

File No. 180185

Committee Item No. 7

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date July 9, 2018

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 700 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
| <input type="checkbox"/> | <input type="checkbox"/> | Information Sheet |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u> |
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Completed by: Victor Young Date July 6, 2018

Completed by: _____ Date _____

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

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

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

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

21 Section 1. Environmental and Planning Code Findings.

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

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

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

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

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

22 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
23 Zoning Map Amendment will serve the public necessity, convenience, and welfare for the
24 reasons set forth in Planning Commission Resolution No. 20184, and the Board incorporates
25 such reasons herein by reference.

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

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

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

22 Section 2. The Planning Code is hereby amended by revising Zoning Use District
23 Maps ZN01 and ZN08, Height and Bulk District Maps HT01 and HT08, and Special Use
24 District Maps SU01 and SU08, as follows:
25

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

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

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

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

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

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

(c) The San Francisco Planning Code is hereby amended by amending Height and Bulk District Map HT01 of the Zoning Map of the City and County of San Francisco, as follows:

<u>Description of Property</u>		<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts Hereby Approved</u>	<u>Additional Information for Split Lots</u>
<u>Assessor's Block</u>	<u>Lot</u>			
3732	003	85-X	180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street
	004	45-X/85-X	45-X/180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street, 45 to a depth of 50 feet from Tehama Street
	005, 149	85-X	300-CS	
	099	45-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street
	100	45-X/85-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street

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

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

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	112	55-X/85-X	130-CS-160- CS/160-CS	160 feet to a depth of 250 feet from 4th Street
	113	45-X	130-CS-160- CS	
	116	45-X	85-X-160- CS/130-CS- 160-CS	130-160 feet to a depth of 350 feet from 4th Street
3763	001	40-X	350-CS	
	008-009, 017-018, 025, 037	65-X	85-X	
	011-015, 015A, 015B, 015C, 016, 032-034, 119-124	45-X	85-X	
	078-079	45-X	130-CS-350- CS	
	080, 080A, 081	65-X	130-CS-350- CS	
	093-096	65-X	130-CS	
	099-101	40-X	130-CS-350- CS	
	105	40-X	130-CS-200- CS	

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	112	45-X	45-X/350-CS	350 to a depth of 175 feet from Harrison Street
	113	85-X	350-CS	350 feet to a depth of 175 feet from Harrison Street
	116	65-X/85-X	130-CS	
3776	008, 011, 015, 019-021, 024, 077, 080, 113-114	65-X	85-X	
	025	85-X	200-CS	
	032, 117	85-X	130-CS	
	034, 038-044, 049, 118	65-X	130-CS	
	151	55-X/65-X	85-X	
	455	55-X/65-X	65-X/85-X	85 feet to a depth of 205 feet from Brannan Street
3777	005, 007, 009, 013, 023-027, 056-070	40-X	45-X	

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011	40/55-X	45-X/65-X	65 feet to a depth of 85 feet from Bryant Street
017	65-X	45-X/65-X	65 feet to a depth of 80 feet from 4th Street
028-029	40/55-X	45-X	
035-036, 054-055	40/55-X	65-X	
037	40/55-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
042, 044	40/55-X	45-X/85-X	85 feet to a depth of 80 feet from Brannan Street
045	40/55-X	160-CS	
047-049	40/55-X	130-CS	
050	40/55-X	45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 45 feet in the area between the

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				linear extension of the northwest edge of the Welsh Street right-of-way and the linear extension of the southeast edge of the Welsh Street right-of-way
	051	40/55-X	45-X/130-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way
	052	40-X	45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 160 feet to a depth of 345 feet from 5th Street

	073-174	40-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
3786	027-028, 036, 039	65-X	130-CS	
	035, 038, 321-322	85-X	250-CS	
	037	65-X	130-CS/200-CS	200 feet to a depth of 310 feet from 5th Street
3787	026, 028, 050	85-X	400-CS	
	144-149	55-X	65-X	
	161-164	55-X	400-CS	

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

Description of Property		Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved	Additional Information for Split Lots
Assessor's Block Number	Lot			
3778	001, 001C, 001D, 001E, 001F	40/55-X	85-X	

