*The proposed Redevelopment Plan Amendment would not result in displacing existing industrial and service uses or change the existing economic base in this area. The site was most recently used as a surface parking lot.*

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The proposed Redevelopment Plan Amendment will not affect the City's preparedness to protect against injury and loss of life in an earthquake. The proposed Project would be built to the current building code and seismic standards and otherwise will not affect the City's preparedness.*

7. That landmarks and historic buildings be preserved.

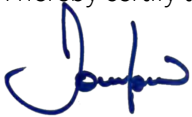
*The site of Project does not include any landmark or historic building and the proposed Redevelopment Plan Amendment will not affect the landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Redevelopment Plan amendments and the MBS 4E Project would not negatively impact our parks and open space and their access to sunlight or to vistas.*

**NOW THEREFORE BE IT MOVED,** That the Commission hereby finds the proposed amendment to the Mission Bay South Redevelopment Plan, as described above, to be on balance consistent with the General Plan, including, but not limited to the Housing Element, Urban Design, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this motion, and recommend to the Board of Supervisors approval of the Plan Amendment.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on December 4, 2025.



Jonas P. Ionin  
Commission Secretary

AYES: Williams, Imperial, McGarry, Moore, So

NOES: None

ABESNT: Braun

RECUSED: Campbell

ADOPTED: December 4, 2025



# PLANNING COMMISSION MOTION NO. 21874

**HEARING DATE: DECEMBER 4, 2025**  
**CORRECTED DATE: DECEMBER 10, 2025**

**Project Name:** Mission Bay South Block 4E – Amendment to the Mission Bay South Redevelopment Plan  
**Case Number:** 2025-004714GPR  
**Initiated by:** Planning Commission  
**Staff Contact:** Mat Snyder, Senior Planner, Citywide Planning  
Mathew.snyder@sfgov.org, (628) 652-7460  
**Reviewed by:** Joshua Switzky, Deputy Director of Citywide Planning  
Joshua.Switzky@sfgov.org, (628) 652-7464

RECOMMENDING APPROVAL OF AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT TO INCREASE THE TOTAL NUMBER OF PERMITTED UNITS WITHIN THE PROJECT AREA FROM 3,440 TO 3,690 AND TO INCREASE THE MAXIMUM ALLOWED HEIGHT WITHIN THE MISSION BAY SOUTH BLOCK 4E FROM 160 FEET TO 250 FEET, ADOPTING GENERAL PLAN AND PLANNING CODE SECTION 101.1 FINDINGS, AND RECOMMENDING THE MISSION BAY SOUTH REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL.

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission ("Commission") for certain matters, including determination as to whether a Redevelopment Plan amendment is in conformity with the General Plan prior to consideration by the Board of Supervisors. Similarly, Section 33453 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan may be submitted to the Planning Commission for its report and recommendation concerning the proposed plan amendments; and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") approved the Mission Bay South Project Area ("Redevelopment Plan") by Ordinance No. 335-98 (September 17, 1998), as amended by Ordinance No. 143-13 (July 9, 2013), 032-18 (March 6, 2018), 128-20 (July 31, 2020), 209-20 (Oct. 1, 2020) and 014-21 (February 12, 2021); and,

WHEREAS, The Redevelopment Plan establishes the land use controls for the Project Area. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure ("OCII"), solely administers and enforces land use entitlements for property and projects within Mission Bay South. OCII is completing the enforceable obligations of the Former Agency in the Project Area, consistent with the Redevelopment Dissolution Law and San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (commonly referred to as the "Commission on Community

Investment and Infrastructure” or “CCII”) ) and delegating to the CCII the state authority under the Redevelopment Dissolution Law); and,

WHEREAS, The purpose of the Redevelopment Plan has been to redevelop the previous 238-acre industrial railyard into a new mixed-use neighborhood featuring a wide variety of residential, institutional, office, retail, and other supporting uses. Except for two blocks, Mission Bay South is now fully built out and features 3,280 residential units (1,053 affordable), the University of California Medical Campus and Medical Center, the Chase Center and several blocks of office, biotech and hotel uses, and roughly 38 acres of public open space throughout; and

WHEREAS, The Mission Bay South Redevelopment Plan, among other controls, caps the number of residential units to a total of 3,440 units, and limits the absolute maximum height for a building at 160 feet. The Redevelopment Plan refers the more fine-grain development controls to the Mission Bay South Design-for-Development Document (“D for D”), which acts as Mission Bay South’s planning code and supplements the Redevelopment Plan land use controls; and

WHEREAS, MBS 4E is a 1.05-acre parcel that is bordered by 3<sup>rd</sup> Street to the east, Mission Rock Street to the north and China Basin Street to the south and is improved with a surface parking lot. It is one of the two remaining undeveloped parcels planned for housing in Mission Bay South as of 2025. OCII is seeking to develop MBS 4E with a two-phased 100 percent affordable housing project and is seeking to maximize the number of affordable units that can be realized by its development; and

WHEREAS, Appropriately considered amendments to the Redevelopment Plan caps on the total number of units within the Project Area and caps the maximum height of buildings at 160-feet will achieve OCII’s goals of maximizing affordable housing on the Site and facilitating appropriate density for the site in line with the vision of the Redevelopment Plan and the General Plan; and

WHEREAS, On November 9, 2023, OCII released an RFQ seeking a team to develop, own and operate affordable rental housing units, including units set aside for households experiencing homelessness, on MBS 4E. Based on the results of an interdisciplinary evaluation panel, OCII staff recommended the team led by Curtis Development and Bayview Senior Services, together the Project Sponsor. On September 3, 2024, the CCII authorized the Executive Director to enter into an Exclusive Negotiations Agreement (“ENA”) with the Project Sponsor as well as a predevelopment loan agreement to fund predevelopment activities for the Phase I Project and a portion of the Phase II Project. As was described in the RFQ for MBS 4E, OCII sought to maintain the design intent as set forth in the Redevelopment Plan and D for D while maximizing the potential for housing opportunities on the Site by exploring a design and program that could be larger than what is currently permitted by the Redevelopment Plan; and

WHEREAS, The Project Sponsor submitted Schematic Design Review applications to OCII for the construction of the Project, based on the analysis for possible increased massing as described above. Through the ENA negotiation process described above and the review of the Schematic Design applications, OCII staff determined that an amendment to the Mission Bay South Redevelopment Plan would be advisable. Specifically, an amendment would be required to increase the maximum number of dwelling units allowed within the Plan Area and the maximum height of buildings for this site; and

WHEREAS, The Proposed MBS 4E Project is a 100% affordable housing project that would be comprised of two buildings built in two phases that would rise 160 feet and 225 feet respectively and include a total of 398 units (165 units in Phase 1 and 233 units in Phase 2). The affordable housing would include units dedicated to lower-income households earning no more than 70% AMI as defined by the U.S. Department of Housing and Urban Development and California Tax Credit Allocation Committee, excluding unrestricted manager units. The Project would also include units specifically for homeless families. Along with residential units, the Project includes resident amenity spaces, ground floor retail spaces, private open spaces, streetscape improvements, 88 off-street parking spaces, and bicycle parking. Phase I can be developed within the confines of the Redevelopment Plan controls; the Redevelopment Plan Amendments are required to enable Phase II; and,

WHEREAS, On May 28, 2025, the Planning Department received a General Plan Referral application to amend the Redevelopment Plan for the Mission Bay South Project Area ("Plan Amendment") to increase the maximum allowed number of dwelling units by 250 units from 3,440 to 3,690, and increase the maximum allowed height on the subject site from 160 feet to 250 feet; and

WHEREAS, On November 18, 2025 at a public hearing the CCII adopted Resolution Nos. 28-2025, 29-2025, 30-2025, 31-2025, 32-2025, 33-2025, and 34-2025, which, (1) approved amendments to the D for D related to MBS 4E Phase I; (2) conditionally approved Basic Concept and Schematic Design and related Major Phase for MBS 4E Phase I; (3) approved amendments to the MBS Redevelopment Plan; (4) approved the Report to the Board of Supervisors on the Redevelopment Plan Amendments; (5) conditionally approved Basic Concept and Schematic Design and related Major Phase for MBS 4E Phase II; (6) approved amendments for the D for D related to MBS 4E Phase II; (7) conditionally approved amendments to the Mission Bay South Owner Participation Agreement; and,

WHEREAS, OCII maintains land use permitting jurisdiction and California Environmental Quality Act ("CEQA") review authority for development within the Project Area, including the site of the proposed amendment. OCII has concluded that the MBS 4E Project, including the subject Plan Amendments, satisfy the requirements for an exemption from CEQA as specified in California Public Resources Code Section 21080.40 (Affordable Housing Projects). Effective as of January 1, 2024, California Assembly Bill 1499 amended the California Public Resources Code to exempt 100% affordable housing projects from environmental review under CEQA even when a rezoning is required, such as the Plan Amendment. To qualify for the California AB 1449 affordable housing exemption, projects must satisfy several rigorous requirements centered on affordability, location, environmental constraints, labor standards, and an administrative process.

All residential units must be dedicated to lower-income households (earning no more than 80% of the Area Median Income), excluding manager units. This 100% affordability requirement must be secured via a recorded regulatory agreement or deed restriction lasting at least 55 years for rental projects. Furthermore, projects must adhere to strict labor standards by paying construction workers the prevailing wage.

Location requirements stipulate the project must be in an urban infill area, often within walking distance of public transit or a cluster of amenities. The site must be adequately served by existing utilities. Importantly, the site cannot be located on sensitive lands such as wetlands, flood zones, high fire hazard severity zones, or hazardous waste sites. For any potentially contaminated site, a Phase I Environmental Site Assessment must be completed, and any identified hazardous conditions must be fully remediated before construction can begin.

The administrative requirements include a mandatory tribal consultation process. The local government must notify culturally affiliated tribes within 14 days of an application being deemed complete, and tribes have 60 days to request consultation. This process aims to establish enforceable conditions to protect tribal cultural resources. Finally, the project cannot involve the demolition of existing affordable, rent-controlled, or historic housing units within the last decade.

OCII staff have reviewed these requirements and confirm that the Phase I and Phase II Project complies with the provisions of Section 21080.40 of the Public Resources Code and is therefore exempt from CEQA. In addition, OCII staff have received and reviewed a Phase I Environmental Site Assessment for the MBS 4E site and, working with the City Archaeologist, have completed a tribal consultation process in which the discussions with local Native American tribal leaders have agreed to participate in future archaeological testing and excavations and a land acknowledgement on the site, and have requested that the site maximize the use of native species in its landscaping plan; and,

## FINDINGS

Staff analyzed the proposed Redevelopment Plan Amendment with regards to conformity to the General Plan as described below.

### HOUSING ELEMENT

#### OBJECTIVE 1.B

##### ADVANCE EQUITABLE HOUSING ACCESS

###### POLICY 5

Improve access to the available Affordable Rental and Homeownership units especially for disproportionately underserved racial and social groups.

###### POLICY 6

Advance equal housing access by eliminating discrimination based on race, ethnicity, immigration status, HIV+ status, gender identity, sexual orientation, disabilities, age, prior incarceration, or mental health and improving housing programs for underserved groups.

*The Plan Amendments would enable the additional construction of 250 additional units than what would otherwise be allowed under the MBS Redevelopment Plan. The amendments enable the MBS 4E Project, which seeks to provide affordable housing at a wide variety of affordable levels while also setting aside units for families that have previously experienced homelessness. The Project specifically targets and prioritizes residency for those who are holders of Certificates of Preference and thereby aiming to address past harms to underserved communities.*

#### OBJECTIVE 1.C

##### ELIMINATE HOMELESSNESS

POLICY 8

Expand permanently supportive housing and services for individuals and families experiencing homelessness as a primary part of a comprehensive strategy to eliminate homelessness.

*The MBS 4E project specifically sets aside 80 units for families that had previously experienced homelessness.*

OBJECTIVE 2.A

MAKE AMENDS AND INFORM REPARATIVE ACTIONS BY TELLING THE TRUTH ABOUT DISCRIMINATORY ACTIONS AND THE RESULTING HARM

OBJECTIVE 2.B

OFFER REPARATIONS FOR COMMUNITIES DIRECTLY HARMED BY PAST DISCRIMINATORY GOVERNMENT ACTION<sup>10</sup> AND BRING BACK THEIR DISPLACED PEOPLE

POLICY 10

Acknowledge the truth about discriminatory practices and government actions as told by American Indian, Black, and other communities of color to understand the root causes of the housing disparities in these communities and to inform how to redress the harms.

POLICY 13

Amplify and prioritize voices of American Indian, Black, and other people of color, and other disadvantaged communities, and embrace the guidance of their leaders throughout the engagement and planning processes for housing policy, planning, programs, and developments.

*The former San Francisco Redevelopment Agency implemented the Western Addition redevelopment plans throughout the 1950s, 1960s, and 1970s. In carrying out these plans, the Agency demolished large portions of the existing urban fabric, displacing long-established Black and Japanese American communities and causing lasting social and economic harm. To provide a measure of redress for this displacement, the State required the Agency to create the Certificate of Preference (COP) program, which looked to provide displaced households priority in accessing future affordable housing opportunities.*

*The Project Sponsor has stated that integral to developing the MBS 4E program and design, they have engaged the COP Holders community. Both OCII and the Project Sponsor have indicated that MBS 4E is being specifically programmed and affirmatively marketed to COP holders. As such, the project represents a tangible effort to support right-to-return goals and to address, in part, the historic harms experienced by these communities.*

OBJECTIVE 4.A

SUBSTANTIALLY EXPAND THE AMOUNT OF PERMANENTLY AFFORDABLE HOUSING FOR EXTREMELY LOW- TO MODERATE-INCOME HOUSEHOLDS

POLICY 22

Create dedicated and consistent local funding sources and advocate for regional, State, and Federal funding to support building permanently affordable housing for very low-, low-, and moderate-income households that meets the Regional Housing Needs Allocation targets

*The MBS 4E Project is a 100% affordable housing project with affordability levels targeted at no more than 70% AMI as defined by U.S. Department of Housing and Urban Development and California Tax Credit Allocation Committee.*

#### OBJECTIVE 5.A

#### CONNECT PEOPLE TO JOBS AND THEIR NEIGHBORHOODS WITH NUMEROUS, EQUITABLE, AND HEALTHY TRANSPORTATION AND MOBILITY OPTIONS

##### POLICY 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in [Well-resourced Neighborhoods](#) and adjacent lower-density areas near transit, including along SFMTA Rapid Network<sup>33</sup> and other transit.

##### POLICY 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities.

*The Plan Amendments will enable a greater number of residential units (and affordable units specifically) within the Mission Bay neighborhood, which features excellent transportation and mobility options. MBS 4E is located along the T-Third Muni line, part of the SFMTA Rapid Network, and is immediately in front of a T-Third Muni stop.*

#### OBJECTIVE 5.C

#### ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES

##### POLICY 41

Shape urban design policy, standards, and guidelines to enable cultural and identity expression, advance architectural creativity and durability, and foster neighborhood belonging.

*The Redevelopment Plan amendments will enable the MBS 4E Project. The MSB 4E Project Sponsor has engaged the COP holder community in programming and designing the project. The project architect has designed the façade to be reflective of African culture. The Project's architectural design documentation states that Project's façade features precast concrete formed with textured liners that create surface color and texture with Phase 1's façade to be reminiscent of traditional West African clay beads and Phase 2 to draw inspiration from the rich history and tradition of African textiles.*

#### URBAN DESIGN ELEMENT

##### OBJECTIVE 1

#### EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

##### POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The Redevelopment Plan amendments will enable a taller building than what would otherwise be allowed. Related D for D amendments will enable taller street walls along Mission Rock and China Basin Streets and will enable the Phase I and Phase II towers to be closer together than what would otherwise be permitted. While the amendments will allow two larger buildings, they will not be out of place or out of scale in the Mission Bay context. Mission Rock development, which is located immediately northeast of the Project site allows buildings of the height of 240 feet, which is roughly the same as the Phase II tower proposed at 225 feet. While the Phase I and Phase II towers will not feature horizontal setbacks at 55 feet as currently required by the D for D, the design does incorporate vertical notches that breaks down the mass of the two towers and provide for visual relief from the towers massing. Overall, MBS 4E Project is at the same scale as the surrounding Mission Bay and Mission Rock neighborhoods.*

### OBJECTIVE 3

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

#### POLICY 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

*The subject site is on Third Street and along its T-Third Muni light rail line. The Project's visual prominence is appropriate for its location and use.*

### OBJECTIVE 4

**IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY**

#### POLICY 4.13

Improve pedestrian areas by providing human scale and interest.

*OCII Staff worked with Planning and the Project Sponsor to assure the buildings ground floor frontage along Third Street is well articulated featuring transparency into the building and lined with active lobby, retail and community uses.*

#### Eight Priority Policies of Planning Code Section 101.1

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The proposed Redevelopment Plan Amendment will not result in change in neighborhood-serving retail businesses. The Project will include one street level retail space that will enhance the neighborhood commercial environment. The Project's new residents will provide more customers for neighborhood retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.

*The proposed Redevelopment Plan Amendment will not affect existing housing and will help add to the City's housing stock. The site is currently a vacant lot. The proposed residential tower project will transform the current empty parking lot into 398 affordable dwelling units.*

3. That the City's supply of affordable housing be preserved and enhanced.

*The proposed Redevelopment Plan Amendment would increase the supply of affordable housing in San Francisco by increasing the Redevelopment Plan's current cap by 250 units, thereby enabling the development of the MBS 4E Phase II project, which proposes 233 units above the Plan's current cap.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Redevelopment Plan Amendment and Project would not impede MUNI transit service or overburden our streets or neighborhood parking; rather it would create additional residential units in this rich transit neighborhood. The limited amount of parking being included in the Project and easy access to transit and other non-vehicular modes of transportation would help enable residents to get around without having to use private vehicles.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced.

*The proposed Redevelopment Plan Amendment would not result in displacing existing industrial and service uses or change the existing economic base in this area. The site was most recently used as a surface parking lot.*

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The proposed Redevelopment Plan Amendment will not affect the City's preparedness to protect against injury and loss of life in an earthquake. The proposed Project would be built to the current building code and seismic standards and otherwise will not affect the City's preparedness.*

7. That landmarks and historic buildings be preserved.

*The site of Project does not include any landmark or historic building and the proposed Redevelopment Plan Amendment will not affect the landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Redevelopment Plan amendments and the MBS 4E Project would not negatively impact our parks and open space and their access to sunlight or to vistas.*

**NOW THEREFORE BE IT MOVED,** That the Commission hereby finds the proposed amendment to the Mission Bay South Redevelopment Plan, as described above, to be on balance consistent with the General Plan, including, but not limited to the Housing Element, Urban Design, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this motion, and recommend to the Board of Supervisors approval of the Plan Amendment.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on December 4, 2025 and corrected on December 10, 2025.



Jonas P. Ionin  
Commission Secretary

AYES: Campbell, McGarry, Williams, Imperial, Moore, So  
NOES: None  
ABSENT: Braun  
RECUSED: Campbell None  
ADOPTED: December 4, 2025  
CORRECTED: December 10, 2025

**COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE**

**RESOLUTION NO. 30-2025**

*Adopted November 18, 2025*

**APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN IN  
CONNECTION WITH THE DEVELOPMENT OF THE SECOND PHASE OF THE  
MISSION BAY SOUTH BLOCK 4 EAST AFFORDABLE HOUSING PROJECT;  
REFERRING THE PLAN AMENDMENT TO THE PLANNING COMMISSION FOR  
ITS REPORT AND RECOMMENDATION TO THE BOARD OF SUPERVISORS;  
MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA**

WHEREAS, The former Redevelopment Agency of the City and County of San Francisco (“Former Agency”) Commission approved the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”) by Resolution No. 190-98 (Sept. 17, 1998). Concurrently, the Former Agency Commission approved the Design for Development for the Mission Bay South Redevelopment Project Area (“D for D”) by Resolution No. 191-98, and a conditionally authorized execution of an Owner Participation Agreement (“South OPA”) with Catellus Development Corporation, a Delaware corporation (“Catellus”), by Resolution No. 193-98. The San Francisco Board of Supervisors (“Board of Supervisors”) adopted the Redevelopment Plan by Ordinance No. 335-98 (Nov. 2, 1998) and amended it by Ordinance Nos. 143-13 (July 9, 2013), 032-18 (Mar. 6, 2018), 128-20 (July 31, 2020), 209-20 (Oct. 1, 2020) and 014-21 (Feb. 12, 2021). Together, the Redevelopment Plan, D for D, and South OPA are the “Plan Documents”; and,

WHEREAS, On February 1, 2012, state law dissolved all redevelopment agencies, including the Former Agency, and created successor agencies to complete the enforceable obligations of the former redevelopment agencies and to wind down redevelopment affairs. California Health and Safety Code §§ 34170 *et seq.* (the “Redevelopment Dissolution Law”). On June 27, 2012, state law clarified that successor agencies are separate public entities and that they succeed to the organizational status of the former Redevelopment Agency to complete any work related to an approved enforceable obligation, Cal. Health & Safety Code § 34173 (g); and,

WHEREAS, The Board of Supervisors, acting as the legislative body of the Successor Agency, adopted Ordinance No. 215-12 (Oct. 4, 2012), which, among other matters: (a) acknowledged and confirmed that the Successor Agency to the Former Agency (commonly known as the Office of Community Investment and Infrastructure) (the “Successor Agency” or “OCII”) is a separate legal entity from the City, and (b) established the Successor Agency commission, the Commission on Community Investment and Infrastructure (“Commission”) and delegated to it the authority to (i) act in place of the Former Agency Commission to, among other matters, implement, modify, enforce and complete the Former Agency’s enforceable obligations, (ii) approve all contracts and actions related to the assets transferred to or retained by the Successor Agency, including, without limitation, the authority to

exercise land use, development, and design approval and the approval of amendments to redevelopment plans as allowed under the Community Redevelopment Law, as amended by the Redevelopment Dissolution Law, and (iii) take any action that the Redevelopment Dissolution Law requires or authorizes on behalf of the Successor Agency and any other action that this Commission deems appropriate, consistent with the Redevelopment Dissolution Law, to comply with such obligations; and,

WHEREAS, The Board of Supervisors' delegation to this Commission includes the authority to grant approvals under specified land use controls for the Mission Bay Project, as defined in the Redevelopment Plan, consistent with the approved Redevelopment Plan and enforceable obligations; and,

WHEREAS, Sections 33450-33458 of the California Health and Safety Code establishes the process for amending a redevelopment plan (hereinafter, Cal. Health & Safety Code §§ 33000 et seq. "Community Redevelopment Law" or "CRL"). This process includes, among other things, a publicly-noticed hearing of the successor agency; environmental review to the extent required, preparation of a report to the legislative body addressing the justification for, and impact of, the Plan Amendment, adoption of the amendment by the successor agency after the public hearing; referral of the amendment to the planning commission for a determination of General Plan conformity, a publicly-noticed hearing of the legislative body, and the legislative body's consideration of Plan Amendment approval after the public hearing; and,

WHEREAS, Under the Plan Documents, Block 4 East ("MBS 4E") of the Mission Bay South Redevelopment Project Area ("Project Area") is a 1.05 acre parcel located in Height Zone 3, between Mission Rock Street, China Basin Street, 3<sup>rd</sup> Street and a market rate residential project on Mission Bay South Block 4 West, and is designated as an Approved Site for an Agency Affordable Housing Parcel in the Mission Bay South Housing Program (Exhibit F to Attachment C to the South OPA); and,

WHEREAS, FOCIL-MB, LLC, ("FOCIL-MB"), a subsidiary of Farallon Capital Management, LLC, assumed all of Catellus's obligations under the South OPA, as well as all responsibilities under the related public improvement agreements and land transfer agreements with the City and County of San Francisco ("City"). FOCIL-MB and its Transferees are bound by the South OPA and related agreements, including the requirements of the affordable housing program, equal opportunity program, and design review process; and,

WHEREAS, By Resolution No. 30-2024 (Sept. 3, 2024), the Commission authorized the Executive Director to enter into an Exclusive Negotiations Agreement ("ENA") and Predevelopment Loan Agreement with Mission Bay 4 East Associates, L.P., a California limited partnership (the "Developer"), an affiliate of Curtis Development and Bayview Senior Services to undertake predevelopment activities on MBS 4E with the expectation that the ENA would lead to long term ground leases and the

construction of improvements. The ENA established that the Developer intended to pursue development of MBS 4E with two distinct projects to be completed in two phases; and,

WHEREAS, By Resolution No. 29-2025 on November 18, 2025, adopted concurrently with this Resolution, the Commission approved an amendment to the Major Phase for Blocks 2-7 and 13 (“Major Phase”) and the Basic Concept and Schematic Design (“BCSD”) for the project on the southern half of MBS 4E (the “Phase I Project”), consisting of 165 affordable housing units, thereby approving the remaining affordable housing permitted under the Mission Bay South Housing Program and Redevelopment Plan; and,

WHEREAS, OCII and the Developer have determined that the project on the northern half of MBS 4E (the “Phase II Project”) could accommodate up to 250 additional units of affordable housing in a building separate from the building approved for Phase I Project; and,

WHEREAS, The Successor Agency proposes to adopt a sixth amendment to the Redevelopment Plan, in conjunction with a tenth amendment to the South OPA, to increase the total number of dwelling units permitted by up to an additional 250 affordable dwelling units to be located on the northern half of MBS 4E and increase the maximum building height on the northern half of MBS 4E from 160 feet to 250 feet to accommodate affordable housing on the Phase II Project (the “Plan Amendment”); and,

WHEREAS, The Phase II Project would promote the objectives and policies of the Redevelopment Plan; and,

WHEREAS, The Plan Amendment is consistent with the Redevelopment Plan objectives by strengthening the community’s supply of housing and facilitating economically feasible affordable housing through the construction of up to 250 additional affordable housing units; and,

WHEREAS, Pursuant to Section 33352 of the CRL, the Successor Agency has prepared the Report to the Board of Supervisors on the Plan Amendment (“Report to the Board”) that contains only the information that is warranted by the scope of the Plan Amendment, as authorized under Health and Safety Code Section 33352. The environmental document prepared in conjunction with the consideration of this Plan Amendment has been included as part of the Successor Agency’s Report to the Board, and is more particularly described below; and,

WHEREAS, On October 9, 2025, the Mission Bay Citizens Advisory Committee considered and recommended approval of the Plan Amendment by the Commission and the Board of Supervisors; and,

WHEREAS, Copies of the notice of public hearing on the Plan Amendment were mailed by first-class mail to property owners and all residents and businesses in the Project Area; and,

WHEREAS, Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency which receives taxes from property in the Project Area; and,

WHEREAS, The Commission held a public hearing on November 18, 2025 on adoption of the Plan Amendment, notice of which was duly and regularly published in a newspaper of general circulation in the City once a week for three successive weeks beginning 21 days prior to the date of the hearing, and a copy of that notice and affidavit of publication are on file with the Commission Secretary; and,

WHEREAS, The Commission has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the Plan Amendment; and,

WHEREAS, Development within the Project Area is subject to the South OPA, which requires, among other things, that the Successor Agency obtain the consent of FOCIL-MB, LLC to amend the Redevelopment Plan, which consent has been provided prior to approval of the Plan Amendment by the Commission; and,

WHEREAS, As described in the Commission Memorandum accompanying this Resolution, OCII has determined that the approval of the Plan Amendment is statutorily exempt from the California Environmental Quality Act under Section 21080.40 of the California Public Resources Code as an action in furtherance of an affordable housing project dedicating all of its residential units to lower income households; now, therefore be it,

RESOLVED, That the Commission approves the Plan Amendment attached hereto as Exhibit A and recommends forwarding the Plan Amendment to the San Francisco Planning Department for its Report and Recommendation to the Board of Supervisors and to the San Francisco Board of Supervisors for its approval.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of November 18, 2025.

  
\_\_\_\_\_  
Commission Secretary

Exhibit A: Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project

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**REDEVELOPMENT PLAN FOR THE**

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**MISSION BAY SOUTH REDEVELOPMENT PROJECT**

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*office of*

**COMMUNITY INVESTMENT**  
*and* **INFRASTRUCTURE**

**SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY OF THE  
CITY OF SAN FRANCISCO**

**Mission Bay South Redevelopment Plan Approved  
and Adopted by the Board of Supervisors of the City  
and County of San Francisco  
Ordinance No. 335-98, November 2, 1998**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 143-13, July 11, 2013**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 032-18, March 6, 2018**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 128-20, July 31, 2020**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 209-20, October 9, 2020**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. 014-21, February 12, 2021**

**Amendment Adopted by the Board of Supervisors  
of the City and County of San Francisco  
Ordinance No. X-X, Month XX, 20XX**

---

**REDEVELOPMENT PLAN  
FOR THE  
MISSION BAY SOUTH REDEVELOPMENT PROJECT**

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## **100 INTRODUCTION**

All initially capitalized terms shall have the meaning set forth herein, including Section 304.9 and Attachment 5.

## **101 Legal Foundation**

This is the Redevelopment Plan (the “Plan”) for the Mission Bay South Redevelopment Project in the City and County of San Francisco (the “City”), State of California, and consists of the Text, the Legal Description of the Plan Area (Attachment 1), the Plan Area Map (Attachment 2), the Redevelopment Land Use Map (Attachment 3), the Zone Map (Attachment 3A), Proposed Public Improvements (Attachment 4) and Definitions (Attachment 5). This Plan was prepared by the Redevelopment Agency of the City and County of San Francisco (the “Agency”) pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the California Constitution and all applicable local laws and ordinances. The Plan is also referred to as the “Mission Bay South Redevelopment Plan.” The Mission Bay South Project Area covered by this Plan is hereinafter referred to as the Plan Area.

The proposed redevelopment of the Plan Area as described in this Plan is consistent with the Central Waterfront Plan, adopted by the Planning Commission of the City and County of San Francisco (the “Planning Commission”) on September 27, 1990, and other applicable elements of the General Plan for the City and County of San Francisco, in effect on the effective date of this Plan, and is in conformity with the eight Priority Policies of Section 101.1 of the City Planning Code in effect at the date of adoption of this Plan.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission by **Motion No. 14483**, on October 23, 1997. It provides the Agency with the powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the Plan Area. This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Plan Area will be pursued. It is consistent with provisions of the Community Redevelopment Law in effect at the date of adoption of this Plan.

This Plan and the other Plan Documents, including the Design for Development, shall supersede the San Francisco Planning Code in its entirety, except as otherwise provided herein.

Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies applicable to and governing the overall design, construction, fees, use or other aspect of development of the Plan Area shall be (i) this Plan and the other applicable Plan Documents, (ii) to the extent not inconsistent therewith or not superseded by this Plan, the Existing City Regulations and (iii) any new or changed City Regulations permitted under this Plan.

## **102 Relationship of Plan to Plan Documents**

This Plan is enacted to establish the powers, duties, and obligations to implement and further the program generally formulated in this Plan. All real property in the Plan Area is made subject to the controls and requirements of this Plan, and the other applicable Plan Documents.

In order to facilitate the implementation of this Plan, the City and the Agency have entered into the Mission Bay South Interagency Cooperation Agreement (“ICA”). The ICA is intended to provide the framework for cooperation among various City Agencies and the Agency in accordance with this Plan and the other applicable Plan Documents with respect to the review and approval of development authorizations in the Plan Area and, where appropriate, to facilitate cooperation of the City Agencies in issuance of those permits, approvals, agreements and entitlements at each applicable stage of development.

## **103 Redevelopment Project Objectives**

The purposes of the Community Redevelopment Law, which will be attained through, and the major objectives of this Plan are:

- A. Eliminating blighting influences and correcting environmental deficiencies in the Plan Area, including, but not limited to, abnormally high vacancies, abandoned buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities and utilities.
- B. Retaining and promoting, within the City and County of San Francisco, academic and research activities associated with the University of California San Francisco (“UCSF”), which seeks to provide space for existing and new programs and consolidate academic and support units from many dispersed sites at a single major new site which can accommodate the 2,650,000 square foot program analyzed in the UCSF Long Range Development Plan.
- C. Assembling land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Plan Area.
- D. Replanning, redesigning and developing undeveloped and underdeveloped areas which are improperly utilized.
- E. Providing flexibility in the development of the Plan Area to respond readily and appropriately to market conditions.
- F. Providing opportunities for participation by owners in the redevelopment of their properties.
- G. Strengthening the community’s supply of housing by facilitating economically feasible, affordable housing through installation of needed site improvements and expansion and improvement of the housing supply by the

construction of up to approximately 3,440 very low-, low- and moderate-income and market-rate units, including approximately 1,100 units of very low-, low- and moderate-income housing.

H. Strengthening the economic base of the Plan Area and the community by strengthening retail and other commercial functions in the Plan Area through the addition of up to approximately 400,000 Leasable square feet of retail space, a hotel of up to 300 rooms and associated uses in the Hotel land use district, a hotel of up to 230 rooms and associated uses on Blocks 29-30 in the Commercial Industrial/Retail land use district, and about 6,123,600 Leasable square feet of mixed office, research and development and light manufacturing uses.

I. Facilitating emerging commercial-industrial sectors including those expected to emerge or expand due to their proximity to the UCSF new site, such as research and development, bio-technical research, telecommunications, business service, multi-media services, and related light industrial, through improvement of transportation access to commercial and industrial areas, improvement of safety within the Plan Area, and the installation of needed site improvements to stimulate new commercial and industrial expansion, employment, and economic growth.

J. Facilitating public transit opportunities to and within the Plan Area to the extent feasible.

K. Providing land in an amount of approximately 41 acres for a variety of publicly accessible open spaces.

L. Achieving the objectives described above in the most expeditious manner feasible.

## **104 Planning Objectives and Policies**

The Central Waterfront Plan of the San Francisco General Plan sets forth broad land use planning objectives and policies for the entire Central Waterfront, of which Mission Bay South is a part. In addition to the redevelopment objectives listed in Section 103, the following planning objectives and policies provide a more detailed treatment of the basic General Plan objectives and policies for the Plan Area, and will guide the uses permitted in the Plan Area, the construction of facilities therein, and other physical development of the Plan Area. Application of these objectives and policies is a concerted effort to recognize the positive attributes of the City, to enhance and conserve those attributes, and to improve the quality of the living environment based on human needs. This Plan implements the following to the extent feasible:

### **A. LAND USE**

Objective 1 Create a vibrant urban community in Mission Bay South which incorporates a variety of uses including medical research, office, business

services, retail, entertainment, hotel, light industrial, education, utility, housing, recreation and open space, and community facilities.

Policy 1 Consider land use compatibility in siting the various uses.

Policy 2 Integrate Mission Bay South land uses, scale and circulation systems with surrounding districts and San Francisco Bay.

Policy 3 Create a variety of retail and other visitor-serving uses that benefit residents, workers and visitors, including regional retail, entertainment, recreational, and hotel uses.

Policy 4 Where appropriate, encourage the siting of ground floor neighborhood-serving retail and personal service uses in locations convenient to serve Mission Bay South businesses, residents, visitors and working populations, and/or encourage the siting of other pedestrian-interest activities along pedestrian pathways, at major intersections and at transit stops.

Policy 5 Where appropriate, design building forms and ground floor uses that enliven and activate streets and open space and which provide visual interaction between building occupants and pedestrians (“eyes on the street”) for safety and security.

Objective 2 Assure that adequate community services and facilities are provided for Mission Bay South residents and working population.

Policy 1 Provide for general community services and recreational facilities at a scale appropriate to serve Mission Bay South.

Policy 2 Include adequate public improvements, utilities and amenities.

## B. URBAN DESIGN

Objective 3 Emphasize in Mission Bay South the characteristic San Francisco development patterns, which give its neighborhoods image and means of orientation.

Policy 1 Provide pedestrian scale and interest in ground floor treatments of buildings through the use of treatments such as clear glass fenestration, cornice treatments and detailed facades.

Policy 2 Design in consideration of protecting major views of the Bay, the Bay Bridge and the Downtown skyline from Mission Bay South and, if feasible, the elevated 1-280 freeway along Mission Bay South, using street view corridors, open space, the careful placement of building forms and building massing.

## Mission Bay South Redevelopment Plan

Policy 3 Create a visual and physical access to San Francisco Bay and the channel of China Basin.

Policy 4 Recognize that buildings, open spaces and view corridors, seen together, will create the character of Mission Bay South.

Policy 5 Achieve high quality design for buildings and landscaping.

Policy 6 Emphasize the importance of intersections by encouraging higher density uses, taller buildings (one to two stories or the tallest portion of buildings) and architectural variety on street corners.

Policy 7 Avoid extreme contrasts in color, shape and other characteristics, which will cause new buildings to stand out in excess of their public importance.

Policy 8 Promote building forms that enhance sun exposure on public open spaces.

Objective 4 Create a building form for the Mission Bay South area such that the scale of new development relates to the adjacent waterfront and to adjacent buildings.

Policy 1 Building heights should decrease as they approach the water's edge.

Policy 2 Provide variety in building design within a block to break up the perception of bulk and to achieve a visually interesting streetscape.

### C. NEIGHBORHOOD ENVIRONMENT

Objective 5 Develop new residential neighborhoods in consideration of the character and quality of traditional San Francisco neighborhoods.

Policy 1 Create a pattern of buildings built to the front property line so that building facades generally define streets and public places.

Policy 2 As appropriate to the neighborhood, provide on-street parking in the manner typical throughout the City. Limit the amount of curb cut and garage door access to off-street parking in housing blocks.

Policy 3 Whenever possible, orient housing entrances toward the street or walkway.

Policy 4 Screen parking garages at-grade along streets with retail, housing, art elements or landscape treatments.

Policy 5 Encourage social interaction by use of outdoor common areas for horizontal circulation in residential blocks, when feasible.

## Mission Bay South Redevelopment Plan

Policy 6 Provide adequate active outdoor recreation spaces, including passive recreational spaces, and facilities for the area's residential population.

Policy 7 Provide for building security through street orientation of housing, housing design and adequate street lighting.

Policy 8 Provide for pedestrian and open space security through visibility of public spaces and avoid obscured spaces with little sense of proprietorship.

Policy 9 Design buildings in consideration of noise and traffic in the area. Such design can include measures such as placing residential units above a podium of parking or commercial uses, installing double-glazed windows and using sound attenuation construction methods and materials along the traffic-facing walls, placing sleeping quarters away from noise sources, and installing varieties of trees that tolerate traffic impacts.

### D. RECREATION AND OPEN SPACE

Objective 6 Provide a variety of open spaces adequate to serve the Mission Bay South community and to augment the City's open space network.

Policy 1 Create parks, open space and recreational facilities within a comfortable walking/wheelchair traveling distance to serve the needs of Mission Bay South residents, workers and visitors of all ages and that are accessible to everyone, including the physically disabled and the elderly.

Policy 2 Create an open space network which provides walking, jogging and bicycle paths between recreation and open space areas throughout Mission Bay South, and provide connections to City-wide pedestrian, bicycle and open space networks, where applicable.

Policy 3 Orient development and parks, public and private open space, and pedestrian areas to facilitate solar access and wind protection for public open space where feasible and consistent with the land uses and intensities contemplated by this Plan.

Policy 4 Enhance parks and open spaces by maintaining view corridors from such areas.

### E. COMMERCE AND INDUSTRY

Objective 7 Maintain, enhance and diversify a sound and dynamic economic base for Mission Bay South and the City.

Policy 1 Encourage the siting of educational institutions, medical research and development, retail, multi-media/ telecommunications, recreational, entertainment and public and private utility uses at Mission Bay South in a manner compatible with adjacent uses.

## Mission Bay South Redevelopment Plan

Policy 2 Encourage complementary support services to Mission Bay South such as office, light industrial, business service and neighborhood-serving retail in order to add to the economic diversity of the area and the City.

Objective 8 Expand employment opportunities in Mission Bay South for San Francisco residents.

Policy 1 Promote the creation of jobs for a highly skilled and professional work force.

Policy 2 Promote efforts to attract, retain and expand employment improvement opportunities for unskilled and semi-skilled workers.

### F. TRANSPORTATION

Objective 9 Establish a street system, which is consistent in function and design with the character and use of adjacent land and efficient traffic flow.

Policy 1 Design the Mission Bay South street system in consideration of the layout of surrounding City streets consistent with the Infrastructure Plan for Mission Bay South.

Policy 2 Design the Mission Bay South streets (curb to curb) to the minimum scale necessary to provide required movement, parking, transit, bicycle and access functions.

Policy 3 Establish a truck route system to facilitate truck movements within and through Mission Bay South.

Policy 4 Within a “Transit First” environment, provide parking facilities in consideration of the needs of residents, workers, visitors and their service providers.

Policy 5 Explore opportunities for shared use of parking facilities, both day and night.

Objective 10 Accommodate the expansion of transit services to, from, through and within Mission Bay South.

Policy 1 Work with transit providers to coordinate the siting of transit stops at locations serving high-density uses.

Policy 2 Encourage the siting of shelters, and retail and personal service uses at or near transit stops.

Objective 11 Provide for the safe and convenient use of the bicycle as a means of transportation and recreation.

Objective 12 Provide for convenient, safe, and pleasant pedestrian circulation.

Policy 1 Recognize the importance of the pedestrian environment in the street level design of buildings.

Policy 2 Where appropriate, provide for public pedestrian-dominated streets with limited vehicular access.

Policy 3 Ensure quality street level environments, including street furniture.

Policy 4 Expand and enhance pedestrian access to San Francisco Bay and to the channel of China Basin.

## **200 DESCRIPTION OF THE PLAN AREA**

The boundaries of the Plan Area are described in the “Legal Description of the Plan Area,” attached as Attachment I and shown on the “Plan Area Map,” attached as Attachment 2.

## **300 USES PERMITTED IN THE PLAN AREA**

### **301 Redevelopment Land Use Map**

The “Redevelopment Land Use Map,” attached hereto as Attachment 3, illustrates the location of the Plan Area boundaries, major streets within the Plan Area and the proposed land uses to be permitted in the Plan Area.

### **302 Designated Land Uses**

Land uses are permitted in the Plan Area as either principal or secondary uses as provided below. Principal uses shall be permitted in the Plan Area in the particular land use district as set forth in Sections 302.1 through 302.7 of this Plan, in accordance with the provisions of this Plan.

Secondary uses shall be permitted in a particular land use district as set forth in Sections 302.1, 302.3 and 302.4, provided that such use generally conforms with redevelopment objectives and planning and design controls established pursuant to this Plan and is determined by the Executive Director to make a positive contribution to the character of the Plan Area, based on a finding of consistency with the following criterion: the secondary use, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

#### **302.1 Mission Bay South Residential**

The Mission Bay South Residential land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of residential uses and compatible local-serving retail and other uses which can be in mixed use facilities.

## Mission Bay South Redevelopment Plan

- A. The following principal uses are permitted in the Mission Bay South Residential district:

Dwelling Units

Retail Sales and Services:

Local-Serving Business, excluding Bars, aerobics studios, and  
dry- cleaning facilities that conduct onsite dry-cleaning operations  
Restaurants  
Automobile Rental

Arts Activities and Spaces:

Arts activities in ground floor commercial spaces and/or in Live/Work  
Units

Office Use:

Local-Serving Business above the ground floor

Home and Business Services:

Catering Establishment  
Household and business repair  
Interior decorating shop

Other Uses:

Family Child Care Facility  
Home Occupation  
Live/Work Units  
Open Recreation  
Outdoor Activity Area  
Parking  
Automated Teller Machines (ATMs)  
Telecommunications antenna and equipment  
Installation of tower or antenna for reception of radio and television for  
benefit of building occupants

- B. The following secondary uses shall be permitted in the Mission Bay South Residential district if the criteria set forth in this Section 302 are met:

Institutions, including but not limited to:

Local-Serving Child Care Facility  
Small residential care facility licensed by the State  
Small social service/philanthropic facility  
Small vocational/job training facility  
Church/religious institution

Retail Sales and Services:

Aerobics studios

## Mission Bay South Redevelopment Plan

### Animal Care:

Animal Services in enclosed building

### Office Use:

Local-Serving Business on the ground floor

### Other Uses:

Walk-Up Facility, except ATMs

Commercial wireless transmitting, receiving or relay facility with these reports if required

## 302.2 Hotel

The Hotel land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of primarily hotel, retail sales, destination retail, assembly and entertainment with compatible other uses, excluding Theaters.

The following principal uses are permitted in the Hotel district:

### Retail Sales and Services:

Tourist Hotel

All Retail Sales and Services, including Bars and aerobic studios and excluding dry-cleaning facilities that conduct onsite dry-cleaning operations

Restaurants

Automobile Rental

### Art Activities and Spaces

### Assembly and Entertainment:

Amusement Enterprise

Nighttime Entertainment

Recreation building

### Institutions:

Local-Serving Child Care Facility

### Home and business services:

Catering Establishment

### Animal Care:

Animal Services in enclosed building

### Other Uses:

Open Recreation

Outdoor Activity Area

Parking

Walk-Up Facility, including ATMs

Commercial wireless transmitting, receiving or relay facility with required  
EMR reports  
Telecommunications antenna and equipment  
Installation of tower or antenna for reception of radio and television for  
benefit of building occupants

The following secondary uses shall be permitted in the Hotel district if the criterion for a secondary use as set forth in Section 302 is met:

Dwelling Units, as long as they do not preclude within the Hotel land use district the development of an economically feasible hotel (subject to the limitations in Section 304.5 of this Plan) that will comply with the Design for Development and other Plan Documents, which determination the Agency shall make at the time it approves any dwelling units in the Hotel land use district.

### 302.3 Commercial Industrial

The Commercial Industrial land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of Commercial Industrial uses, including Manufacturing, Office Use, Animal Care facilities, Wholesaling and Other Uses, as described below. This district also includes compatible local-serving retail and personal services (excluding Theaters), consisting of the balance of the uses discussed below.