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	001B, 002B, 004-005	40/55-X	270-CS	
	016	40/55-X	65-X	
	017-019, 022-023, 025-026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, 051-087	40/55-X	55-X	
	047-048	40/55-X	160-CS	
3785	002	65-X	160-CS	
	003	85-X	160-CS	
	002A, 004	65-X/85-X	85-X	
	009, 016	40/55-X	65-X/85-X	85 feet to a depth of 137.5 feet from Brannan Street
	017, 185-232	40/55-X	85-X	
	018, 135, 137-184, 233-313	40/55-X	65-X	
	132	40/55-X	160-CS	
3786	014	65-X/85-X	300-CS	
	015-016, 043-082, 104- 160, 263-307	85-X	130-CS	
	018, 19A, 020, 083- 102, 161-262	65-X	130-CS	
	014B	65-X/85-X	130-CS	

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

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

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3750	003, 008-009, 013, 050, 054, 073, 078, 081-082, 086, 089-509, 515-598	N/A	
3751	028-029, 033-034, 053-054, 105, 112, 150, 155, 157-158, 161-162, 165, 167- 170, 173, 175-409, 411-415, 420-522	N/A	
3752	001-003, 008-010, 051-054, 070, 076, 078-081, 083, 107, 109-126, 130-153, 156-392, 394-473, 501-502, 521-589	N/A	
3752	011, 011A, 012, 014-015, 017-018, 026- 028, 032-033, 036, 095, 590-617	Western SoMa Special Use District	
3753	001, 003-005, 006A, 007-010, 021-022, 024-029, 033-034, 037, 041-042, 048- 049, 056-063, 070-072, 075-079, 081- 085, 089-090, 093-101, 106, 113-122, 129-132, 138-139, 141-142, 145-148, 150, 152-165, 169-204, 207-239, 241- 304, 311-318, 328-344, 367-375	N/A	
3760	001-002, 011-014, 016-017, 019-022, 024-026, 026A, 027-028, 035, 055, 059, 071, 081, 100, 105-108, 111-112, 114, 116-117, 119-129, 131, 134-141	Western SoMa Special Use District	
3761	002, 005C, 006-007, 062-064	Western SoMa Special Use District	

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3762	001, 003-004, 007-008, 011-012, 014, 016-019, 021, 023-026, 032, 036-037, 040-041, 043, 046, 048-049, 053-055, 058, 106, 108-109, 112-113, 116-119, 121-124, 126-146	N/A	
3763	001, 006-009, 011-015, 015A, 015B, 015C, 016-025, 032-034, 037, 078-080, 080A, 081, 093-096, 099-101, 105, 112-113, 116, 119-124	N/A	
3775	001-002, 004-005, 008, 012, 015-018, 020-022, 025, 028-030, 032-033, 036, 038-040, 042, 046, 048-049, 053-055, 057-070, 072-073, 075, 078-081, 083-087, 089, 091-096, 099-217, 219-224	N/A	
3776	004-005, 007-008, 011, 015, 019-021, 024-025, 032, 034, 038-044, 049, 062, 077, 080, 093-094, 098-101, 105-106, 113-115, 117-118, 120-148, 151, 153-475	N/A	
3777	001-003, 017, 019-020, 030-034	N/A	
3777	005, 007, 009, 011, 013, 023-029, 035-037, 042, 044-045, 047-052, 054-070, 073-174	Western SoMa Special Use District	

1	3786	027-028, 036-037, 039	Western SoMa Special Use District
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4	3786	035, 038, 321-322	N/A
5	3787	001-005, 007-008, 012-019, 021-024, 026, 028, 031, 033, 036-037, 040, 040A, 044, 048-050, 052-139, 144-149, 151-159, 161-164, 166-218, 241-246	N/A
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9	3788	002, 006, 008-009, 009A, 010, 012-015, 020-024, 024A, 037-039, 041-045, 049- 085, 088-107, 110-113, 131-226	N/A
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15 (f) The San Francisco Planning Code is hereby amended by amending Special Use