A. The following principal uses are permitted in the Commercial Industrial district:

Manufacturing (including office space and administrative uses associated therewith):

Light manufacturing uses involving assembly, packaging, repairing or  
processing of previously prepared materials  
Software development and multimedia  
Industrial or chemical research or testing laboratory  
Medical research and bio-technical research facility  
Experimental laboratory

Institutions:

Vocational/job training facility

Retail Sales and Services:

Local-Serving Business, including Bars and aerobics studios  
Automobile Rental

Arts Activities and Spaces

Office Use

Home and business services:

Blueprinting shop

## Mission Bay South Redevelopment Plan

- Building, plumbing, electrical, printing, roofing, furnace, or pest-control contractor's office
- Carpenter shop, sheet metal fabrication
- Household and business repair shop
- Multi-media business services
- Newspaper publication, desktop publishing
- Printing shop
- Sign-painting shop

### Animal Care:

- Animal Services in enclosed building
- Animal care facilities for animal housing, handling, treatment, transport
- Commercial kennel

### Wholesaling:

- Storage of household or business goods in enclosed building
- Wholesale Sales and Services in enclosed building
- Wholesale storage warehouse
- Cold storage plant

### Automotive:

- Automobile service station
- Automobile wash

### Other Uses:

- Greenhouse or plant nursery
- Open Recreation
- Outdoor Activity Area
- Parking
- Walk-Up Facility, including ATMs
- Commercial wireless transmitting, receiving or relay facility with required EMR reports
- Telecommunications antenna and equipment
- Installation of tower or antenna for reception of radio and television for benefit of building occupants

- B. The following secondary uses shall be permitted in the Commercial Industrial district if the criteria set forth in this Section 302 are met:

### Institutions, including but not limited to the following:

- Clinic for outpatient care
- Local-Serving Child Care Facility
- Post secondary school
- Social service/philanthropic facility
- Church/religious institution
- Clubhouse
- Lodge building

Meeting hall

Assembly and Entertainment:  
Nighttime Entertainment  
Recreation building

Other Uses:  
Public structure or use of a nonindustrial character

#### 302.4 Commercial Industrial/Retail

The Commercial Industrial/Retail land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of industrial, commercial and office uses, retail and compatible other uses, excluding theaters, which can be in mixed-use facilities. The definitions of “Commercial Industrial” and “Retail” are as provided in Section 302.3.

A. The following principal uses are permitted in the Commercial Industrial/Retail district:

Manufacturing (including office space and administrative uses associated therewith):

Light manufacturing uses involving assembly, packaging, repairing or processing of previously prepared materials  
Software development and multimedia  
Industrial or chemical research or testing laboratory  
Medical research and bio-technical research facility  
Experimental laboratory

Institutions:

Vocational/job training facility

Retail Sales and Services:

All Retail Sales and Services, including Bars and aerobic studios  
Restaurants  
Automobile Rental  
Tourist Hotel (Blocks 29-30 only)

Arts Activities and Spaces

Office Use

Home and business services:

Blueprinting shop  
Building, plumbing, electrical, printing, roofing, furnace, or pest-control contractor's office  
Carpenter shop, sheet metal fabrication  
Household and business repair shop  
Multi-media business services  
Newspaper publication, desktop publishing

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- Printing shop
- Sign-painting shop

### Animal Care:

- Animal Services in enclosed building
- Animal care facilities for animal housing, handling, treatment, transport
- Commercial kennel

### Wholesaling:

- Storage of household or business goods in enclosed building
- Wholesale Sales and Services in enclosed building
- Wholesale storage warehouse
- Cold storage plant

### Automotive:

- Automobile service station
- Automobile wash

### Dwelling Units (Blocks 29-30 only)

### Other Uses:

- Greenhouse or plant nursery
- Open Recreation
- Outdoor Activity Area
- Parking
- Walk-Up Facility, including ATMs
- Commercial wireless transmitting, receiving or relay facility with required EMR reports
- Telecommunications antenna and equipment
- Installation of tower or antenna for reception or radio and television for benefit of building occupants

- B. The following secondary uses shall be permitted in the Commercial Industrial/Retail district if the criteria set forth in this Section 302 are met:

### Institutions, including but not limited to:

- Local-Serving Child Care Facility
- Social service/philanthropic facility
- Church/religious institution
- Clinic for outpatient care
- Post secondary school
- Clubhouse
- Lodge building
- Meeting hall

### Assembly and Entertainment:

- Nighttime Entertainment
- Recreation building

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### Other Uses:

Public structure or use of a nonindustrial character

### 302.5 UCSF

The UCSF land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of institutional and academic uses as outlined in the 1996 Long Range Development Plan ("LRDP"). The land use district includes a proposed approximately 2.2-acre San Francisco Unified School District public school site. (Refer to Section 403 herein regarding cooperation between UCSF and the Agency.) The following indicates the type of uses, as defined in the UCSF LRDP, that will be developed by The Regents in the UCSF land use district, and which are generally consistent with the uses contemplated under this Plan:

#### Instruction:

Auditoriums, classrooms, seminar rooms  
Teaching laboratories

#### Research:

Medical and biomedical laboratory facilities  
Office-based or computer-based research facilities  
Cold rooms, glass wash, microscopy areas, and other instrument areas

#### Clinical:

Community-serving clinic for outpatient care

#### Academic Support:

Animal care facilities for animal housing, handling, treatment, transport  
Library and library facilities  
Multimedia business services  
Newspaper publication, desktop publishing

#### Academic/Campus Administration:

Administrative offices and administrative service  
Academic offices and academic department/school facilities  
Non-academic offices such as police and personnel offices

#### Campus Community:

Arts activities  
Local-serving business and professional service  
Local-serving child care facility  
Elementary school or secondary school  
Local-serving retail business or personal service establishments  
Social service/philanthropic facility  
Meeting hall  
Recreation building  
Open recreation/open space  
Public structure or use of a non-industrial character

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### Logistics:

- Automatic laundry
- Dry-cleaning establishment and hand-ironing establishment
- Hospital laundry plant
- Blueprinting shop
- Building, plumbing, electrical, printing, roofing, or pest-control office
- Carpenter shop, sheet metal fabrication
- Printing shop
- Sign-painting shop
- Service yard
- Storage building
- Cold storage plant
- Utility plant
- Installation of tower or antenna for reception
- Uses accessory to and supportive of the principal uses within a building

### 302.6 Mission Bay South Public Facility

The Mission Bay South Public Facility land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of land other than housing sites or open space owned by a governmental agency or other public or semi-public entity and in some form of public or semi-public use.

The following principal uses are permitted in the Mission Bay South Public Facility district:

- Fire/Police station
- Open lot or enclosed Storage
- Railroad tracks and related facilities
- Other public structure or use

### 302.7 Mission Bay South Open Space

The Mission Bay South Open Space land use district, shown on the Redevelopment Land Use Map (Attachment 3), consists of a comprehensive system of open spaces, including parks, plazas, and open space corridors. Only recreational uses and uses accessory to and supportive of recreational use are permitted in this district including, but not limited to, accessory parking,

kiosks and pushcarts; except that a facility containing up to 13,637 Leasable square feet of retail uses on a development footprint not to exceed 7,500 gross square feet may be constructed on parcel P22 on Attachment 2.

## 303 Other Land Uses

### 303.1 Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment 3) the major public streets within the Plan Area include: Owens Street, Third Street, Terry Francois Boulevard,

Channel Street, Sixteenth Street, and Mariposa Street. Up to five new east-west major streets will be created between Channel Street and Sixteenth Street. Alignments are not exact and are shown on the Redevelopment Land Use Map for illustrative purposes.

Fourth Street will be realigned and extended from the channel of Mission Creek to Mariposa Street; Owens Street will be extended from Sixteenth Street to Mariposa Street; and Channel Street will be extended from Fourth Street to Third Street. Other existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Plan Area.

Any changes in the existing street layout within the Plan Area, and in the event that Agency funding is used, outside of the Plan Area, shall be in accordance with the objectives of this Plan.

The public rights-of-way may be used for railroad, vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way. Railroad rights-of-way are allowed in any land use district.

Railroad rights-of-way may be outside the street rights-of-way.

### 303.2 Other Public and Semi-Public Uses

In any area shown on the Redevelopment Land Use Map (Attachment 3), the Agency is authorized to permit the maintenance, establishment or enlargement of utility easements and boxes and equipment appurtenant thereto. Other permitted public uses are specified in Sections 302.6 and 302.7 of this Plan.

### 303.3 Temporary and Interim Uses

Pending the ultimate development of land consistent with the land use program described in Attachment 3, certain interim and temporary uses are authorized as follows:

- A. Temporary Uses: The following uses are authorized as of right pursuant to this Plan for a period not to exceed ninety (90) days:
  - Booth for charitable, patriotic or welfare purposes;
  - Exhibition, celebration, festival, circus or neighborhood carnival;
  - Open Air Sales of agriculturally produced seasonal decorations including, but not necessarily limited to, Christmas trees and Halloween pumpkins;
  - Convention staging;
  - Parking; and
  - Truck parking and loading.
- B. Interim Uses: Interim Uses of over ninety (90) days may be authorized for an initial time period to be determined by the Executive Director of the Agency not to exceed fifteen (15) years, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Plan Area as contemplated in this Plan. Extensions of this approval period may be authorized

by the Executive Director in increments of up to five (5) year periods, subject to the same determination as required for the initial period. Permissible interim uses are as follows:

Rental or sales office incidental to a new development, provided that it be located in the development or a temporary structure;

Structures and uses incidental to environmental cleanup and staging;

Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including but not limited to construction staging of materials and equipment;

Storage;

Parking; and

Truck Parking.

- C. Interim Pacific Bell Ballpark Parking: Interim parking associated with the Pacific Bell (San Francisco Giants) Ballpark within the Plan Area which was previously approved by the City Zoning Administrator is permitted as a matter of right, pursuant to the terms and conditions of the Zoning Administrator letter. Extensions of the original approval shall be governed by Section 303.3(B).

#### 303.4 Nonconforming Uses

The Agency shall provide for the reasonable continuance, modification and/or termination of nonconformities as provided in this Section 303.4 to promote compatibility of uses, eliminate blighting conditions and effectuate the purposes, goals, and objectives of this Plan. The Agency shall permit the continuation of existing, nonconforming uses and structures for (1) 15 years after the date of adoption of this plan; or (2) for such use in fully enclosed warehouse buildings east of Third Street for an initial period through February 27, 2001 with an additional period of at least 25 years after the expiration of this initial period. In either case, the Executive Director is authorized to grant extensions of time if he/she determines that the extension will not impede the orderly development of the Plan Area. No extension shall be for a period in excess of two years. Successive extensions, subject to the same limitations, may be granted upon new application.

The Executive Director may authorize additions, alterations, reconstruction, rehabilitation, or changes in use through uses or structures which do not conform to the provisions of this Plan, subject to the same determination as is provided above for extensions of the nonconforming use period.

### **304 General Controls and Limitations**

All real property in the Plan Area is made subject to the controls and requirements of this Plan. No real property shall be developed or rehabilitated after the date of the adoption of this Plan, except in conformance with the provisions of this Plan and the other applicable Plan Documents.

304.1 Construction

All construction in the Plan Area shall comply with the provisions of Section 306 of this Plan, the applicable Plan Documents, and all applicable laws.

304.2 Rehabilitation and Retention of Properties

Any existing structure within the Plan Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

304.3 Limitation on the Number of Buildings

The number of Buildings in the Plan Area shall not exceed 500.

304.4 Number of Dwelling Units

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

304.5 Limitation on Type, Size and Height of Buildings

The type of buildings may be as permitted in the Building Code as in effect from time to time. Approximately 400,000 Leasable square feet of retail space, an up to 300 room hotel in the Hotel land use district and an up to 230-room hotel on Blocks 29-30 in the Commercial Industrial/Retail land use district, including associated uses such as retail, banquet and conferencing facilities, approximately 6,123,600 Leasable square feet of mixed office, research and development and light manufacturing uses, with about 2,650,000 square feet of UCSF instructional, research and support uses are allowed in the Plan Area.

The 6,123,600 Leasable square feet is allocated to the Zones depicted on Attachment 3A as follows: 504,000 Zone B; 414,000 Zone C; 35,600 Zone D. The balance is permitted in Zone A and on other sites designated Commercial Industrial on Attachment 3 (except that 170,000 Leasable square feet of the balance may only be located on Parcel 7 of Block 43). In addition to the 6,123,600 Leasable square feet of Commercial Industrial uses, up to 45,000 Leasable square feet of such Commercial Industrial uses are permitted in Zone B and 36,000 Leasable square feet in Zone C, respectively, in lieu of all or a portion of the retail allocations provided below for such zones; provided, however, that the total development programs for Zones B and C shall not

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exceed 549,000 and 450,000 Leasable square feet, respectively. Of the 400,000 Leasable square feet, up to 170,700 Leasable square feet may be City-serving retail, allocated as follows: 85,700 on Blocks 29, 30, 31, 32 and 36 in Zone A (except that approximately 65,000 Leasable square feet of such City-serving retail may only be located on Blocks 29-32); 45,000 Zone B; 36,000 Zone C; 4,000 Zone D. The balance of the permitted retail use, 229,300 Leasable square feet, is allocated as follows: 50,000 entertainment/neighborhood-serving retail in the Hotel district, 159,300 neighborhood-serving retail in Zone A and sites designated Commercial or Mission Bay South Residential on Attachment 3 in the Plan Area, and 20,000 neighborhood-serving retail on Agency-sponsored affordable housing sites.

In addition to the maximum densities described above, the following uses are permitted: (a) a total of up to approximately 10,000 additional Leasable square feet of neighborhood-serving retail uses on Agency-sponsored affordable housing sites (bringing the total permitted allocation of neighborhood-serving retail on Agency-sponsored affordable housing sites to 30,000 Leasable square feet); and (b) an up to approximately 13,637 Leasable square foot retail facility on parcel P22 on Attachment 2.

The floor area ratio (FAR) for Commercial Industrial and Commercial Industrial/Retail shall be a maximum of 2.9:1, averaged over the entire area of these two land use districts combined, except that the area in Zones B-D shall be excluded from the calculation and except that if some or all of the additional Leasable square feet allocated to Parcel 7 of Block 43 is constructed, the maximum average of the FAR of 2.9:1 for Commercial Industrial and Commercial Industrial/Retail shall be increased to, but shall not exceed, 2.95:1, to account for the additional Leasable square feet allocated to Parcel 7 of Block 43. The floor area ratio for Zones B-D shall be a maximum of 2.9:1, calculated separately for each Zone. Maximum building height within the Plan Area is 160 [feet, except that the maximum building height for affordable housing on the northern one-half of Block 4 East in the Mission Bay South Residential land use district is 250 feet.](#)

The maximum size of the hotel within the Hotel land use district shall be up to 300 rooms and the maximum amount of retail square footage within the Hotel land use district shall be 25,000 Leasable square feet.

### 304.6 Open Space

Open space to be provided in the Plan Area is the total of all public open spaces and shall be approximately 41 acres, including approximately 8 acres of publicly accessible open space that will be provided within the UCSF land use district.

### 304.7 Utilities

All utilities within the Plan Area, and in the event Agency funding is used, outside of the Plan Area, shall be placed underground whenever physically and economically feasible.

### 304.8 Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, or disability including HIV/AIDS status permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Plan Area.

304.9 Fees and Exactions: All Plan Area Property Excepting X2, X3 and X4

The following provisions shall apply to all property in the Plan Area excepting the property designated X2, X3 and X4 on Attachment 2 and parcels utilized as affordable housing developed by Agency-sponsored entities.

- A. Definitions: For purposes of this Section 304.9 only, the definitions below shall apply.

**Administrative Fee.** Any fee charged by any City Agency or the Agency in effect at the time of submission for the processing of any application for Building Permits, subdivision maps, other City regulatory actions or approvals for a Major Phase or Project in the Plan Area that are generally applicable on a City-wide basis for similar land uses.

**Art Requirement.** The installation and maintenance of works of art costing an amount equal to 1 percent of the hard costs of initial construction (excluding therefrom the costs of Infrastructure and tenant improvements) of a Project for retail or commercial uses exceeding 25,000 gross square feet of floor area prior to the issuance of the first certificate of occupancy or such later time as may be determined by the Agency not to exceed one year thereafter; provided, however, that where the works of art are proposed to be included within an Open Space Parcel, such installation may occur any time prior to completion of the improvements to the Open Space Parcel. Such works may include sculpture, bas-relief, murals, mosaics, decorative water features, fountains, tapestries or other artwork and shall be located in and permanently affixed to a Project, its grounds or an Open Space Parcel or the surrounding area.

**Child Care Requirements.** The requirements set forth in City Planning Code Section 314.

**City-Wide.** All privately-owned property within (1) the territorial limits of the City or (2) any designated use district or use classification of the City so long as (a) any such use district or use classification includes more than an insubstantial amount of affected private property other than affected private property within the Plan Area and the Mission Bay North Plan Area, (b) the use district or use classification includes all private property within the use district or use classification that receives the general or special benefits of, or causes the burdens that occasion the need for, the new City Regulation or Development Fees or Exactions, and (c) the cost of compliance with the new City Regulation or

Development Fee or Exaction applicable to the same type of use in the Plan Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in, the Plan Area (or portion thereof).

**Development Fees or Exactions.** A monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, which is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement for a Major Phase or Project or any requirement for the provision of land for a construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fee or Exaction does not include Building Codes in effect from time to time generally applicable on a City-wide basis to similar land uses.

**Improvements.** Buildings, structures, Infrastructure and other work of improvement to be constructed in or for the benefit of the Plan Area.

**Infrastructure.** Open space (including, among other items, park improvements and restrooms), streets, sewer and storm drainage systems, water systems, street improvements, traffic signal systems, dry utilities, and other Improvements any of which are to be constructed in or for the benefit of the Plan Area.

**Major Phase.** A development segment comprising one or more of the numbered parcels shown on Attachment 2 (or portions of parcels) included with a numbered parcel or a remaindered parcel if so approved by Agency pursuant to the design review and document approval procedure under an applicable owner participation agreement containing one or more Projects.

**Open Space Parcel.** Those parcels or portions thereof designated for use as parks, plazas, or other public open space in Attachment 3 of this Plan.

**Project.** An individual Building and the related Improvements anticipated to be constructed in connection therewith under this Plan.

**School Facilities Impact Fee.** The sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

B. Administrative Fees: Nothing in this Plan shall preclude or constrain the Agency or any City Agency from charging and collecting an Administrative Fee or any such fee which may be provided for in any owner participation agreement.

C. Development Fees and Exactions:

(i) Existing Development Fees or Exactions. Except as provided in the following provisions of this Section 304.9C, from and so long as this Plan is in effect, the following Development Fees or Exactions as same are in effect as of the date of adoption of this Plan, and only the following, are applicable to the Plan Area: (a) the School Facilities Impact Fee; (b) the Child Care Requirements; and (c) the Art Requirement.

(ii) New or Increased Development Fees or Exactions. No increase in any Development Fee or Exaction and no new Development Fee or Exaction shall be

applicable to the Plan Area for ten (10) years following the date of issuance to Owner of the first Building Permit for a Project in the South Plan Area and, thereafter, shall only be applicable if said new or increased Development Fee or Exaction is generally applicable on a City-Wide basis to similar land uses; provided, however, that any increase in the School Facilities Impact Fee authorized by any change in state law at any time after the approval of this Plan shall apply. Any new or increased Development Fee or Exaction which becomes effective more than ten (10) years following the date of issuance to Owner of the first Building Permit for a Project in the Plan Area shall be applicable to the Plan Area so long as such new or increased Development Fee or Exaction is (i) generally applicable on a City-Wide basis to similar land uses and (ii) not redundant as to the initial Project of a fee, dedication, program, requirement or facility described in the applicable Plan Documents related to (A) affordable housing or (B) open space.

Notwithstanding the foregoing, new or increased Development Fees or Exactions may be imposed in order to comply with changes in applicable federal or state law or regulations as further provided in Subsection 304.9C(iii); provided, however, that any such new or increased Development Fee or Exaction shall be applied to the Plan Area on a Project by Project basis in a manner which is proportional to the impacts caused by the development in the Plan Area; that is, any such Development Fee or Exaction shall be no more than the equitable share of the cost of funding reasonable compliance with the applicable federal or state law or regulation taking into account the equitable amount allocable to the impacts caused by previous or existing development within the City. In no event shall any Project within the Plan Area be required to pay a new or increased Development Fee or Exaction in connection with compliance with any such federal or state law or regulation which is not applied on a City-Wide basis to similar land uses.

(iii) Protection of Public Health and Safety. Notwithstanding any provision of this Section 304.9C to the contrary, the Agency and any City Agency having jurisdiction, shall exercise its discretion under this Plan and the other applicable Plan Documents in a manner which is consistent with the public health, safety and welfare and shall retain, at all times, its and their respective authority to take any action that is necessary to protect the physical health and safety of the public including without limitation authority to condition or deny a permit, approval, agreement or other entitlement or to change or adopt any new City Regulation if required (a) to protect the physical health or safety of the residents in the Plan Area, the adjacent community or the public, or (b) to comply with applicable federal or state law or regulations including without limitation changes in

Existing City Regulations reasonably calculated to achieve new, more restrictive federal or state attainment or other standards applicable to the City for water quality, air quality, hazardous materials or otherwise relating to the physical environment where such City Regulations are generally applicable and proportionally applied to similar land uses on a City-Wide basis but subject, in all

events, to any rights to terminate any owner participation agreement between an owner and the Agency as set forth in the applicable Plan Documents. Except for emergency measures, any City Agency or the Agency, as the case may be, will meet and confer with the owner in advance of the adoption of such measures to the extent feasible, provided, however, that said City Agency and the Agency shall each retain the sole and final discretion with regard to the adoption of any new City Regulation in furtherance of the protection of the physical health and safety of the public as provided in this Subsection 304.9C(iii).

(iv) Nonconflicting Laws. In addition to the reservation set forth in Section 304.9C(iii), the City Agencies and the Agency reserve the right to impose any new City Regulations and any changes to the Existing City Regulations (except for the Planning Code sections superseded by this Plan) that do not conflict with the development allowed by this Plan and the other applicable Plan Documents. As used herein, “conflict” means any proposed new or changed City Regulations which preclude or materially increase the cost of performance of or compliance with any provision of this Plan or the applicable Plan Documents or do any of the following: alter the permitted uses of land; decrease the maximum building height of buildings; reduce the density or intensity of development permitted; delay development; limit or restrict the availability of Infrastructure; impose limits or controls on the timing, phasing or sequencing of development; or modify Development Fees or Exactions except as permitted by this Section 304.9C. Notwithstanding the foregoing, the City may apply its then current standards for Infrastructure pursuant to then applicable City Regulations. Nothing in this Plan or the other applicable Plan Documents shall be deemed to limit any City Agency’s or the Agency’s ability to comply with the California Environmental Quality Act (“CEQA”).