16 District Map SU08 of the Zoning Map of the City and County of San Francisco, as follows:

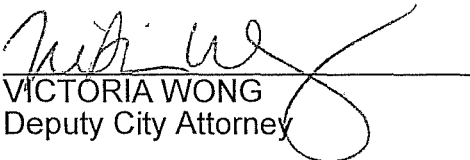
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<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
<u>Assessor's</u>	<u>Lot</u>	<u>District Hereby</u>	<u>District Hereby</u>
<u>Block</u>		<u>Superseded</u>	<u>Approved</u>
3778	001, 001B, 001C, 001D, 001E, 001F, 002B, 004-005, 016-019, 022-023, 025- 026, 032, 046A, 046B, 046C, 046D,	Western SoMa Special Use District	Central SoMa Special Use District

	046E, 046F, 046G, 046H, 047-048, 051-087		
3785	002, 002A, 003-004, 004A, 004B, 005, 009, 016-018, 022-024, 030-132, 135, 137-313	Western SoMa Special Use District	
3786	014, 014B, 015-016, 018, 019A, 043- 102, 161-262,	Western SoMa Special Use District	
3786	020, 104-160, 263-307	N/A	

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: 
VICTORIA WONG
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(Substituted, 4/10/2018)

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

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

Existing Law

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

Amendments to Current Law

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

Background Information

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

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180185

REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
dfrattin@reubenlaw.com

June 1, 2018

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Delivered Via Email and U.S. Mail

President London Breed
San Francisco Board of Supervisors
London.Breed@sfgov.org
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San Francisco, Ca 94102-4689

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

Dear President Breed and Supervisors:

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

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

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

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

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

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

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

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

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

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

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

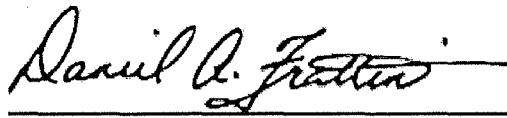
that submitted an Environmental Evaluation Application before September 4, 2016.

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

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel A. Frattin

cc: Supervisor Cohen (Malia.Cohen@sfgov.org)
Supervisor Stefani (Catherine.Stefani@sfgov.org)
Supervisor Fewer (Sandra.Fewer@sfgov.org)
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Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)
Mike Grisso, Project Sponsor (MGrisso@kilroyrealty.com)
Alexandra Stoelzle, Project Sponsor (AStoelzle@kilroyrealty.com)

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

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

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

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

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

180185

REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
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June 8, 2018

Delivered Via Email and U.S. Mail

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SAN FRANCISCO, CA

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

Dear President Breed and Supervisors:

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

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

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

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

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

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

San Francisco Board of Supervisors
June 8, 2018
Page 4

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

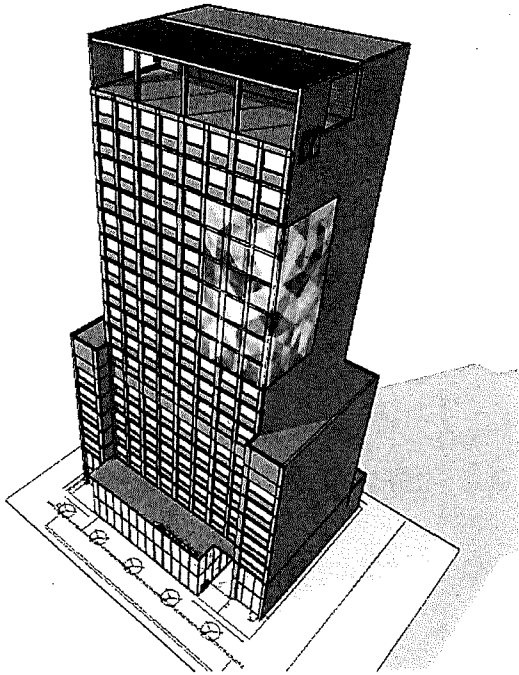
A handwritten signature in black ink, reading "Daniel A. Frattin", is written over a solid black horizontal line.

Daniel A. Frattin