#### 304.10 Fees and Exactions: Parcels X2, X3 and X4

The parcels designated X2, X3 and X4 (as shown on Attachment 2) shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an owner participation agreement if the Agency determines that the public benefits under the owner participation agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

304.11 Office Development Limitations. By Resolution No. 14702, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). The findings contained in Resolution No. 14702 are incorporated herein by reference and

attached as Attachment 6 to this Plan. Because the office development contemplated by this Plan has been found to promote the public welfare, convenience and necessity, the determination required under Section 321(b), where applicable, shall be deemed to have been made for all specific office development projects undertaken pursuant to this Plan. No office development project contemplated by this Plan may be disapproved either (i) for inconsistency with Planning

Code Sections 320-325 or (ii) in favor of another office development project that is located outside the Plan Area and subject to Planning Code Sections 320-325; provided, however, that (x) no office development project shall be approved that would cause the then applicable annual limitation contained in Planning Code Section 321 to be exceeded, and (y) the Planning Commission shall consider the design of the particular office development project to confirm that it is consistent with the Commission's findings contained in Resolution No. 14702. Upon such determination, the Planning Commission shall issue a project authorization for such project. The decision on the design of any particular office development project reviewed pursuant to this Section 304.11 shall be binding on the Agency.

### **305 Variations**

The Agency may modify the land use controls in this Plan where, owing to unusual and special conditions, enforcement would result in undue hardships or would constitute an unreasonable limitation beyond the intent and purposes of these provisions. Upon written request for variation from the Plan's land use provisions from the owner of the property, which states fully the grounds of the application and the facts pertaining thereto, and upon its own further investigation, the Agency may, in its sole discretion, grant such variation from the requirements and limitations of this Plan. The Agency shall find and determine that the variation results in substantial compliance with the intent and purpose of this Plan, provided that in no instance will any variation be granted that will change the land uses of this Plan.

### **306 Design for Development**

Within the limits, restrictions and controls established in this Plan, the Agency is authorized to establish height limits of buildings, land coverage, density, setback requirements, design and sign criteria, traffic circulation and access standards, and other development and design controls necessary for proper development of both private and public areas within the Plan Area, as set forth in the Design for Development.

## **400 PROPOSED REDEVELOPMENT ACTIONS**

### **401 General Redevelopment Actions**

The Agency proposes to achieve the objectives of Sections 103 and 104 and effectuate the policies of Section 104 of this Plan by:

- A. The acquisition of real property;
- B. The demolition or removal of certain buildings and improvements and the relocation of rail lines;
- C. The provision for participation in redevelopment by owners presently located in the Plan Area and the extension of preferences to business occupants and other tenants desiring to remain or relocate within the redeveloped Plan Area;
- D. The management of any property acquired by and under the ownership or control of the Agency;

- E. The provision of relocation assistance to eligible occupants displaced from property in the Plan Area;
- F. The installation, construction or reconstruction of streets, utilities, parks, other open spaces, and other public improvements;
- G. The disposition of property for uses in accordance with this Plan;
- H. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and to promote economic development of the area;
- I. The rehabilitation of structures and improvements by present owners, their successors and the Agency;
- J. The assembly of adequate sites for the development and construction of residential, commercial or industrial facilities; and
- K. Provision for very low-, low- and moderate-income housing.

To accomplish the above activities in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

#### **402 Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Plan Area**

##### **402.1 Opportunities for Owners and Business Tenants**

In accordance with this Plan and the rules for participation by owners and the extension of preferences to business tenants adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Plan Area shall be given a reasonable opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan; (2) acquiring adjacent or other properties within the Plan Area and developing or improving such property for use in accordance with this Plan; or (3) selling their properties to the Agency and purchasing other properties in the Plan Area.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Plan Area to participate in the redevelopment of the Plan Area, or to reenter into business within the redeveloped Plan Area, if they otherwise meet the requirements of this Plan.

##### **402.2 Rules for Participation Opportunities, Priorities and Preferences**

In order to provide opportunities to owners to participate in the redevelopment of the Plan Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Plan Area, the Agency has promulgated rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Plan Area.

#### 402.3 Owner Participation Agreements

The Agency shall require as a condition to participation in redevelopment that each participant enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan and to be subject to its provisions.

Whether or not a participant enters into an owner participation agreement with the Agency, all other provisions of this Plan are applicable to all public and private property in the Plan Area.

In the event that a participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and the owner participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

#### 402.4 Conforming Owners

Subject to any owner participation agreement provisions, the Agency may determine in its sole and absolute discretion, that certain real property within the Plan Area meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without an owner participation agreement with the Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into an owner participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional contiguous property within the Plan Area.

#### 402.5 Phasing with Development

Subject to the terms of owner participation agreements, owners shall be required to provide for infrastructure, affordable housing and open space in conjunction with development of improvements in the Plan Area.

### **403 Cooperation with Public Bodies**

The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or without the Plan Area) which land, buildings, facilities, structures or other improvements are or would be of benefit to the Plan Area, in accordance with the ICA.

The Regents of the University of California will work cooperatively with the Agency regarding land use and planning issues in that portion of the Plan Area to be used by the University for educational purposes. This cooperative effort will assure that the mutual interests of UCSF and the Agency are addressed. However, because the University is exempt under Article 9, Section 9 of the State Constitution from local planning, zoning and redevelopment

regulations when using its property in furtherance of its educational purposes, the portion of the Plan Area to be used by UCSF for educational purposes would not be subject to the actions of the Agency to implement this Plan. That portion of the Plan Area within the UCSF land use district to be developed either as a site for the San Francisco Unified School District or as public open space and the dedicated public streets (i.e., 4th Street) would be subject to the jurisdiction of the Agency.

The Regents would develop the UCSF site in accordance with the uses and total gross square footage described in UCSF's 1996 Long Range Development Plan ("LRDP"), as it may be amended from time to time. The LRDP has been subjected to environmental analysis pursuant to the California Environmental Quality Act ("CEQA"), and a Final Environmental Impact Report has been certified by the Regents. As each UCSF development project within the Plan Area is proposed, the Regents will determine whether additional environmental review will be necessary. To the extent provided in CEQA, the CEQA Guidelines and the UC CEQA Handbook, the City, the Agency and the public would have an opportunity to comment on any environmental documentation prepared by the Regents for individual development projects.

#### **404 Property Acquisition**

##### **404.1 Real Property**

The Agency may acquire real property located in the Plan Area by any means authorized by law.

It is in the public interest and necessary in order to eliminate the conditions requiring redevelopment and in order to implement this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Plan Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method, except that the Agency is not authorized to employ the power of eminent domain to acquire property on which any persons legally reside. Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ordinance adopting this Plan becomes effective.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

##### **404.2 Personal Property**

Where necessary to implement this Plan, the Agency is authorized to acquire personal property in the Plan Area by any lawful means, including eminent domain.

#### **405 Property Management**

During such time as property, if any, in the Plan Area is owned or leased by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

#### **406 Relocation of Persons, Business Concerns and Others Displaced by the Project**

##### **406.1 Assistance in Finding Other Locations**

The Agency shall assist or cause to be assisted all eligible persons (including individuals and families), business concerns and others displaced from the Plan Area pursuant to this Plan in finding other locations and facilities, as may be required by law. In order to implement this Plan with a minimum of hardship to eligible persons, business concerns and others, if any, displaced by implementation of this Plan, the Agency shall assist such persons, business concerns and others in finding new locations in accordance with all applicable relocation statutes and regulations (Section 33410 et seq. of the Community Redevelopment Law).

##### **406.2 Relocation Payments**

The Agency shall make or cause to be made relocation payments to persons (including individuals and families), business concerns and others displaced by implementation of this Plan as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.), Agency rules and regulations adopted pursuant thereto, and as may be applicable in the event that federal funding is used in the implementation of this Plan, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

#### **407 Demolition, Clearance, and Building and Site Preparation**

##### **407.1 Demolition and Clearance**

The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Plan Area owned or leased by the Agency or other public entity as necessary to carry out the purposes of this Plan.

##### **407.2 Preparation of Building Sites**

The Agency is authorized to prepare, or cause to be prepared, as building sites, any real property in the Plan Area owned or leased by the Agency or other public entity. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, playgrounds and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, public and other uses provided in this Plan.

#### **408 Property Disposition and Development**

##### **408.1 Real Property Disposition and Development**

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to

dispose of or acquire real property by negotiated lease, sale or transfer without public bidding. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Plan Area, without charge to any public body. All real property acquired by the Agency in the Plan Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan, or may be developed by the Agency for public uses.

All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

#### 408.2 Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to owner participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the County Recorder.

All property in the Plan Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, or disability including HIV/AIDS status permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Plan Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Plan Area shall contain such nondiscrimination and nonsegregation clauses.

#### 408.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct any publicly-owned building, facility, structure or other improvement either within or without the Plan Area, for itself or for any public body or entity, which buildings,

facilities, structures or other improvements are or would be of benefit to the Plan Area. Specifically, the Agency may pay for, install or construct the buildings, facilities, structures and other improvements, and may acquire or pay for the land and site preparation required therefor.

In addition to the public improvements authorized under this Section 408 and the specific publicly-owned improvements, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or without the Plan Area, for itself or for any public body or entity for the benefit of the Plan Area, public improvements and public utilities, including, but not limited to, those described in Attachment 4.

The Agency is authorized to install and construct or cause to be installed and constructed temporary public improvements necessary to carry out this Plan. Temporary public improvements may include, but are not limited to, parks, streets, and utilities. Temporary utilities may be installed above ground only with the written approval of the Agency.

The Agency may enter into contracts, leases and agreements with the City or other public body or entity pursuant to this Section 408.3, and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Plan Area and allocated to the Agency under subdivision (b) Section 33670 of the Community Redevelopment Law, Section 502 of this Plan or out of any other available funds.

#### 408.4 Development Plans

All private development plans shall be submitted to the Agency for approval and architectural review consistent with the Plan and the other applicable Plan Documents. Except for UCSF, all public development plans shall be in accordance with the Plan and any applicable Plan Documents.

#### 408.5 Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired by the Agency.

### **409 Rehabilitation, Conservation and Moving of Structures**

#### 409.1 Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve or to cause to be rehabilitated and conserved, any building or structure in the Plan Area owned by the Agency. The Agency is also authorized and directed to advise, encourage and assist in the rehabilitation and conservation of property in the Plan Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

It shall be the purpose of this Plan to encourage the retention of existing businesses that are generally compatible with proposed developments in the Plan Area and in conformity with the uses permitted in this Plan, and to add to the economic viability of such businesses by

programs that encourage voluntary participation in conservation and rehabilitation. The Agency is authorized to conduct a program of assistance and incentives to encourage owners of property within the Plan Area to upgrade and maintain their property in a manner consistent with the Plan and with other standards that may be established by the Agency for the Plan Area.

#### 409.2 Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any structure or building which can be rehabilitated to a location within or outside the Plan Area.

### **410 Low-and Moderate-Income Housing**

#### 410.1 Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of implementation of this Plan, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Plan Area or within the territorial jurisdiction of the City in accordance with all of the provisions of Sections 33413 and 33413.5 of the Community Redevelopment Law.

#### 410.2 Affordable Housing Production

In accordance with subdivision (b) of Section 33413 of the Community Redevelopment Law, at least 15 percent of all new or rehabilitated dwelling units developed within the Plan Area by public or private entities or persons other than the Agency, shall be available at affordable housing cost to persons and families of very low, low or moderate income. Not less than 40 percent of the dwelling units required to be available at affordable housing cost to persons and families of very low, low or moderate income shall be available at affordable housing cost to very low income households.

At least 30 percent of all new or rehabilitated dwelling units developed by the Agency shall be available at affordable housing cost to persons and families of very low, low or moderate income. Not less than 50 percent of these dwelling units shall be available at affordable housing cost to, and occupied by, very low income households.

#### 410.3 Increased and Improved Housing Supply

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of housing for persons and families of very low, low or moderate income unless certain findings are

made as required by that section to lessen or exempt such requirement. In carrying out this purpose, the Agency may exercise any or all of its powers, including the following:

- A. Acquire land or building sites;
- B. Improve land or building sites with on-site or off-site improvements;
- C. Donate land to private or public persons or entities;
- D. Finance insurance premiums pursuant to Section 33136 of the Community Redevelopment Law;
- E. Construct buildings or structures;
- F. Provide subsidies to or for the benefit of persons or families of very low, low or moderate income;
- G. Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness or pay financing or carrying charges;
- H. Preserve the availability of affordable housing units which are assisted or subsidized by public entities and which are threatened with conversion to market rates;
- I. Require the integration of affordable housing sites with sites developed for market rate housing;
- J. Assist the development of housing by developers.

The Agency may use the funds specified in this Section to meet, in whole or in part, the replacement housing provisions in Section 410.1 or the affordable housing production provisions in Section 410.2 above. These funds may be used inside the Plan Area, or outside the Plan Area only if findings of benefit to the Plan Area are made as required by said Section 33334.2 of the Community Redevelopment Law.

## **500 METHODS OF FINANCING THE PROJECT**

### **501 General Description of the Proposed Financing Method**

The Agency is authorized to finance the implementation of this Plan with financial assistance from the City, State of California, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, assessments, the lease or sale of Agency-owned property or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

The City or any other public agency may expend money to assist the Agency in carrying out this Plan. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities.

## **502 Tax Increment Funds**

All taxes levied upon taxable property within the Plan Area each year, by or for the benefit of the State of California, the City, any district or any other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan, shall be divided as follows:

- A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Plan Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agencies, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which does not include the territory of the Plan Area on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Francisco last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Plan Area on said effective date).
- B. Except as provided in subdivision (e) of Section 33670 or in Section 33492.15 of the Community Redevelopment Law, that portion of said levied taxes each year in excess of such amount shall be allocated to and, when collected, shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the implementation of this Plan. Unless and until the total assessed valuation of the taxable property in the Plan Area exceeds the total assessed value of taxable property in the Plan Area as shown by the last equalized assessment roll referred to in subdivision A hereof, all of the taxes levied and collected upon the taxable property in the Plan Area shall be paid into the funds of the respective taxing agencies. When said loans, advances indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Plan Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in 502B above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the implementation of this Plan in whole or in part, including but not

limited to direct and indirect expenses. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out this Plan.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the implementation of this Plan. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The amount of bonded indebtedness of the Agency to be repaid from the allocation of taxes to the Agency pursuant to Section 33670 of the Community Redevelopment Law, which can be outstanding at one time, shall not exceed \$450,000,000, except by amendment of this Plan.

The bonds and other obligations of the Agency are not a debt of the City or the State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the effective date of the ordinance adopting this Plan unless amended following applicable provisions of the Community Redevelopment Law, except that the Agency may incur loans, advances or indebtedness beyond twenty (20) years from the effective date of the ordinance adopting this Plan to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Plan Area after forty-five (45) years from the effective date of the ordinance adopting this Plan.

### **503 Other Loans and Grants**

Any other loans, grants, guarantees or financial assistance from the United States government, the State of California or any other public or private source will be used if available.

### **600 ACTIONS BY THE CITY AND COUNTY**

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and the other applicable Plan Documents, including preventing the recurrence or spread of conditions causing blight in the Plan Area, pursuant to the ICA.

## **700 ADMINISTRATION AND ENFORCEMENT**

Except as otherwise specified in Section 600 above, the administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by legal action instituted by the Agency to seek appropriate remedy, except as may be limited by owner participation agreements. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions, which are expressly for the benefit of owners of property in the Plan Area, may be enforced by such owners.

## **800 PROCEDURE FOR AMENDMENT**

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

## **900 SEVERABILITY**

If any provision, section, subsection, subdivision, sentence, clause or phrase of the Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Plan.

## **1000 DURATION AND EFFECTIVENESS OF THIS PLAN**

The Provisions of this Plan shall be effective for thirty (30) years from the date of adoption of this Plan by the Board of Supervisors, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and,

except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

## ATTACHMENT 1

### **LAND USE PLAN AND LEGAL DESCRIPTION**

All that certain real property situate in the City and County of San Francisco, State of California, more particularly described as follows:

Commencing at the intersection point of the northeasterly line of Sixth Street (82.50 feet wide) with the southeasterly line of Berry Street (82.50 feet wide), said intersection having a coordinate of north 468817.32, east 1451868.98 in the California Coordinate System of 1927, Zone 3; thence along said southeasterly line of Berry Street south  $46^{\circ} 18' 07''$  west 990.05 feet to the southwesterly line of Seventh Street (82.50 feet wide); thence along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 440.00 feet to the southeasterly line of Channel Street (200.00 feet wide), and being the true point of beginning; thence continuing along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 2017.19 feet to the westerly line of Pennsylvania Street (90.00 feet wide); thence along said westerly line of Pennsylvania Street south  $3^{\circ} 10' 56''$  east 600.92 feet to the southerly line of Mariposa Street (66.00 feet wide); thence along said southerly line of Mariposa Street north  $86^{\circ} 49' 04''$  east 1690.17 feet to the westerly line of Illinois Street (80.00 feet wide); thence along said westerly line of Illinois Street south  $3^{\circ} 10' 56''$  east 63.85 feet; thence north  $86^{\circ} 49' 04''$  east 80.00 feet to a point on the easterly line of Illinois Street, last said point being on the Mission Bay Project boundary; thence along said Mission Bay Project boundary the following courses and distances; thence north  $35^{\circ} 06' 05''$  east 616.30 feet; thence northeasterly along an arc of a curve to the left, tangent to the preceding course with a radius of 440.00 feet through a central angle of  $12^{\circ} 49' 53''$  an arc distance of 98.54 feet; thence tangent to the preceding curve north  $22^{\circ} 16' 12''$  east 700.07 feet; thence northerly along an arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet through a central angle of  $12^{\circ} 28' 00''$  an arc distance of 73.98 feet; thence tangent to the preceding curve north  $9^{\circ} 48' 12''$  east 86.42 feet; thence northerly along the arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet, through a central angle of  $11^{\circ} 58' 09''$ , an arc distance of 71.03 feet; thence tangent to the preceding curve north  $2^{\circ} 09' 57''$  west 121.44 feet; thence north  $3^{\circ} 10' 56''$  west 198.86 feet; thence north  $2^{\circ} 19' 47''$  west 292.70 feet; thence northwesterly along an arc of a curve to the left, tangent to the preceding course with a radius of 481.57 feet through a central angle of  $24^{\circ} 30' 49''$ , an arc distance of 206.04 feet; thence tangent to the preceding curve north  $26^{\circ} 50' 36''$  west 402.03 feet; thence northwesterly along an arc of a curve to the right, tangent to the preceding course with a radius of 236.29 feet, through a central angle of  $9^{\circ} 00' 04''$  an arc distance of 37.12

## Mission Bay South Redevelopment Plan

feet; thence tangent to the preceding curve north  $17^{\circ} 50' 32''$  west 652.35 feet to the easterly prolongation of the northerly line of future Mission Rock Street (65.25 feet wide); thence leaving said Mission Bay Project boundary, along said easterly prolongation and along said northerly line of future Mission Rock Street, south  $86^{\circ} 49' 04''$  west 673.43 feet to the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 23.36 feet to an angle point therein; thence along said easterly line of Third Street south  $86^{\circ} 49' 04''$  west 12.50 feet to an angle point in the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 1265.04 feet; thence south  $64^{\circ} 21' 26''$  west 95.76 feet to the intersection of the westerly line of Third Street with said southeasterly line of Channel Street; thence along said southeasterly line of Channel Street south  $46^{\circ} 18' 07''$  west 3578.74 feet to the true point of beginning.

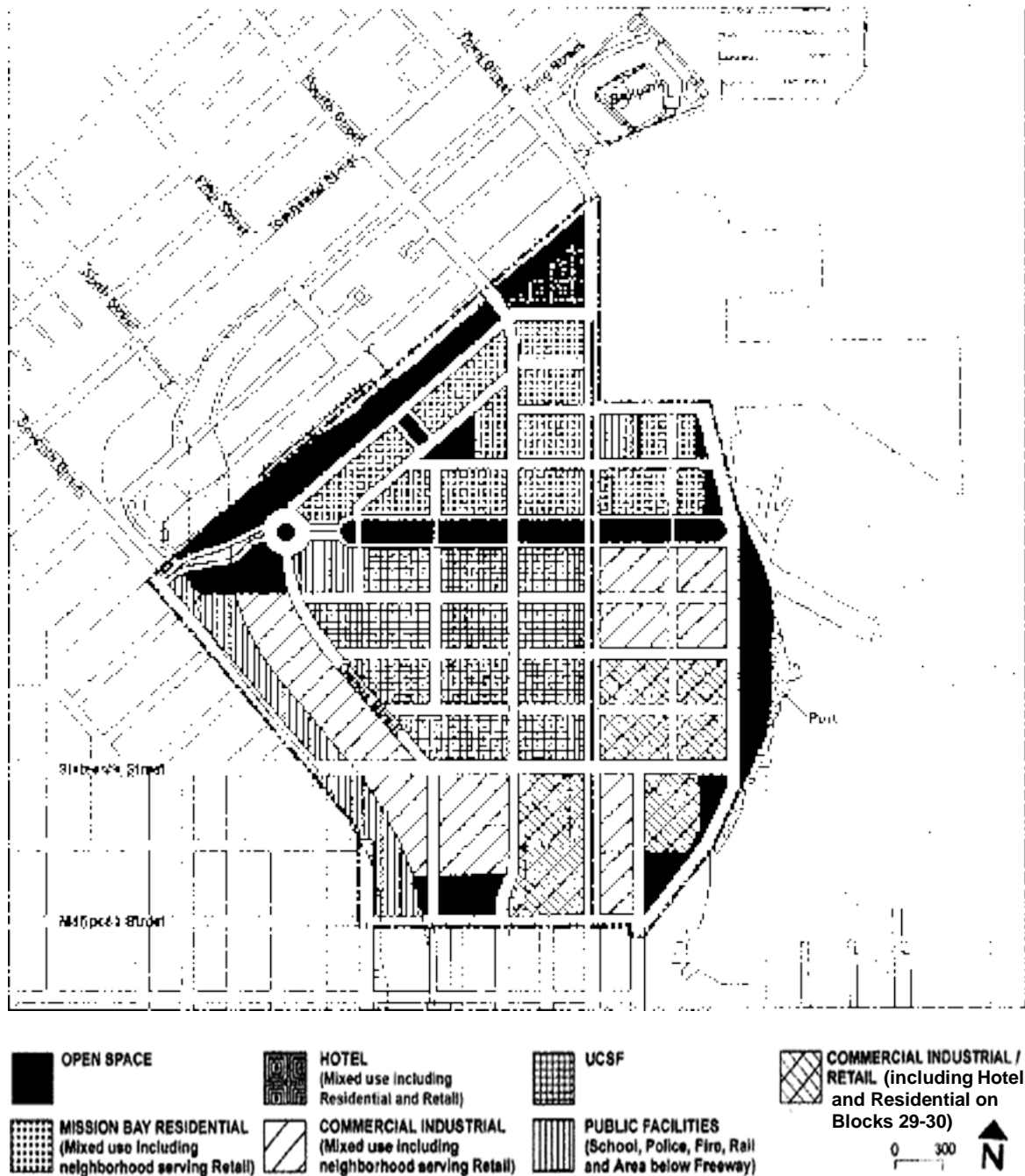
Containing 10,340,343 square feet, more or less.

The bearings used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 0.999928 to obtain grid distances.

## PLAN AREA MAP

## ATTACHMENT 3

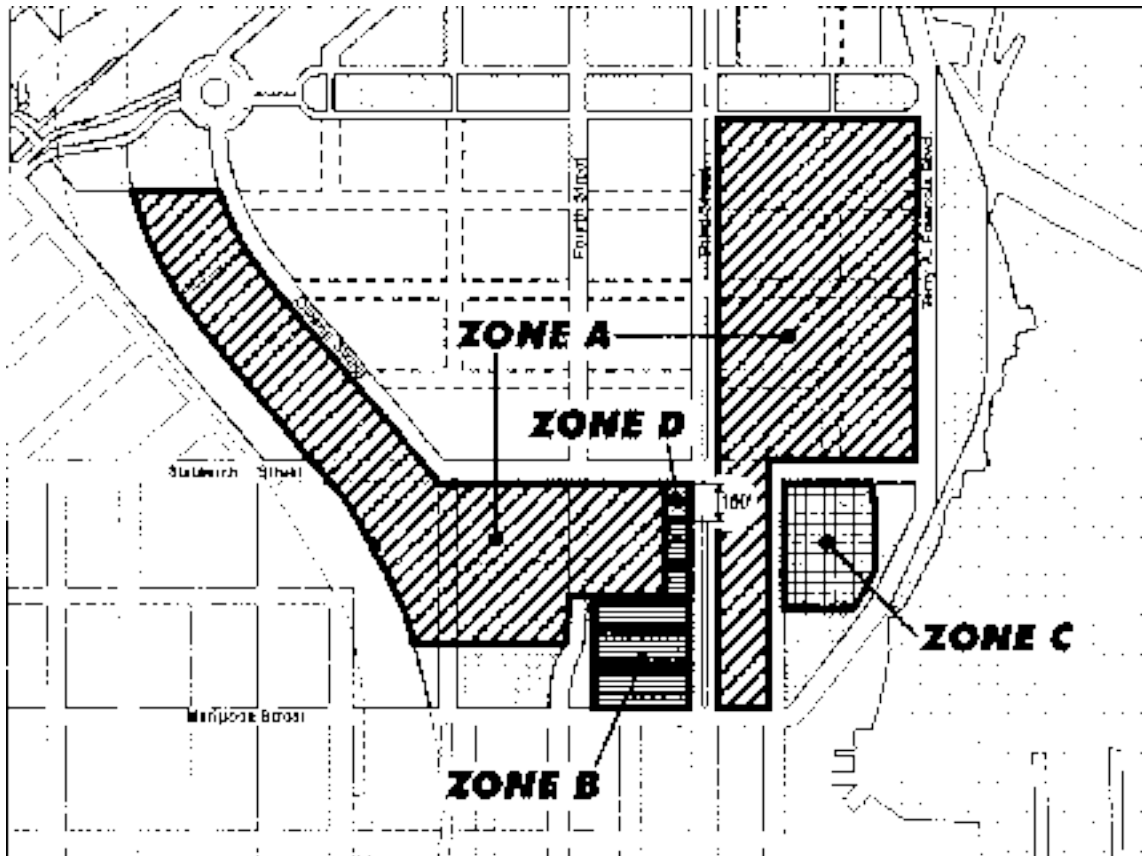
## **REDEVELOPMENT LAND USE MAP**



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.

ATTACHMENT 3a

**ZONE MAP**



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.

## ATTACHMENT 4

### **PROPOSED PUBLIC IMPROVEMENTS**

Public roadways and other walkways, roadways, lanes and connections  
Freeway improvements; such as bridge widenings and freeway ramp and related improvements  
Median, curbs, gutters and sidewalks  
Traffic signals, street signage and pavement striping  
Street lighting Landscaping (including street right-of-way landscaping)  
Public open spaces, including plazas and parks  
Functional and decorative facilities in parks and plazas such as fountains, bathrooms, benches, tables, trash receptacles, signage and landscaping  
China Basin Channel and San Francisco Bay edge improvements and landscaping  
Potable water distribution and fire suppression facilities (low pressure water and high pressure water)  
Reclaimed and/or recycled water facilities  
Combined and/or separated sanitary and storm sewer facilities (including pumping and treatment facilities)  
Storm drains, pump stations facilities, treatment facilities and flood control facilities  
Natural gas, electric telephone and telecommunications facilities  
Utilities and utility relocations  
Suction inlets along China Basin Channel or the San Francisco Bay for fire protection  
Police and/or Fire Station structure and police and fire equipment and facilities  
Pedestrian bridge across China Basin Channel  
Structures for environmental investigations/testing/remediation in connection with roads, plazas, parks or other improvements  
Water recirculation facilities  
Rail facilities, signals, crossings and improvements  
Islais Creek rail bridge and related improvements  
Erosion control features related to public facilities  
Improvements related to overland flows  
MUNI light rail/bus/transit facilities and related improvements  
Public school, school yard and related facilities  
Additional temporary, interim and/or permanent facilities and improvements related to the foregoing

## ATTACHMENT 5

### **DEFINITIONS**

Following are definitions for certain words and terms used in this Plan. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” is mandatory and not directory.

**Adult Entertainment.** An amusement and entertainment use which includes the following: adult bookstore, as defined by Section 791 of the San Francisco Police Code; adult theater, as defined by Section 791 of the Police Code; and encounter studio, as defined by Section 1072.1 of the Police Code, as in effect as of the date of adoption of this Plan.

**Amusement Enterprise.** An amusement and entertainment use which provides eleven or more amusement game devices such as video games, pinball machines or other such similar mechanical and electronic amusement devices, in a quantity which exceeds that specified in Section 1036.31 of the San Francisco Police Code, as in effect as of the date of adoption of this Plan, as accessory uses.

**Animal Services.** An animal care use which provides medical care and accessory boarding services for animals, not including a commercial kennel.

**Arts Activities and Spaces.** Arts activities shall include performance, exhibition (except exhibition of films), rehearsal, production, post-production and schools of any of the following: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance and sound arts and crafts. It shall include commercial arts and art-related business service uses including, but not limited to, recording and editing services; small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Art spaces shall include studios, workshops, galleries, museums, archives, and other similar spaces customarily used principally for arts activities, exclusive of Theaters, dance halls, and any other establishment where liquor is customarily served during performances.

**Automobile Rental.** A retail use which provides vehicle rentals whether conducted within a building or on an open lot.

**Bar.** A principal retail use not located in a Restaurant which provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under 21 years of age is admitted (with Alcoholic Beverage Control “ABC” licenses 42, 48 or 61) and drinking establishments serving liquor (with ABC licenses 47 or 49) in conjunction with other uses which admit minors, such as theaters and other entertainment.

**Building.** Any structure having a roof supported by columns or walls, and intended for permanent occupancy.

**Building Code.** The City's Building Code, Electric Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code of the City (including the Port) and including H-8 occupancy for life science buildings and laboratories above the third floor permitted by the State of California Building Code.

**Building Permit.** A permit issued by the Central Permit Bureau of the City, which will allow the commencement of construction.

**Business or Professional Service.** An office use which provides to the general public, general business or professional services, including but not limited to, accounting, architectural, clerical, consulting, insurance, legal, management, real estate brokerage and travel services. It also includes business offices of building, electrical, furnace, painting, pest control, plumbing or roofing contractors, if no storage of equipment or items for wholesale use are located on-site. It may also include incidental accessory storage of office supplies and samples. Loading and unloading of all vehicles shall be located entirely within the building containing the use. It may provide services to the business community, provided that it also provides services to the general public. This use does not include research service of an industrial or scientific nature in a commercial or medical laboratory, other than routine medical testing and analysis by a healthcare professional or hospital.

**Catering Establishment.** A home and business service, which involves the preparation and delivery of goods, such as the following items: food, beverages, balloons, flowers, plants, party decorations and favors, cigarettes and candy.

**City Agency/Agencies.** Includes all City departments, agencies, boards, commission and bureaus with subdivision or other permit, entitlement, or approval authority or jurisdiction over development within the Plan Area, or any portion thereof, including, without limitation, the Port Commission (the "Port"), the City Administrator, the Public Works Department, the Public Utilities Commission, the Planning Commission, the Public Transportation Commission, the Parking and Traffic Commission, the Building Inspection Commission, the Public Health Commission, the Fire Commission, and the Police Commission, together with any successor City Agency, department or officer designated by or pursuant to law.

**City Regulations.** Includes (i) those City land use codes, including those of its Port Commission (including, without limitation, the Planning and Subdivision Codes, the City General Plan and Waterfront Land Use Plan), (ii) those ordinances, rules, regulations and official policies adopted thereunder and (iii) all those ordinances, rules, regulations, official policies and plans governing zoning, subdivisions and subdivision design, land use, rate of development, density, building size, public improvements and dedications, construction standards, new construction and use, design standards, permit restrictions, development fees or exactions, terms and conditions of occupancy, or environmental guidelines or review, including those relating to hazardous substances, pertaining to the Plan Area, as adopted and amended by the City from time to time.

**Developable Land Area.** All areas within a lot including without limitation, private open space, private lanes, and private sidewalks; but excluding public streets and rights-of-way, and public open space.

**Dwelling Unit.** A room or suite of two or more rooms that is designed for residential occupancy for 32 consecutive days or more, with or without shared living spaces, such as kitchens, dining facilities or bathrooms.

**Existing City Regulations.** Those City Regulations in effect as of the date of adoption of this Plan.

**Family Child Care Facility.** A use in a residential unit, which provides less than 24-hour care for up to 12 children by licensed personnel and which meets the requirements of the State of California and other authorities.

**Floor Area Ratio.** The ratio of the Gross Floor Area of buildings to Developable Land Area, calculated as described in Section 304.5 for Commercial Industrial and Commercial Industrial/Retail areas. In cases in which portions of the Gross Floor Area of a building project horizontally beyond the lot lines, all such projecting Gross Floor Area shall also be included in determining the floor area ratio. If the height per story of a building, when all the stories are added together, exceeds an average of 18 feet, then additional Gross Floor Area shall be counted in determining the floor area ratio of the building, equal to the average Gross Floor Area of one additional story for each 18 feet or fraction thereof by which the total building height exceeds the number of stories times 18 feet; except that such additional Gross Floor Area shall not be counted in the case of Live/Work Units or a church, Theater or other place of public assembly.

**Gross Floor Area.** The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

(a) Except as specifically excluded in this definition, “gross floor area” shall include, although not be limited to, the following:

- (1) Basement and cellar space, including tenants’ storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;
- (2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;
- (3) Floor space in penthouses except as specifically excluded in this definition;
- (4) Attic space (whether or not a floor has been laid) capable of being made into habitable space;

- (5) Floor space in balconies or mezzanines in the interior of the building;
  - (6) Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;
  - (7) Floor space in accessory buildings, except for floor spaces used for accessory off-street parking or loading spaces as described herein, and driveways and maneuvering areas incidental thereto; and
  - (8) Any other floor space not specifically excluded in this definition.
- (b) “Gross floor area” shall not include the following:
- (1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;
  - (2) Attic space not capable of being made into habitable space;
  - (3) Elevator or stair penthouses, accessory water tanks or cooling towers, and other mechanical equipment, appurtenances and areas necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;
  - (4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself if located at an intermediate story of the building and forming a complete floor level;
  - (5) Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;
  - (6) Floor space used for accessory off-street parking and loading spaces and driveways and maneuvering areas incidental thereto;
  - (7) Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;
  - (8) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:
    - (A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot

lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).

(B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.

(C) If, however, 70 percent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

(9) On lower, nonresidential floors, elevator shafts and other life-support systems serving exclusively the residential uses on the upper floors of a building;

(10) One-third of that portion of a window bay conforming to the requirements of Section 136(d)(2) of the San Francisco Planning Code (in effect as of the date of adoption of this Plan) which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed seven square feet per bay window as measured at each floor;

(11) Ground floor area devoted to building or pedestrian circulation and building service;

(12) Space devoted to personal services, Restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75 percent of the area of the ground floor of the building plus the ground level, on-site open space;

(13) An interior space provided as an open space feature in accordance with the requirements herein;

- (14) Floor area devoted to child care facilities provided that:
  - (A) Allowable indoor space is no less than 3,000 square feet and no more than 6,000 square feet, and
  - (B) The facilities are made available rent free, and
  - (C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities, and
  - (D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the Redevelopment Agency that there is a lack of need for child care and that the space will be used for a facility described herein dealing with cultural, educational, recreational, religious, or social service facilities;
- (15) Floor area permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:
  - (A) Owned and operated by a nonprofit corporation or institution, or
  - (B) Are made available rent-free for occupancy only by nonprofit corporations or institutions for such functions. Building area subject to this subsection shall be counted as occupied floor area, except as provided herein, for the purpose of calculating the off-street parking and freight loading requirements;
  - (C) For the purpose of calculating the off-street parking and freight loading requirement for the project, building area subject to this subsection shall be counted as occupied floor area, except as provided herein.

**Home Occupation.** A work-related use in a Dwelling Unit intended for sole proprietor businesses.

**Leasable Floor Area.** The Floor Rentable Area, as defined and calculated in the 1996 Building Owners and Managers Association International publication “Standard Method for Measuring Floor Area in Office Buildings.”

**Live/Work Unit.** A building or portion of a building combining residential living space with an integrated work space principally used by one or more of the residents. Live/work Units are subject to the same land use controls as Dwelling Units.

**Local-Serving Business.** A local-serving business provides goods and/or services which are needed by residents and workers in the immediately surrounding neighborhood to satisfy basic

personal and household needs on a frequent and recurring basis, and which if not available would require trips outside of the neighborhood. Also referred to as “neighborhood-serving” business.

**Local-Serving Child Care Facility.** A local-serving institutional use, which provides less than 24-hour care for children by licensed personnel and which meets the requirements of the State of California and other authorities. Such use is local-serving in that it serves primarily residents and workers of the immediately surrounding neighborhood on a frequent and recurring basis, and which if not available would require trips outside of the neighborhood.

**Nighttime Entertainment.** An assembly and entertainment use that includes dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities, excluding Adult Entertainment, which require dance hall keeper police permits or place of entertainment police permits which are not limited to non-amplified live entertainment, including Restaurants and Bars which present such activities, but shall not include any arts activities or spaces as defined by this Plan, any Theater performance space which does not serve alcoholic beverages during performances, or any temporary uses permitted by this Plan.

**Office Use.** A space within a structure intended or primarily suitable for occupancy by persons or entities which perform for their own benefit or provide to others at that location, administrative services, design services, business and professional services, financial services or medical services, excluding office space and administrative uses associated with Manufacturing, as described in Sections 302.3 and 302.4, above.

**Open Air Sales.** A retail use involving open air sale of new and/or used merchandise, except vehicles, but including agricultural products, crafts, and/or art work.

**Open Recreation.** An area, not within a building, which is provided for the recreational uses of patrons of a commercial establishment.

**Outdoor Activity Area.** An area, not including primary circulation space or any public street, located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, sitting, eating, drinking, dancing, and food-service activities.

**Parking.** A parking facility serving uses located on either parcels or blocks occupied by said facility or on other parcels or blocks.

**Plan Documents.** This Plan and its implementing documents including, without limitation, any owner participation agreements, the Mission Bay South Design for Development and the Mission Bay Subdivision Ordinance and regulations adopted thereunder.

**Restaurant.** A full service or self-service retail facility primarily for eating use which provides ready-to-eat food to customers for consumption on or off the premises, which may or may not provide seating, and which may include a Bar. Food may be cooked or otherwise prepared on the premises.

**Retail Sales and Services.** A commercial use which provides goods and/or services directly to the customer including Outdoor Activity Areas and Open Air Sales Areas. It may provide goods and/or services to the business community, provided that it also serves the general public.

**Storage.** A use which stores goods and materials used by households or businesses at other locations, but which does not include junk, waste, salvaged materials, automobiles, inflammable or highly combustible materials. A storage building for household or business goods may be operated on a self-serve basis.

**Theater.** An assembly and entertainment use other than Adult Entertainment, which displays motion pictures, slides, or closed-circuit television pictures, or is used as live theater performance space.

**Walk-Up Facility.** A structure designed for provision of pedestrian-oriented services, located on an exterior building wall, including window service, self-service operations, and automated bank teller machines (“ATMs”).

**ATTACHMENT 6**

**PLANNING COMMISSION RESOLUTION**

September 17, 1998

Case No. 96.771EMTZR  
Finding of Consistency  
With the General Plan and  
Sections 320 through 325 of the  
Planning Code And Recommending  
For Approval of the Mission  
Bay South Redevelopment Plan

SAN FRANCISCO  
CITY PLANNING COMMISSION

RESOLUTION NO. 14702

WHEREAS, On September 17, 1998, by Resolution No. 14698, the Planning Commission adopted amendments to the General Plan and recommended to the Board of Supervisors approval of those amendments to the General Plan including amendments to Part 2 of the Central Waterfront Plan which would eliminate the Mission Bay Specific Plan in order to facilitate the adoption of proposed Mission Bay North and Mission Bay South Redevelopment Plans which would guide the development of the Mission Bay area of the City, generally bounded by Townsend Street to the north, Third Street and Terry Francois Boulevard to the east, Mariposa Street to the south, and Interstate 280 and Seventh Street to the west, for the term of the Redevelopment Plans; and

WHEREAS, Pursuant to Section 33346 of the California Health and Safety Code regarding California Redevelopment Law, the planning policies and objectives and land uses and densities of the Redevelopment Plans must be found consistent with the General Plan prior to Redevelopment Plan approval by the Board of Supervisors; and

WHEREAS, The Planning Commission wishes to facilitate the physical, environmental, social and economic revitalization of the Mission Bay area, using the legal and financial tools of a Redevelopment Plan, while creating jobs, housing and open space in a safe, pleasant, attractive and livable mixed use neighborhood that is linked rationally to adjacent neighborhoods; and

WHEREAS, The proposed Mission Bay South Redevelopment Plan provides for a type of development, intensity of development and location of development that is consistent with the overall goals and objectives and policies of the General Plan as well as the Eight Priority Policies of Section 101.1 of the Planning Code; and

WHEREAS, The Planning Commission believes that the Mission Bay South Redevelopment Plan would achieve these objectives; and

WHEREAS, The proposed Mission Bay South Redevelopment Plan ("Plan") and its implementing documents, including, without limitation, owner participation agreements, the Design for Development and the Mission Bay Subdivision Ordinance (the "Plan Documents") contain the

land use designations of Commercial Industrial and Commercial Industrial/Retail which could allow development of up to approximately 5.9 million square feet of commercial/industrial space, including office space, over the next 30 years; and

WHEREAS, The Design for Development document proposed for adoption by the San Francisco Redevelopment Agency (“Agency”) contains detailed design standards and guidelines for all proposed development in the Mission Bay South Redevelopment Plan Area (“South Plan Area”); and

WHEREAS, The South Plan Area comprises approximately 238 acres bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street; and

WHEREAS, Any office development in the South Plan Area will be subject to the limitation on the amount of square footage which may be approved, as set forth in Planning Code 321 or as amended by the voters; and

WHEREAS, Planning Code Sections 320-325 require review of proposed office development, as defined in Planning Code Section 320, by the Planning Commission and consideration of certain factors in approval of any office development; and

WHEREAS, Based upon the information before the Planning Commission regarding design guidelines for the South Plan Area, location of the Commercial Industrial and Commercial Industrial/Retail land use designations in the South Plan Area, and the goals and objectives of the Plan and the Plan Documents, the Planning Commission hereby makes the findings set forth below, in accordance with Planning Code Section 321; and

WHEREAS, The Planning Commission has reviewed and considered the factors set forth in Planning Code Section 321(b) in order to make the determination that the office development contemplated by the Plan in particular would promote the public welfare, convenience and necessity. Those factors include consideration of the balance between economic growth and housing, transportation and public services, the contribution of the office development to the objectives and policies of the General Plan, the quality of the design of the proposed office development, the suitability of the proposed office development for its location, the anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses, the extent to which the proposed development will be owned or occupied by a single entity, and the use of transferable development rights for such office development; and

WHEREAS, The Planning Commission will review the design and details of individual office developments which are proposed in the South Plan Area, using the design standards and

guidelines set forth in the Design for Development reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

WHEREAS, On September 17, 1998 by Motion No. 14696, the Commission certified the Final Subsequent Environmental Impact Report ("FSEIR") as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA"); and

WHEREAS, On September 17, 1998 by Resolution No. 14697, the Commission adopted findings in connection with its consideration of, among other things, the adoption of the Mission Bay South Redevelopment Plan, under CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain findings in connection therewith, which findings are hereby incorporated herein by this reference as if fully set forth; and

WHEREAS, The Planning Commission finds the Mission Bay South Redevelopment Plan as described in Exhibit A to this Resolution consistent with the General Plan, as it is proposed to be amended, and to Section 101.1 of the Planning Code as described in Exhibit A to Resolution No. 14699 which findings are hereby incorporated herein by this reference as if fully set forth.

NOW, THEREFORE ,BE IT RESOLVED, That the Planning Commission having considered this proposal at a public meeting on September 17, 1998 pursuant to Planning Code Sections 302(b) and 340, having heard and reviewed oral and written testimony and reports, and having reviewed and certified the Final Subsequent Environmental Impact Report on the Redevelopment Plans as adequate and complete, does hereby find the Mission Bay South Redevelopment Plan , dated September 4, 1998, in conformity with the General Plan as it is recommended to be amended by Resolution No. 14698 ; and

BE IT FURTHER RESOLVED, That the Planning Commission hereby finds that the office development contemplated by the Plan in particular promotes the public welfare, convenience and necessity for the following reasons:

1. The office development is part of the Plan, which would eliminate blighting influences and correct environmental deficiencies in the South Plan Area through a comprehensive plan for redevelopment, including the implementation of Risk Management Plans to address environmental deficiencies.
2. The Plan and Plan Documents include a series of detailed design standards and guidelines which will ensure quality design of office development as well as a quality urban design scheme.
3. The Plan provides the important ability to retain and promote, within the City and County of San Francisco, academic and research activities associated with UCSF through the provision of a major new site and space for adjacent office and related uses.

4. The retention of UCSF through the Plan will also allow the facilitation of commercial-industrial sectors expected to emerge or expand due to their proximity to the UCSF new site, which sectors are likely to need office space as part of their activities.
5. Implementing permitted office uses as part of the Plan enables the achievement of a coordinated mixed-use development plan incorporating many features, such as large open spaces and parks and a new street grid, which would not be achieved if the area were to be developed in a piecemeal fashion under existing land ownership patterns and regulations.
6. Implementing the office use contemplated by the Plan would strengthen the economic base of the South Plan Area and the City as a whole by strengthening retail and other commercial functions in the South Plan Area community through the addition of approximately 358,600 leasable square feet of various kinds of retail space, and about 5,953,000 leasable square feet of mixed office, research and development and light manufacturing use:
7. Build-out, including office uses, of both the Mission Bay North Redevelopment Plan Area and the South Plan Area is anticipated to result in significant positive fiscal impacts to the City. These impacts include a cumulative surplus to the City's General Fund of up to \$452 million in 1998 dollars. Another approximately \$117 million in net revenues will accrue to other City funds with dedicated uses, such as senior programs, hotel tax funds (including grants for the arts, fine art museums, visitors and convention services and housing), the Department of Public Works and MUNI. The San Francisco Unified School District is projected to receive a net cumulative surplus of about \$5 million.
8. The development proposed by the Project will also have significant positive economic impacts on the City. At full build-out, employment in the Mission Bay North and South Plan Areas is expected to be about 31,100. Direct and indirect job generation is estimated to be about 42,000. About 56% of the direct and indirect jobs are expected to be held by San Francisco residents. The estimated total of 23,500 jobs will comprise about 5% of all jobs held by City residents. Project-related construction employment is projected to total 700 annual full-time equivalent jobs over the build-out period, representing a five percent increase in the City's construction job industry base. The employees working at Mission Bay are expected to generate total household wealth of about \$1.5 billion annually. Total direct and indirect wages are expected to be \$2.15 billion, of which \$1.2 billion is expected to be earned by San Franciscans.
9. The Plan provides an unprecedented system for diversity and economic development, including good faith efforts to meet goals for hiring minority-and women-owned consulting and contracting businesses, hiring of minority and women laborers, compliance with prevailing wage policies, participation in the City's "First Source Hiring Program" for economically disadvantaged individuals, and contribution of \$3 million to the City to help fund the work force development program. The Plan also includes the payment of fees for child care and school facilities. Development of office uses will help to create the employment opportunities to achieve such hiring goals.

10. The Plan includes the opportunity for substantial new publicly accessible open spaces totaling approximately 49 acres, including a large Bayfront park and open space on both edges of the Channel. Office users will benefit from the conveniently located open space, and the development of office uses will help to finance the provision of such open space and its maintenance.

11. The office uses would be located in an ideal area to take advantage of a wide variety of transit, including the Third Street light rail system. The South Plan Area has been designed in consultation with the City, including MUNI, to capitalize on opportunities to coordinate with and expand transit systems to serve the Project. The South Plan Area also includes Transportation Management Programs which will be in place throughout the development of the Plan Areas.

12. The South Plan Area includes sites for both a new school site and fire/police stations to serve the South Plan Area, so that necessary services and assistance are available near the office uses and so that office uses will not otherwise burden existing services.

13. The Plan and Plan Documents include significant new infrastructure, including a linked program for creation of a comprehensive vehicular, bicycle and pedestrian circulation system. The public infrastructure will include public streets, underground pipes, traffic signals and open space, plus additional substantial infrastructure as described in the Mission Bay South Infrastructure Plan. The office development would be adequately served by the infrastructure and the tax increment generated by office development in the South Plan Area will also provide a critical component of the financing of such infrastructure.

14. This new infrastructure included in the Plan will be financed through a self-taxing financing device to be imposed upon the South Plan Area (excluding affordable housing sites and open space). If the uses in the South Plan Area, including any office uses, generate new property tax revenue, then 60% of that new revenue will be dedicated to retiring the special taxes which initially will finance the infrastructure to be donated to the City. This system will allow for substantial infrastructure to be constructed without contributions from the General Fund or new taxes on other areas of the City.

15. In addition, 20% of the new property tax revenue generated by the uses in the South Plan Area, including office uses, will be dedicated to the creation of affordable housing in Mission Bay; and

BE IT FURTHER RESOLVED, That the Planning Commission has considered the factors set forth in Planning Code Section 321(b)(3)(A)-(G) and finds as follows:

(A) The apportionment of potential office space over the course of many approval periods during the anticipated 30-year build-out of the South Plan Area will remain within the limits of Planning Code Section 321 and will maintain a balance between economic growth and housing, transportation and public services, pursuant to the terms of the Plan and the Plan Documents which provide for the appropriate construction and provision of housing, roadways, transit and all other necessary public services in accordance with the Infrastructure Plan; and

(B) As determined in this Resolution, above, and for the additional reasons set forth in Planning Commission Resolution No. 14699, the adoption of the Plan, which includes office uses and

contemplates office development, and all of the other implementation actions, are consistent with the objectives and policies of the General Plan and Priority Policies of Planning Code Section 101.1 and will contribute positively to the achievement of City objectives and policies as set forth in the General Plan; and

(C) The design guidelines for the South Plan Area are set forth in the Design for Development. This Planning Commission has reviewed the design standards and guidelines and finds that such standards and guidelines will ensure quality design of any proposed office development. In addition, the Planning Commission will review any specific office development subject to the terms of Planning Code §§320-325 to confirm that the design of that office development is consistent with the findings set forth herein; and

(D) The potential office development contemplated in the Plan is suitable for the South Plan Area where it would be located. As discussed above, transportation, housing and other public services including open space will be provided in the South Plan Area. In addition, the office development would be located convenient to UCSF, which will allow other businesses locating in the South Plan Area to be able to develop research and development, light industrial and office space as necessary to accommodate their needs. The office development would be located in an area which is not currently developed, nor is it heavily developed with other office uses; and

(E) As noted above, the anticipated uses of the office development will enhance employment opportunities and will serve the needs of UCSF and other businesses which wish to locate in the South Plan Area, where the underdeveloped nature of the area provides a readily available supply of space for potential research and development, light industrial and office uses; and

(F) The proposed office development is available to serve a variety of users, including a variety of businesses expected to locate or expand in proximity to the UCSF site, and could accommodate a multiplicity of owners; and

(G) The Plan does not provide for the use of transferrable development rights ("TDRs") and this Planning Commission does not believe that the use of TDRs is useful or appropriate in the South Plan Area, given the availability of space for development and the fact that only one building in the South Plan Area, the former Fire Station No. 30, has been identified as a potential historic resource; and

BE IT FURTHER RESOLVED, That the Planning Commission will review and approve the design of specific office development which may be proposed in the South Plan Area and subject to the provisions of Planning Code §§320-325, using the design standards and guidelines set forth in the Design for Development, as reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

BE IT FURTHER RESOLVED, That upon such determination, the Planning Commission will issue a project authorization for the proposed office development project; and

BE IT FURTHER RESOLVED, That the Planning Commission does hereby recommend approval of the Mission Bay South Redevelopment Plan to the Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at a special joint hearing with the Redevelopment Agency Commission on September 17, 1998.

Linda Avery  
Commission Secretary

AYES: Commissioners Antenore, Chinchilla, Joe, Martin and Mills

NOES: None

ABSENT: Commissioners Hills and Theoharis

ADOPTED: September 17, 1998

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**COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE**

**RESOLUTION NO. 31-2025**

*Adopted November 18, 2025*

**APPROVING THE REPORT TO THE BOARD OF SUPERVISORS ON THE  
AMENDMENT TO THE REDEVELOPMENT PLAN; AND AUTHORIZING  
TRANSMITTAL OF THE REPORT TO THE BOARD OF SUPERVISORS; MISSION  
BAY SOUTH REDEVELOPMENT PROJECT AREA**

WHEREAS, The former Redevelopment Agency of the City and County of San Francisco (“Former Agency”) Commission approved the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”) by Resolution No. 190-98 (Sept. 17, 1998). Concurrently, the Former Agency Commission approved the Design for Development for the Mission Bay South Redevelopment Project Area (“D for D”) by Resolution No. 191-98, and a conditionally authorized execution of an Owner Participation Agreement (“South OPA”) with Catellus Development Corporation, a Delaware corporation (“Catellus”), by Resolution No. 193-98. The San Francisco Board of Supervisors (“Board of Supervisors”) adopted the Redevelopment Plan by Ordinance No. 335-98 (Nov. 2, 1998) and amended it by Ordinance Nos. 143-13 (July 9, 2013), 032-18 (Mar. 6, 2018), 128-20 (July 31, 2020), 209-20 (Oct. 1, 2020) and 014-21 (Feb. 12, 2021); and,

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”) proposes an amendment to the Redevelopment Plan (“Plan Amendment”) that would increase by up to 250 residential units, the number of allowable Dwelling Units in the Mission Bay South Redevelopment Project Area (“Project Area”) from 3,440 to 3,690 and would increase the maximum allowable building height by 90 feet, from 160 feet to 250 feet; provided that both changes are applicable only to the northern one-half of Block 4 East of the Project Area (“MBS 4E”); and,

WHEREAS, In accordance with Section 33457.1 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq., “Community Redevelopment Law”), the Successor Agency has prepared the Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Report to the Board”) that contains only the information required by Health and Safety Code Section 33352 that is warranted by the scope of the Plan Amendment; and,

WHEREAS, FOCIL-MB, LLC, ("FOCIL-MB"), a subsidiary of Farallon Capital Management, LLC, has assumed all of Cateilus's obligations under the South OPA, as well as all responsibilities under the related public improvement agreements and land transfer agreements with the City and County of San Francisco; and,

WHEREAS, The South OPA requires, among other things, that the Successor Agency shall obtain the consent of FOCIL-MB, LLC to amend the Redevelopment Plan, which consent has been provided prior to approval of the Plan Amendment by the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure ("Commission"); and,

WHEREAS, On October 9, 2025, the Mission Bay Citizens Advisory Committee considered and recommended approval of the Plan Amendment by the Commission and the Board of Supervisors; and,

WHEREAS, As described in the Commission Memorandum accompanying this Resolution, OCII has determined that the approval of the Report to the Board are statutorily exempt from the California Environmental Quality Act under Section 21080.40 of the California Public Resources Code as an action in furtherance of an affordable housing project dedicating all of its residential units to lower income households; now, therefore be it,

RESOLVED, That the Commission approves the Report to the Board attached to this Resolution as Exhibit A; and, be it further

RESOLVED, That the Executive Director of the Successor Agency is hereby authorized to transmit said Report to the Board of Supervisors, as required under Section 33457.1 of the Community Redevelopment Law for its consideration in reviewing the Plan Amendment.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of November 18, 2025.

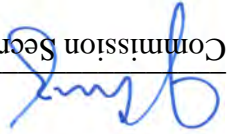
  
\_\_\_\_\_  
Commission Secretary

Exhibit A: Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project



**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT  
TO THE REDEVELOPMENT PLAN FOR THE  
MISSION BAY SOUTH REDEVELOPMENT PROJECT**

**Prepared By:**

**Office of Community Investment and Infrastructure,  
as the Successor Agency to the  
San Francisco Redevelopment Agency**

**DRAFT October 23, 2025**

## INTRODUCTION

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”) provides this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) in accordance with California Community Redevelopment Law, which requires a report to the Board of Supervisors whenever OCII proposes to amend a redevelopment plan within the City and County of San Francisco (“City”).

This Report addresses a proposed amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”). The Redevelopment Plan establishes, among other things, the land use controls for the approximately 238-acre Mission Bay South Redevelopment Plan Area (“Plan Area”). These controls include a limitation on the number of Dwelling Units (as defined in the Redevelopment Plan) that may be developed within the Plan Area, as well as a maximum allowable building height. The proposed amendment (“Plan Amendment”) would increase, by 250 units, the total number of Dwelling Units that may be developed within the Plan Area from 3,440 to 3,690, and increase the maximum allowable building height from 160 feet to 250 feet; provided that these increases would be applicable only to the northern one-half of Block 4 East. The Plan Amendment would accommodate a planned affordable housing project located on the northern one-half of Block 4 East (the “Project”).

## SCOPE OF THIS REPORT

This Plan Amendment is a minor plan amendment.<sup>1</sup> Under CRL Section 33352, a Plan Amendment submitted to the legislative body for approval must be accompanied by a report containing following information:

- The reason for the Plan Amendment;
- The proposed method of financing the redevelopment of the Plan Area as applicable to the Plan Amendment;
- The report and recommendation of the San Francisco Planning Commission;
- The report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendment; and
- A neighborhood impact report.

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<sup>1</sup> Generally, minor plan amendments are those that do not propose to (a) include a tax allocation provision into a redevelopment plan which does not uses tax increment financing; (b) add new territory to the project area of a redevelopment plan that uses tax increment financing; or (c) extend the time limits for meeting housing obligations or payments to taxing entities.

Furthermore, the Plan Amendment does not trigger the need for a Project Area Committee under CRL Section 33385 because it does not provide for the acquisition of, or the authorization of public projects on, property occupied by low- and moderate-income persons.

## **REASON FOR THE PLAN AMENDMENT (CRL Section 33352(a))**

### **Background**

The Board of Supervisors adopted the Redevelopment Plan by Ordinance No. 335-98 (November 2, 1998) and adopted amendments to the Redevelopment Plan by Ordinance No. 143-13 (July 9, 2013), Ordinance No. 032-18 (March 6, 2018), Ordinance No. 128-20 (July 31, 2020), Ordinance No. 209-20 (October 9, 2020), and Ordinance No. 014-21 (February 12, 2021).

On November 18, 2025, the OCII Commission (the "Commission") held a public hearing to approve and recommend to the Board of Supervisors an amendment to the Redevelopment Plan in conjunction with proposed development of Block 4 East, an approximately 45,738 square-foot parcel bounded by 3<sup>rd</sup> Street, Mission Rock Street, China Basin Street and adjacent to the previously developed Block 4 West (Assessor's Block 8711 Lot 029). The site is currently used as a temporary surface parking lot. Development on Block 4 East is proposed to include two separate buildings and projects, with Block 4 East split equally between the two projects. The combined program will provide a total of 398 affordable rental housing units and approximately 1,253 square feet of community-serving ground floor retail space. The proposed building on the southern half of Block 4 East includes 165 Dwelling Units (including 163 affordable units and two unrestricted manager's units) that will serve low- and moderate income households and households experiencing homelessness, resident-serving open spaces and amenities, resident and staff parking, and an approximately 1,253 square foot retail space (the "Phase I Project"). The proposed Phase I Project does not require a Plan Amendment. The Project (or the "Phase II Project"), located on the northern one-half of Block 4 East, includes 233 Dwelling Units (231 affordable units and two unrestricted manager's units) that will serve low- and moderate-income households and households experiencing homelessness, resident serving open spaces and amenities, and resident and staff parking. The Phase II Project is the subject of this proposed Plan Amendment.

### **Purpose of the Plan Amendment**

The purpose of the Plan Amendment is to increase the total number of Dwelling Units that may be developed within the Plan Area by 250 units and to increase the maximum allowable building height to 250 feet. Both changes are applicable only to the northern one-half of Block 4 East and are intended to facilitate the development of a proposed 100% affordable housing project on the site. The Plan Amendment specifies that the additional height and number of units are only permitted for an affordable housing project.

The Plan Amendment will increase the number of affordable housing units provided within the Plan Area, providing critical housing opportunities and contributing to economic development on a site that is currently underutilized. The additional units will also contribute to the state-mandated Regional Housing Needs Allocation ("RHNA") plan to provide over 82,000 new housing units with approximately half of those required to be affordable to very low-, low- and moderate-income households. The increased building height would distinguish the tower at the Project from the adjacent 160-foot tower planned in the Phase I Project and other existing towers within the Plan Area, and is consistent with and complementary with the scale of newly constructed towers located at Mission Rock, a master planned area adjacent to the Plan Area. The Plan Amendment is

consistent with the following Redevelopment Plan and Planning objectives set forth in Sections 103 and 104 of the Redevelopment Plan:

- Eliminating blighting influences and correcting environmental deficiencies in the Plan Area, including, but not limited to, abnormally high vacancies, abandoned buildings, incompatible land uses, depreciated or stagnant property values, inadequate or deteriorated public improvements, facilities, and utilities. Section 103, Objective A.
- Replanning, redesigning and developing undeveloped and underdeveloped areas which are improperly utilized. Section 103, Objective B.
- Strengthening the community's supply of housing by facilitating economically feasible, affordable housing through installation of needed site improvements and expansion and improvement of the housing supply by the construction of up to approximately 3,440 very low-, low-, and moderate-income and market rate units, including approximately 1,100 units of very low-, low-, and moderate-income housing. Section 103, Objective G.
- Create a vibrant urban community in Mission Bay South, which incorporates a variety of uses including medical research, office, business services, retail, entertainment, hotel, light industrial, education, utility, housing, recreation and open space, and community facilities. Section 104, Objective 1.
- Integrate Mission Bay South land uses, scale, and circulation systems with surrounding districts and San Francisco Bay. Section 104, Objective 1/Policy 2.
- Emphasize the importance of intersections by encouraging higher density uses, taller buildings (one to two stories or the tallest portion of buildings) and architectural variety on street corners. Section 104, Objective 3/Policy 6.
- Create a building form for the Mission Bay South areas such that the scale of new development relates to the adjacent waterfront and to adjacent buildings. Section 104, Objective 4.

#### **PROPOSED METHOD OF FINANCING/ECONOMIC FEASIBILITY OF AMENDMENT (CRL Section 33352(e))**

The Plan Amendment does not increase the amount of obligated property tax necessary to fulfill existing enforceable obligations. Subject to requisite future approvals, funding for the permanent gap loan is expected to be funded through OCII's authority under Senate Bill 593 (2023), which became effective on January 1, 2024, and authorizes OCII to use a limited form of tax increment financing to fund and develop 5,842 units that the former San Francisco Redevelopment Agency destroyed and never replaced.

## **PLANNING COMMISSION REPORT AND RECOMMENDATIONS ON CONFORMANCE TO THE GENERAL PLAN (CRL Section 33352(h))**

On November 18, 2025, after a duly noticed public hearing, the Commission referred the Plan Amendment to the San Francisco Planning Commission (“Planning Commission”) for its report and recommendation on the Plan Amendment and its conformance with the San Francisco General Plan (Resolution No. \_\_-2025).

On [DATE], 2025, after a duly noticed public hearing, the Planning Commission found the Plan Amendment to be consistent with the General Plan, including but not limited to the Housing Element and Urban Design Element, and recommended to the Board of Supervisors approval of the Plan Amendment (Planning Commission Motion No. \_\_\_\_\_, included in this report as Exhibit A).

## **ENVIRONMENTAL REVIEW (CRL Section 33352(k))**

OCII, as the Successor Agency to the Former Redevelopment Agency, has land use and California Environmental Quality Act (“CEQA”) review authority of the Plan Area.

OCII has analyzed the Project pursuant to the requirements of CEQA and found that the Project, including the Plan Amendment, is statutorily exempt from CEQA because the Project is affordable housing that satisfies the requirements for an exemption from CEQA as specified in Pub. Res. Code Sec. 21080.40 (Affordable Housing Projects).

## **NEIGHBORHOOD IMPACT REPORT (CRL Section 33352(m))**

The Plan Amendment does not adversely affect the physical and social quality of the neighborhood because it will not cause the destruction or removal of housing units from the low- and moderate-income housing market and will not cause the displacement of low- or moderate-income households. Block 4 East has long been vacant and is currently used as a surface parking lot. No housing units will be disturbed by the development plan for the site. By facilitating a greater density of development at an underutilized site designated for residential use, the Plan Amendment will increase the overall supply of housing, and particularly affordable housing, in the Plan Area.

The Redevelopment Plan includes requirements for affordable housing production. To date, seven affordable housing developments in the Plan Area have been completed, providing a total of 1,053 units (including unrestricted on-site manager’s units). Additional affordable projects are planned at Block 4 East (the subject of this report) and Block 12 West.

Exhibit A: San Francisco Planning Commission Motion No. \_\_\_\_\_, adopted [DATE], 2025



118-0252025-002

Agenda Item **Nos. 5(d-i)**  
Meeting of November 18, 2025

**MEMORANDUM**

**TO:** Community Investment and Infrastructure Commissioners

**FROM:** Thor Kaslofsky, Executive Director

**SUBJECT:** Approving an amendment to the Design for Development in connection with the approval of the first phase of the Mission Bay South Block 4 East mixed-use affordable residential project; Mission Bay South Redevelopment Project Area

Conditionally approving a Basic Concept and Schematic Design for the first phase of the Mission Bay South Block 4 East mixed-use affordable housing project of approximately 165 rental units and approximately 1,253 square feet of commercial space; approving an amendment to the Major Phase for Blocks 2-7 and 13; Mission Bay South Redevelopment Project Area

Approving an amendment to the Redevelopment Plan in connection with the development of the second phase of the Mission Bay South Block 4 East affordable housing project; referring the plan amendment to the Planning Commission for its report and recommendation to the Board of Supervisors; Mission Bay South Redevelopment Project Area

Approving the Report to the Board of Supervisors on the amendment to the Redevelopment Plan; and authorizing transmittal of the report to the Board of Supervisors; Mission Bay South Redevelopment Project Area

Conditionally approving an amendment to the Design for Development in connection with the approval of the second phase of the Mission Bay South Block 4 East affordable residential project; Mission Bay South Redevelopment Project Area

Daniel Lurie  
MAYOR

Thor Kaslofsky  
EXECUTIVE DIRECTOR

Dr. Carolyn Ransom-Scott  
CHAIR

Vanessa Aquino  
Kent Lim  
Mark Miller  
Earl Shaddix  
COMMISSIONERS

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5th Floor  
San Francisco, CA  
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Conditionally approving an amendment to the Major Phase for Blocks 2-7 and 13, and a Basic Concept and Schematic Design for the second phase of the Mission Bay South Block 4 East affordable housing project of approximately 233 rental units; Mission Bay South Redevelopment Project Area

Conditionally Approving an amendment to the Mission Bay South Owner Participation Agreement in connection with the second phase of the Mission Bay South Block 4 East affordable housing project; Mission Bay South Redevelopment Project Area

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## EXECUTIVE SUMMARY

Curtis Development (“CD”), a San Francisco-based minority/woman-owned Small Business Enterprise (“SBE”), together with Bayview Senior Services (“BSS”) (collectively, the “Developers” or “Sponsors”), have submitted Basic Concept and Schematic Design (“BCSD”) packages for two affordable rental housing projects providing a combined total of 398 units (the “Project” consisting of a “Phase I Project” and a “Phase II Project”) on Mission Bay South Block 4 East (“MBS 4E”). The Project will be priced to be affordable to households earning 30-95% of area median income (“AMI”) as defined by the San Francisco Mayor’s Office of Housing and Community Development (“MOHCD”) and will serve families and households experiencing homelessness. The lead design architect for the Project is San Francisco-based Y.A. studio, a minority-owned SBE. The associate architect is Perry Architects, Inc., and the landscape architect is GLS Landscape | Architecture. Both firms are also San Francisco-based SBEs.

MBS 4E is located within the Mission Bay South Redevelopment Project Area (“Project Area”) at 1144 3<sup>rd</sup> Street, bounded by 3<sup>rd</sup>, China Basin, and Mission Rock Streets (Assessor’s Block 8711, Lot 029B) (the “Site”). The Project consists of two buildings, which will be designed together but will require separate project-level approvals and financing. The Phase I Project is on the southern one-half of the Site and is a 165-unit affordable rental housing project. The Phase II Project is on the northern one-half of the Site and is a 233-unit affordable rental housing project. The Developers have submitted a tentative map application to the City and County of San Francisco (the “City”) in order to create two separate parcels on the Site for financing and construction purposes. The tentative map application is currently under City review and is expected to be approved in early 2026.

The Project team was selected through a competitive Request for Qualifications (“RFQ”) process. The RFQ sought proposals that maximized the amount of affordable housing through amendments to the Design for Development (“D for D”), the Mission Bay South Owner Participation Agreement (the “South OPA”), and the Mission Bay South Redevelopment Plan. On September 3, 2024, the Commission approved, by Resolution No. 30-2024, an Exclusive Negotiations Agreement (“ENA”) and a Predevelopment Loan Agreement (“Predevelopment Loan”), which have allowed the Developers to commence predevelopment activities.

The Phase I Project will be funded in part through taxable bonds backed by property tax increment authorized through the South OPA and under Redevelopment Dissolution Law for certain enforceable obligations, while the Phase II Project will be financed through bond financing authorized under Senate Bill No. 593 (2023) ("SB 593"), which enables OCII to use the City's portion of property tax increment to fund and construct the replacement of 5,482 housing units demolished by the Redevelopment Agency from the 1950's through the 1970's.

The Developers have submitted a BCSD for both the Phase I and II Projects. Both the Phase I and Phase II Projects require amendments to the D for D and the Phase II Project requires amendments to the Redevelopment Plan ("Redevelopment Plan Amendment") and the South OPA to allow additional height and units. An amendment to the Major Phase for Blocks 2-7 and 13 (the "Major Phase") will be needed as well.

In conjunction with its review of the Project and its proposed designs, OCII, in consultation with the Planning Department, prepared a General Plan Referral application as required for the proposed Redevelopment Plan Amendment. The Planning Commission must approve the General Plan Referral in order for the Redevelopment Plan Amendment to be approved by the Board of Supervisors.

As the Lead Agency, OCII has determined that the Phase I and Phase II Projects are statutorily exempt from environmental review under California Environmental Quality Act ("CEQA"), pursuant to California Public Resources Code Section 21080.40 (Affordable Housing Projects).

*Staff recommends that the Commission: 1) conditionally approve the Phase I Project, including the D for D and Major Phase amendments and BCSD related to Phase I; 2) approve the Redevelopment Plan Amendment for additional height and units for the Phase II Project; 3) approve the Report to the Board on the Redevelopment Plan Amendment; 4) conditionally approve the D for D and Major Phase Amendments and the BCSD for Phase II; 5) conditionally approve the Owner Participation Agreement Amendment*

## **BACKGROUND**

### **Mission Bay South Redevelopment Project Area**

The Board of Supervisors established the Project Area and approved the Redevelopment Plan, which establishes the land use controls for the Project Area through Ordinance No. 335-98 (November 2, 1998). The Redevelopment Plan was later amended by Ordinances No. 143-13, (July 9, 2013), No. 032-18 (March 6, 2018), No. 128-20 (July 31, 2020), No. 209-20 (October 9, 2020), and No. 014-21 (February 12, 2021). The South OPA is a contractual agreement between OCII and the master developer to carry out development obligations in the Project Area, and was entered into on November 16, 1998. The proposed amendment represents the 10<sup>th</sup> Amendment to the South OPA, and the first amendment to increase the number of affordable units in the Project Area.

The Redevelopment Plan authorizes approximately 3,440 residential units to be constructed in the Project Area. The South OPA designates certain sites for OCII-sponsored affordable housing ("Affordable Housing Parcels"). Affordable Housing Parcels comprise approximately 12 acres and are distributed throughout the Project Area.

The South OPA also authorizes development of up to 1,218 units on the Affordable Housing Parcels. To date, OCII has completed 1,053 affordable units in the Project Area, leaving a remaining balance of 165 units, which will be used to develop the Phase I Project. As further described herein, amendments to the South OPA and Redevelopment Plan are now requested to increase the allowable number of residential units under the Redevelopment Plan and to increase the number of allowable units on Affordable Housing Parcels in the South OPA.

### **MBS 4E Background**

On November 9, 2023, OCII released an RFQ for MBS 4E seeking a team to develop, own and operate affordable rental housing units, including units set aside for households experiencing homelessness. Based on the results of an interdisciplinary evaluation panel, OCII staff recommended the team led by CD and BSS. According to the proposal, CD and BSS will be the building owners and the John Stewart Company will be the property manager of the Project, with family supportive services provided by BSS. On September 3, 2024, the Commission authorized the Executive Director to enter into an ENA with the Developers as well as a Predevelopment Loan to fund predevelopment activities and prepare a BCSD for both phases of the Project to coordinate and expedite the design process.

As was described in the RFQ for MBS 4E, OCII sought to maintain high design standards as set forth in the Redevelopment Plan and D for D while maximizing the potential for housing opportunities on the Site and ensuring quality residences with amenities and open spaces for families and residents to enjoy. Thus, the ENA obligated the Developers to explore approaches to create a cohesive design, particularly for the ground floor, and establish an appropriate building massing and height. As such, the Developers and their design consultants evaluated massing concepts and development scenarios with the aim of maximizing the number of affordable housing units on MBS 4E consistent with the character of the surrounding neighborhood and optimizing the financial viability of both the Phase I and Phase II Projects.

## **DISCUSSION**

### **Project Description**

As proposed, the overall Project is comprised of 398 total residential rental units. Except for four unrestricted manager's units, all residential units will be restricted for affordability to households with incomes ranging from 30% to 95% of AMI as published annually by MOHCD. Please note that 95% MOHCD AMI is equivalent to 70% AMI as published by the California Tax Credit Allocation Committee ("TCAC"). The Project will include units set-aside for households experiencing homelessness. These units will be supported through the City's Local Operating Subsidy Program ("LOSP"). Tenants in LOSP-supported units are typically extremely low-income and will pay 30% of their monthly income toward rent. Along with residential units, the Project includes spacious resident amenity spaces, a ground floor community-serving retail space in the Phase I Project, private open spaces and terraces,

multiple laundry rooms, dog relief areas, vehicle parking, and bicycle parking. A description of the Project is summarized in the table below.

<b>Table 1. Project Description</b>		
<b>Development Area</b>	<b>Phase I Project</b>	<b>Phase II Project</b>
Residential units	<ul style="list-style-type: none"> <li>165 units, including 2 mgr's units</li> </ul>	<ul style="list-style-type: none"> <li>233 units, including 2 mgr's units</li> </ul>
Population	<ul style="list-style-type: none"> <li>Families, incl. 33 units set-aside for formerly homeless families</li> </ul>	<ul style="list-style-type: none"> <li>Families, incl. 47 units set-aside for formerly homeless families</li> </ul>
Income levels (AMI mix is tentative and will be confirmed at Commission consideration of ground leases/gap loans)	<ul style="list-style-type: none"> <li>50% AMI – 33 units (LOSP)**</li> <li>30% AMI – 5 units</li> <li>40% AMI – 20 units</li> <li>50% AMI – 28 units</li> <li>60% AMI – 29 units</li> <li>70% AMI – 31 units</li> <li>95% AMI* – 17 units</li> </ul>	<ul style="list-style-type: none"> <li>50% AMI – 47 units (LOSP)**</li> <li>30% AMI – 14 units</li> <li>40% AMI – 33 units</li> <li>50% AMI – 40 units</li> <li>60% AMI – 41 units</li> <li>70% AMI – 32 units</li> <li>95% AMI* – 24 units</li> </ul>
Unit types/sizes	<ul style="list-style-type: none"> <li>One-bedroom (BR): 46 (28%), avg. 561 sf</li> <li>Two-BR: 77 (47%), including two mgr's units, avg. 857 sf</li> <li>Three-BR: 42 (25%), avg. 1,169 sf</li> </ul>	<ul style="list-style-type: none"> <li>One-BR: 61 (26%), avg. 557 sf</li> <li>Two-BR: 109 (47%), including two mgr's units, avg. 829 sf</li> <li>Three-BR: 56 (24%), avg. 1,109 sf</li> <li>Four-BR: 5 (2%), avg. 1,597 sf</li> <li>Five-BR: 2 (1%), avg. 1,628 sf</li> </ul>
Commercial space	<ul style="list-style-type: none"> <li>1,253 sf community-serving</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Resident amenity/open spaces	<ul style="list-style-type: none"> <li>Outdoor terraces and adjacent community/multipurpose rooms</li> <li>Three laundry rooms (levels 3, 10, and 16)</li> </ul>	<ul style="list-style-type: none"> <li>Outdoor terraces and adjacent community/multipurpose rooms</li> <li>Four laundry rooms (levels 3, 10, 16 and 23)</li> </ul>
Parking/loading	<ul style="list-style-type: none"> <li>44 vehicular spaces (4 electric vehicle)</li> <li>One on-site loading space</li> <li>2<sup>nd</sup> loading space allowed to be on China Basin Street</li> </ul>	<ul style="list-style-type: none"> <li>44 vehicular spaces (4 EV)</li> <li>One on-site loading space</li> <li>2<sup>nd</sup> loading space allowed to be on Mission Rock Street</li> </ul>
Bicycle parking	<ul style="list-style-type: none"> <li>120 Class 1 bicycle spaces</li> <li>11 Class 2 bicycle spaces</li> </ul>	<ul style="list-style-type: none"> <li>144 Class 1 bicycle spaces</li> <li>12 Class 2 bicycle spaces</li> </ul>

\*For CEQA and CalHFA's Mixed-Income Program ("MIP") purposes, 95% AMI is equivalent to 70% TCAC AMI rent limits, which remain within the "lower-income" definition under Health and Safety Code § 50079.5. CalHFA MIP financing is a critical source of financing for the both the Phase I and Phase II projects.

\*\* Maximum income levels for LOSP units are restricted to or below 50% AMI in accordance with MOHCD LOSP policy, however, tenants are typically extremely low-income and rents will be established at 30% of actual household income.

### ***Transit-Oriented Development***

In addition to on-site parking, the Projects benefit from exceptional walkability and access to city and regional transportation, including:

- Muni Rail – Mission Rock Street stop with access to the T line is directly adjacent on 3<sup>rd</sup> Street.
- Muni Bus – Local bus lines offer stops within a short radius of the Project, including the 22-Fillmore, 55-Dogpatch and 10-Townsend.
- BART – Powell Station is four stops away on the T line (approximately 12 minutes).
- Regional – CalTrain Station within one-half mile (an approximately 10-minute walk).
- Car/Bike Share – Neighborhood offers several dedicated car share spaces, as well as bicycle and scooter rental hubs within a short radius of the Project.

Along with access to transportation, the Site is near a wide variety of services and amenities. These include coffee shops, restaurants, pharmacies, a library, a hospital and health centers, athletic complex, as well as several parks and open spaces. Two grocery stores are within one-half mile or less from the Site (Safeway and Gus's Community Market).

### ***Subdivision Map Process***

The Developers have submitted a tentative subdivision map application to subdivide the parcel. The Developers are on schedule to have a final recorded parcel map designating the two development parcels by fall 2026.

### **Basic Concept and Schematic Designs**

The BCSDs are enclosed as exhibits to the Major Phase/BCSD approval resolutions for the separate Phase I and Phase II components of the Project. The overall Project aligns with the goals and objectives of the Redevelopment Plan through its programming, urban design, and architectural quality.

The Phase I and Phase II building forms, materials and landscape design complement each other. The building floorplates and projected massing generally mirror each other for design and construction cost effectiveness, while each building's façade remains architecturally distinct. Both buildings feature a unifying mid-rise podium fronting 3<sup>rd</sup> Street, with projecting bays that articulate the buildings' massing. The distinction in 3<sup>rd</sup> Street façade is emphasized by the extension of Phase I building's treatment of the bay façade onto the Phase II building's bay. The building's height steps up from the mid-rise podiums transitioning to taller high-rise buildings fronting 3<sup>rd</sup> Street and China Basin and Mission Rock Streets. The two high-rise corner towers also appear distinct with application of colored, textured and aggregate-revealed concrete panels.

The Phase I and Phase II buildings share a common pre-cast concrete material that complement adjacent buildings. The 3<sup>rd</sup> Street frontage includes the lobbies for both the Phase I and Phase II Projects as well as a flexible, double-height community-serving commercial space in Phase I.

Notably, the design of the Project includes elements responsive to the preferences of affordable housing applicants surveyed by OCII and informed by two Certificate of Preference (“COP”) Holder focus groups held on May 15, 2025 and June 5, 2025. Forty-eight COP Holders and descendants participated in these small-group design consultations, which included presentations, breakout discussions, and surveys focused on unit features, common areas, amenities and resident services. Feedback emphasized priorities such as unit mix and size, flexible multipurpose spaces, accessible outdoor areas for seating, walking and children’s play, as well as security, accessibility, and holistic resident services.

### ***Phase I Project***

The Phase I building ranges from nine stories at the mid-rise podium to sixteen stories for the tower along 3<sup>rd</sup> Street and China Basin Street. The building massing is a modulated volume with a corner expression that complements the Phase II building with facade treatment that extends to half of the Phase II mid-rise podium façade to create a cohesive exterior design language between the two phases.

The ground floor double-height lobby space is one of the many common gathering spaces within the building. Management offices are located off the lobby, and case management and resident service offices are located on the second floor so staff can interact easily with residents. The third-floor multipurpose room is in a central location, opening out onto a shared courtyard terrace, and adjacent to a laundry room. The tenth-floor amenity lounge and laundry room are adjacent to an outdoor terrace. On the sixteenth floor there is an amenity lounge, laundry room, and an additional secured roof terrace that offers sweeping city and bay views. These amenity spaces provide indoor and outdoor private, secured spaces for residents to gather and for children and teenagers to play.

The residential units accommodate various family sizes with a mix of one-bedroom, two-bedroom, and three-bedroom units. Residential units provide usable closets, a mixture of window openings to provide high visibility while maintaining energy efficiency. Lastly, there are some one-bedroom units that feature space-efficient shared-light bedrooms.

### ***Phase II Project***

The Phase II building will range from nine stories at the mid-rise podium to twenty-three stories for the tower along 3<sup>rd</sup> Street and Mission Rock Street.

The building exterior is conceived as a highly articulated form that expresses a woven panel pattern to reflect the rhythm and scale of the individual units while providing an active pedestrian-level experience for the community with transparent storefronts and human-scaled detailing. A textured precast concrete façade composes the primary volume projected from a contrasting, recessed base with the lobby entry at the corner of 3<sup>rd</sup> and Mission Rock Streets. The building’s architectural composition is intended to create a handsome, visually engaging presence on the skyline that complements the surrounding context, reinforces a visual connection to the Phase I mid-rise podium and key view corridors, and contributes to the vibrancy of the surrounding built environment.

Significant features include the bold contrast between the light projected facades and darker recessed base, along with a corner crown treatment that accentuates the tower’s prominence and visibility from multiple neighborhoods. The ground floor, second floor, third floor and tenth floor mirror the programming of the Phase I Project’s amenity spaces, open spaces, laundry facilities, and management and services offices. The twenty-third level mirrors the programming and layout of the Phase I Project’s sixteenth floor, with larger spaces and, given its height, more expansive views. A feature of this level is the generous outdoor terrace, which creates a seamless indoor-outdoor environment ideal for gatherings, events, and informal socializing. The Phase II Project also includes five four-bedroom and two five-bedroom units expanding the availability of larger homes for families. Within the residential units, windows are placed to utilize daylight while reducing solar heat gain and glare. Ceiling heights are maximized using skimmed concrete ceilings in the bedrooms and living areas.

**Commission Approvals**

***Redevelopment Plan Amendment and Report to the Board of Supervisors (Phase II)***

As proposed, the Phase II Project requires an amendment to the Redevelopment Plan to add 250 affordable housing units to the total number of units in the Project Area and to increase the maximum allowable building height by 90 feet for a total of 250 feet. The proposed increases in height and units are limited to affordable units on the northern portion of MBS 4E. The proposed building height is consistent with the adjacent Mission Rock development, which Phase I of Mission Rock includes two 23-story residential towers (The Canyon and Verde), developed by Tishman Speyer and the San Francisco Giants, which together provide 537 residential units, including both market-rate and affordable units. The full Mission Rock development is planned to include approximately 1,200 residential units, demonstrating that the Project aligns with the scale, massing, and unit count of Mission Rock. The requested changes are described in the table below and further detailed in the Report to the Board of Supervisors.

Table 2. Redevelopment Plan Amendment		
Control Type	Existing Plan	Proposed Amendment
Number of Dwelling Units	3,440 Dwelling Units	<ul style="list-style-type: none"><li>• Increase to 3,690 Dwelling Units</li><li>• The 250 added Dwelling Units are designated as additional affordable units allocated to the northern half of MBS 4E in the Mission Bay South Residential land use district and cannot be constructed on any site other than the northern half of MBS 4E</li></ul>
Maximum Building Height	160 ft	<ul style="list-style-type: none"><li>• Increase height to 250 ft on the northern half of MBS 4E</li></ul>

The proposed amendment is attached as Exhibit A to the draft resolution approving the amendment to the Redevelopment Plan, and further described in the draft Report to the Board of Supervisors attached as Exhibit A to the draft resolution approving the Report to the Board of Supervisors. FOCIL-MB has been consulted on and has consented to the Redevelopment Plan amendment.

***Owner Participation Agreement Amendment (Phase II)***

OCII is also seeking an amendment to the South OPA to allow for an increase in the number of OCII Affordable Housing Units allowed in the Project Area by approximately 250 on the northern portion of the Site to accommodate development of the Phase II Project. The additional 250 units increases the total number of affordable housing units under the South OPA to approximately 1,468. FOCIL-MB and OCII are the contracting parties to the South OPA and FOCIL-MB has consented to the South OPA amendment.

The proposed OPA amendment states that the additional 250 units for the Phase II Project will not rely on the tax increment financing that has been available for other affordable housing in Mission Bay South. With the approval and financing of Phase I, OCII will have completed the affordable housing program authorized under the South OPA and Redevelopment Plan. For Phase II, OCII not only needs an increase in the number of units allowed under the South OPA, but also an alternative source of financing. OCII will be using the financing authorized under SB 593. Accordingly, the proposed South OPA amendment would permit the additional 250 units only if this alternative financing is used for the Project's costs. The South OPA amendment is subject to review and approval by the Oversight Board and State Department of Finance. The proposed amendment is attached as Exhibit A to the draft resolution approving the amendment to the South OPA.

***Design for Development Amendment***

OCII proposes amendments to the D for D to modify or allow exceptions from provisions governing Maximum Average Streetwall Height, Minimum Tower Separation, and Maximum Tower Height (see Table 3).

A proposed D for D amendment would exempt MBS 4E from the maximum average streetwall height of 55 feet along China Basin Street and Mission Rock Streets. In Mission Bay South, compliance with the maximum average streetwall height is required along six streets classified as "Neighborhood Streets," including Mission Rock and China Basin Streets, which requires buildings to "step back" at various heights along the streetfront to be able to reach the maximum build out while still observing the maximum average streetwall height. It would be appropriate to exempt the Project from this requirement since it would consist of two highrise towers at 3rd Street, which is a main thoroughfare not subject to the Neighborhood Street requirements. The two new highrises at Phase I and Phase II would serve as anchors of density along 3<sup>rd</sup> Street while the remaining interior portions of China Basin and Mission Rock Streets subject to the maximum average streetwall height would continue to express this modulated streetwall at lower heights. In addition, exempting the Project from the maximum average streetwall height would maximize the delivery of affordable housing and would result in establishing narrower tower façades along 3rd Street, which better ensures consistency with the adjacent high-rise development at Mission Rock, as well as allowing space for high quality courtyard and terrace open spaces at the center of the block.

Another proposed amendment to the D for D would reduce the minimum separation between the Phase I and the Phase II towers to 118 feet from 125 feet to 118 feet. This amount of tower spacing is consistent with that of the adjacent high-rise development at Mission Rock.

The third and final proposed amendment to the D for D would increase the maximum tower height on Phase II from 160 feet to 250 feet, conditional on the approval of this increase in height as part of the proposed Plan Amendment. In addition to maximize affordable housing production while maintaining compatibility with surrounding high-rise development, such as Mission Rock, this increase in height maintains panoramic view corridors from San Francisco's western neighborhoods and parks such as Corona Heights Park, and from Potrero Hill. The form of the proposed amendment is attached to the draft resolution approving the amendment to the D for D.

<b>Table 3. Design for Development Amendments</b>			
<b>Control Type</b>	<b>Existing</b>	<b>Proposed Amendment</b>	<b>Justification for Amendment</b>
<b>Phase I</b>			
Maximum Average Streetwall Height to depth of 20 feet, along designated Neighborhood Street	55 ft	<ul style="list-style-type: none"> <li>Exception from standard for MBS 4E to exceed existing limit</li> </ul>	<ul style="list-style-type: none"> <li>Maintains a consistent high-rise urban scale on 3<sup>rd</sup> Street complementary to the adjacent high-rise development at Mission Rock</li> <li>Maximizes number of affordable housing units while maintaining narrower tower façades along 3<sup>rd</sup> Street</li> </ul>
<b>Phase II</b>			
Minimum Tower Separation	125 ft	<ul style="list-style-type: none"> <li>Reduce to 118 ft for MBS 4E</li> </ul>	<ul style="list-style-type: none"> <li>Reduced tower separation is consistent with the tower separation in development at Mission Rock</li> <li>Allows for sufficient light and air between buildings, as well as allowing space for high quality courtyard and terrace open spaces at the center of the block</li> </ul>
Maximum Tower Height	160 ft	<ul style="list-style-type: none"> <li>Increase to 250 ft, conditional to approval of Redevelopment Plan Amendment</li> </ul>	<ul style="list-style-type: none"> <li>Maintains a consistent high-rise urban scale on 3<sup>rd</sup> Street complementary to the adjacent high-rise development at Mission Rock</li> <li>Maximizes number of affordable housing units</li> </ul>

***Major Phase Amendment (Phase I and Phase II)***

As part of the BCSDs, the Developers are seeking amendments to the Major Phase, which was initially approved in 2005. In Mission Bay, each approved BCSD updates and may amend the corresponding Major Phase. The forms of the proposed amendments to the Major Phase are attached as Exhibit A to the draft resolution approving the amendment to the Major Phase for the Phase I Project and as Exhibit A to the draft resolution approving the amendment to the Major Phase for the Phase II Project.

***Basic Concept and Schematic Design Conditions of Approval (Phase I and Phase II)***

There are certain remaining design items, amongst others, which must be resolved by the 25% Design Development submittal to the satisfaction of the Executive Director and the Executive Director is further granted the authority to make modifications to the BCSD to facilitate resolution of the following design elements.

- For the Phase I Project, refinements include indicating window beauty caps, enhancing non-formliner panels, integrating façade vents consistent with the overall design, and verifying wind conditions.
- For the Phase II Project, refinements include refining the corner crown element at 3rd and Mission Rock Streets, refining the Level 23 plan and recessed façade colors, reducing visible joints, integrating façade vents consistent with the overall design, and verifying wind conditions.

The complete list of conditions of approval is included in the draft resolutions conditionally approving the BCSD for the Phase I Project and the BCSD for the Phase II Project. Staff recommends conditional approval of the Phase I Project's BCSD and Phase II Project's BCSD, each subject to conditions being resolved in coordination with staff.

**Equal Opportunity Program and Compliance with OCII Policies**

The Developers are required to comply with OCII's Nondiscrimination in Contracts, Minimum Compensation and Health Care Accountability policies, and will work closely with contract compliance staff to meet OCII's SBE Program goals on the Project. The Project across both phases has the same developer, general contractor, architect, and property manager. However, the Developers have selected professional services providers and the general contractor with the dual goals of widely spreading opportunities by establishing smaller scopes and making them available to a larger number of providers and ensuring cohesive Project-wide design and construction efficiency.

**Professional Services*****Phase I Project***

- The Phase I Project is currently exceeding OCII's 50% SBE participation goal for professional services contracts. To date, the Phase I Project has achieved 83.4% SBE participation and 77.1% for San Francisco-based SBEs. According to voluntary self-reporting collected by the City, 45.1% of the Phase I contractors are minority businesses, 2.0% minority woman-owned businesses and 3.1% are woman-owned businesses. See Attachment 2A.

*Phase II Project*

- The Phase II Project is also exceeding OCII's 50% SBE participation goal for professional services contracts. To date, the Phase II Project has achieved 84.5% SBE participation and 80% for San Francisco-based SBEs. City data indicates that 48.7% are minority businesses, 3.3% are minority woman-owned businesses and 0.7% are woman-owned businesses.

Construction Contracting

- The Developers selected Swinerton Builders and Rubecon Builders (a San Francisco-based SBE) joint venture as the general contractor for the Project. During the construction phase, the Developers are committed to meeting OCII's requirements and goals which includes the 50% SBE construction subcontracting participation goal, payment of prevailing wages and the 50% local construction workforce hiring goal.

Please see Attachments 2a and 2b for a SBE Consultant Summary and Attachment 3 for the biographies of select participating SBE firms.

**COMMUNITY PARTICIPATION**

The Mission Bay Citizens Advisory Committee ("CAC") has received regular status reports on predevelopment activities on MBS 4E since the RFQ issuance in November 2023. In May 2025, OCII staff along with the Developers presented an informational overview of the Project, focused on an update of the design progress to date.

On October 9, 2025, the Mission Bay CAC voted unanimously to recommend that the Commission approve:

- Phase I Project:
  - 1) amendment to the D for D, 2) amendment to the Major Phase, and 3) the Phase I BCSD;
- Phase II Project:
  - 1) amendment to the Redevelopment Plan, 2) amendment to the South OPA, 3) amendment to the D for D, 4) amendment to the Major Phase, and 5) the Phase II BCSD.

In addition to the Mission Bay CAC and public hearings, the Developers have presented the Project at meetings of the Madrone Homeowners Association and have been in communication with residents of the Madrone (420 Mission Bay Boulevard North), the Edwin M. Lee Apartments (Block 3 East, 1150 3<sup>rd</sup> Street), and Strata at Mission Bay (Block 4 West, 1201 4<sup>th</sup> Street), and staff at Family House (Block 7 East, 540 Mission Bay Boulevard North). Staff met with the leadership of the Potrero Boosters in 2023 to discuss the increased heights and there were no objections. The Developers will continue conducting community outreach within the neighborhood and surrounding areas as the Project progresses.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

On November 7, 2023, the Commission authorized, by Resolution No. 33-2023, a personal services contract with the environmental review consultant ICF Jones & Stokes, Inc. (“ICF”) to assist OCII in the environmental review required by CEQA for the Project, including corresponding amendments to the D for D and the Redevelopment Plan.

Effective as of January 1, 2024, California Assembly Bill 1449 (2023), *codified at* Cal. Public Resources Code § 21080.40, (“AB 1449”) amended CEQA to exempt from environmental review various actions related to the approval of 100% affordable housing projects, including a rezoning or an amendment to a specific plan is applied. The amendments to the D for D and the Redevelopment Plan, as proposed by the Project, constitute a rezoning. To qualify for the AB 1449 affordable housing exemption, projects must satisfy several rigorous requirements centered on affordability, location, environmental constraints, labor standards, and an administrative process. For the reasons stated below and in the ICF analysis, OCII has determined that the Phase I Project and Phase II Project meet the criteria for the CEQA exemption, which include the following:

- The Project is a 100% affordable housing project with at least two-thirds of the square footage of the project designated for residential use.
- All residential units on MBS 4E will be dedicated to lower-income households (earning no more than 70% of TCAC AMI), excluding unrestricted manager units. The Project is subject to a recorded TCAC regulatory agreement prior to the issuance of building permits.
- The Sponsors, under conditions of approval of the Project, will comply with the prevailing wage requirements, offer employment opportunities to State of California-registered apprentices and provide health insurance to construction workers and their dependents.
- The Project site is located within an urbanized area, adequately served by existing utilities, and within a ½-mile walking distance of multiple major transit stops. The site is in a very low vehicle travel area, which is below the regional average daily Vehicle Miles Traveled per capita and is within one mile of more than six neighborhood amenities.
- The Project site is not located on sensitive lands such as wetlands, special flood hazard areas, high fire hazard severity zones, or hazardous waste sites. In advance of the Project’s approval, a Phase I Environmental Site Assessment was completed. Any identified hazardous conditions in a future Phase II assessment will be fully remediated before construction can begin.
- OCII, working with the City Archaeologist, has consulted with tribal leaders of the California Native American tribe affiliated with the geographic area regarding development of the Site. Based on these consultations, the Sponsors will implement the following measures to mitigate any potential effects on tribal cultural resources within the Project site:
  - Archaeological Testing Program;
  - Native American Cultural Sensitivity Training and Monitoring;
  - Public Interpretation Land Acknowledgement; and
  - Focus on planting native species in new landscaping.

OCII staff has reviewed the ICF analysis and its appendices and has confirmed that the Project is statutorily exempt from CEQA because the Project satisfies the requirements for an exemption from CEQA as specified in California Public Resources Code Section 21080.40 (Affordable Housing Projects).

## **STAFF RECOMMENDATION AND NEXT STEPS**

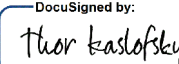
OCII staff recommends that the Commission:

1. Conditionally Approve Phase I by:
  - a. Conditionally approving the Phase I BCSD and the D for D Amendment and the Major Phase Amendment related to the Phase I BCSD.
2. Conditionally Approve Phase II by:
  - a. Approving the Report to the Board on Redevelopment Plan Amendment and authorize its transmittal to the Board of Supervisors.
  - b. Approving the Redevelopment Plan Amendment.
  - c. Conditionally Approving the Phase II BCSD and the D for D Amendment, and the Major Phase Amendment related to the Phase II BCSD.
  - d. Approving the South OPA Amendment.

Upon Commission approval of each action, OCII will seek actions from the Planning Commission and the Board of Supervisors for the approval of the Plan Amendment that is only required for the proposed Phase II Project, and OCII will seek actions from the Oversight Board for the approval of the South OPA Amendment that is only required for the proposed Phase II Project.

The Developers will then proceed to further develop designs, obtain building permits, and seek to secure financing. The Developers will return to Commission in December 2025 or January 2026 to seek approvals for a Phase I Project preliminary permanent gap funding commitment and additional predevelopment funding. The Developers will then return to the Commission in December 2026 or January 2027 to seek approvals for ground leases and gap funding for the Phase I Project and in early 2027 for the Phase II Project. Phase I is estimated to start construction by early 2027 with completion by spring 2029 and the Phase II Project is estimated to start construction by early 2028 with completion by summer 2030.

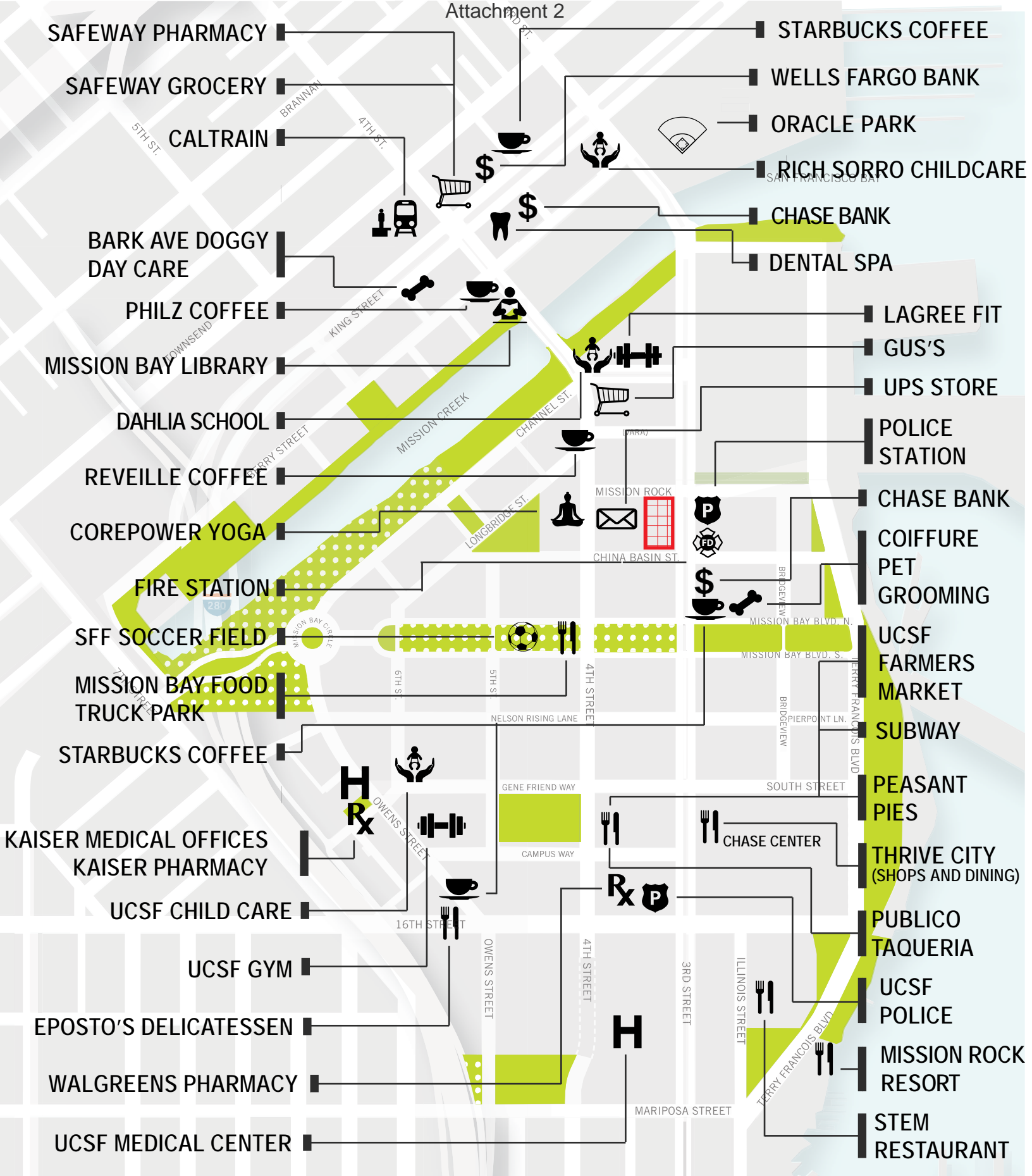
*(Originated by Phillip C. Wong, Development Specialist)*




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Thor Kaslorsky  
Executive Director

- Attachment 1: Map of Mission Bay South Project Area
- Attachment 2: Amenities Map for Mission Bay South Project Area
- Attachment 3a: SBE Consultant Summaries for the Phase I Project
- Attachment 3b: SBE Consultant Summaries for the Phase II Project
- Attachment 4: SBE Firm Biographies

# ATTACHMENT 1





 Completed Open Space
  Site location
  Future Open Space

## MISSION BAY BLOCK 4E AMENITIES

November 2025



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100 400



Office of  
COMMUNITY INVESTMENT  
and INFRASTRUCTURE

**Attachment 3a**  
**Mission Bay Block 4 East Phase 1**  
**Professional Consultant List**

					For Informational Purposes Only			
Consultant	Discipline	Contract Amount	SBE	SF-SBE	MBE	M/WBE	WBE	Ethnicity **
Resonance Acoustics	Acoustical Engineer	\$ 22,725	\$ 22,725					
Perry Architects	Architect (Associate)	\$ 914,900	\$ 914,900	\$ 914,900				
YA Studio	Architect (Prime)	\$ 1,699,100	\$ 1,699,100	\$ 1,699,100	\$ 1,699,100			Black/African American
Luk & Associates	Civil Engineering	\$ 90,000	\$ 90,000			\$ 90,000		Asian Pacific
Martin M. Ron Associates, Inc.	Civil Surveyor	\$ 27,500	\$ 27,500	\$ 27,500				
Holmes Fire	Code/Fire/Life Safety	\$ 43,700						
Red Car Analytic	Commissioning	\$ 53,200	\$ 53,200					
Waypoint Consulting	Construction Management	\$ 353,500						
Edgett Williams	Elevator Consultant	\$ 33,000	\$ 33,000					
Scaffold Inspection & Testing Co.	Ext. Building Maintenance Design Consultant	\$ 28,300	\$ 28,300					
Langan/Divis JV*	Geotechnical Engineer	\$ 205,051	\$ 205,051	\$ 205,051				
Joint Trench Engineer/Dry Utility Consultant	Urban Design Consulting Engineering	\$ 92,800	\$ 92,800	\$ 92,800	\$ 92,800			Asian Pacific
Landscape Arch/Irrigation	GLS Landscape	\$ 165,000	\$ 165,000	\$ 165,000				
Weller Design Architectural Lighting	Lighting Design Consultant	\$ 59,280	\$ 59,280	\$ 59,280			\$ 59,280	
Emily Borland Specifications, Inc.	Specifications Writer	\$ 82,262	\$ 82,262	\$ 82,262			\$ 82,262	
IMEG/Structus JV*	Structural Engineer	\$ 258,280	\$ 258,280	\$ 258,280	\$ 258,280			Asian Pacific
Streamline Green Inc	Sustainability Consultant	\$ 59,700	\$ 59,700					
American Trash Management	Trash/Waste Consultant	\$ 20,000						
Simpson Gumpertz & Heger Inc	Waterproofing Consultant	\$ 335,600						
<b>Total</b>		<b>\$ 4,543,898</b>	<b>\$ 3,791,098</b>	<b>\$ 3,504,173</b>	<b>\$ 2,050,180</b>	<b>\$ 90,000</b>	<b>\$ 141,542</b>	
<b>% of Total Fees</b>			<b>83.4%</b>	<b>77.1%</b>	<b>45.1%</b>	<b>2.0%</b>	<b>3.1%</b>	

\* Full SBE credit is granted to joint ventures and associations where the SBE partner performs at least 35% of the joint venture or association agreement.

\*\* Ethnicity and/or gender data were gathered from third-party sources and presented for informational purposes only. Such data have not been verified.

**Attachment 3b**  
**Mission Bay Block 4 East Phase 2**

**Professional Consultant List**

					For Informational Purposes Only			
Consultant	Discipline	Contract Amount	SBE	SF-SBE	MBE	M/WBE	WBE	Ethnicity **
Resonance Acoustics	Acoustical Engineer	\$ 22,725	\$ 22,725					
Perry Architects	Architect (Associate)	\$ 1,050,000	\$ 1,050,000	\$1,050,000				
Y.A Studio	Architect (Prime)	\$ 1,950,000	\$ 1,950,000	\$1,950,000	\$1,950,000			Black/African
Luk & Assoc.	Civil Engineering	\$ 90,000	\$ 90,000			\$90,000		Asian Pacific
Martin Ron	Civil Surveyor	\$ 27,500	\$ 27,500	\$27,500				
Holmes Fire	Code/Fire/Life Safety	\$ 80,000						
Waypoint Consulting	Construction Management	\$ 368,000						
Edgett Williams	Elevator Consultant	\$ 37,000	\$ 37,000					
Scaffolding Inspection & Testing Co. (SIT-CO)	Ext. Building Maintenance Design Consultant	\$ 29,800						
Langan/Divis JV*	Geotechnical Engineer	\$ 261,251	\$ 261,251	\$261,251				
UDCE	Joint Trench Engineer/Dry Utility Consultant	\$ 103,400	\$ 103,400	\$103,400	\$103,400			Asian Pacific
GLS Landscape	Landscape Arch/Irrigation	\$ 185,000	\$ 185,000	\$185,000				
Emily Borland Specifications, Inc.	Specifications Writer	\$ 36,395	\$ 36,395	\$36,395			\$36,395	
IMEG/Structus JV*	Structural Engineer	\$ 373,340	\$373,340	\$373,340	\$373,340			Asian Pacific
Bright Green	Sustainability Consultant	\$ 72,500	\$72,500			\$72,500		Asian Pacific
American Trash Management	Trash/Waste Consultant	\$ 23,000						
Simpson Gumpertz & Heger	Waterproofing Consultant	\$ 271,054						
<b>Total</b>		<b>\$ 4,980,965</b>	<b>\$ 4,209,111</b>	<b>\$ 3,986,886</b>	<b>\$ 2,426,740</b>	<b>\$ 162,500</b>	<b>\$ 36,395</b>	
<b>% of Total Fees</b>			<b>84.5%</b>	<b>80.0%</b>	<b>48.7%</b>	<b>3.3%</b>	<b>0.7%</b>	

\* Full SBE credit is granted to joint ventures and associations where the SBE partner performs at least 35% of the joint venture or association agreement.

\*\* Ethnicity and/or gender data were gathered from third-party sources and presented for informational purposes only. Such data have not been verified.

## **SBE Biographies**

### **Resonance Acoustics** (Acoustical Engineer)

Resonance was launched in 2023, after successfully building an acoustic consulting practice from the ground up at CSDA Design Group. Their goal is always to collaborate with clients to develop cost-effective acoustic solutions that provide healthy environments and meet regulatory requirements as well as community expectations. Resonance's team has collectively been providing acoustical consulting services for over 80 years. This experience provides clients with practical, thoughtful solutions for their projects.

### **YA Studio Architect** (Prime)

Y.A. studio is an African American owned architectural design firm committed to bringing an innovative and modern approach to the field. Yakuh Askew, a San Francisco native, established the firm in 2004 with an eye towards socially responsible growth, environmental responsibility, and community. The firm embraces a diverse portfolio that includes custom single-family homes, affordable housing, large multi-family developments, restaurants, office and retail spaces. Y.A. studio is a certified MBE and LBE. OCII projects include Alice Griffith, Hunter Point Shipyard Block 10A, and Hunters Point Shipyard Block 48.

### **Perry Architects Architect** (Associate)

Perry Architects was established in 2014 by Steve Perry, a principal at Brand + Allen Architects for more than 20 years, and provides design services in Architecture, Planning and Design, with a focus on residential and affordable housing. The firm is located at the waterfront on Pier 28 in San Francisco.

### **Luk & Associates** (Civil Engineering)

Luk + Associates, founded in 1992, is an experienced civil engineering, surveying, and land planning firm with projects built throughout the Bay Area. They have worked for more than 1,000 clients, contributing to over 700 projects built at all scales. Luk + Associates are certified as a SBE by the State of California, and as an LBE & M/WBE by the City & County of San Francisco.

### **Martin M. Ron Associates, Inc.** (Civil Surveyor)

Martin M. Ron Associates, Inc. is a San Francisco-based land surveying company providing a full range of surveying services to construction and design professionals in Northern California. Their cadastral work includes a broad spectrum of projects including urban, suburban and public land boundary determination and monumentation. Martin M. Ron Associates, Inc. performs construction, route and as-built surveys ranging in complexity from simple line and grade to the provision of surveying services for high-rise buildings and complete subdivisions.

### **Red Car Analytics** (Commissioning)

Red Car Analytics is a building energy consulting firm focused on building optimization. They support clients in building design, construction, and performance by integrating strategies from building operations, measured data, and applying meaningful analytics and new ideas. Red Car Analytics believes that buildings can be decarbonized today with pragmatic and cost-effective solutions and a focus on actual building performance.

### **Edgett Williams Consulting Group** (Elevator Consultant)

Edgett Williams Consulting Group (EWCG) provides comprehensive design and consulting services for elevators, escalators, people movers and material handling systems worldwide. As a team of professionals, they are committed to providing the highest quality of service to clients.

#### Attachment 4: Professional Services SBE Firm Biographies

EWCG seeks creative solutions to problem solving, combining new building technologies with past approaches proven by experience. EWCG is selective in its project orientation, preferring to work with first quality, repeat clients, on demanding projects with unique design and management challenges.

**Scaffold Inspection & Testing Co.** (Ext. Building Maintenance Design Consultant)  
Access Systems & Solutions, Inc. - Scaffolding Installation and Testing Company (SIT-CO) designs, tests and installs safe and code compliant systems to access exterior building maintenance needs. They provide high-quality scaffolding, offering safe, reliable solutions for construction, maintenance, and industrial projects. Access Systems & Solutions, Inc. is a top provider of swing stage solutions, offering a variety of high-quality and safe equipment for industries like construction, maintenance, and painting. solutions, offering a variety of high-quality and safe equipment for industries like construction, maintenance, and painting.

**Urban Design Consulting Engineering** (Joint Trench Engineer/Dry Utility Consultant) Urban Design Consulting Engineers was established in 2005 with offices in San Francisco and Oakland, and provides civil engineering services for utility, streetscape, site development, joint trench, and stormwater needs. Projects include site development for 1180 Fourth Street, joint trench for Hunter's View Phase 2, and stormwater services for Doyle Drive Replacement.

**GLS Landscape / Architecture** (Landscape Arch/Irrigation)  
GLS Landscape / Architecture was established in San Francisco in 1993, specializing in the integration of landscape with architecture, urban design and infrastructure. With 12 employees, located in the heart of the Mission District, GLS is certified as a LBE with the City. Past projects with OCII include Hunters View Redevelopment Phases 1 and 2, Broadway-Sansome Affordable Housing, Renee Cazenave Apartments at Transbay Block 11A, Transbay Block 9, Mission Bay Block 7, and 1110-1190 4<sup>th</sup> Street (in Mission Bay).

**Weller Design Architectural Lighting** (Lighting Design Consultant)  
Weller Design Architectural Lighting (WDAL) is a woman-owned business with over 20 years of expertise to both residential and commercial lighting projects. The LEED certified team has experience which encompasses architectural lighting and construction management as well as electrical engineering. It is this understanding of the built environment that allows WDAL to have a unique and efficient approach to each project.

**Emily Borland Specifications, Inc.** (Specifications Writer)  
Well known in the Bay Area architectural community, Emily Borland has worked with over forty architecture and construction firms. Prior to founding EBS, Inc., Emily wrote specifications at the San Francisco offices of Skidmore, Owings & Merrill, LLP and NBBJ Design. Emily Borland is certified as a Local Small Business Enterprise and WBE with the City & County of San Francisco.

## Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)  
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor  inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No.  from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission      ☐ Youth Commission      ☐ Ethics Commission
- ☐ Planning Commission      ☐ Building Inspection Commission      ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes      ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: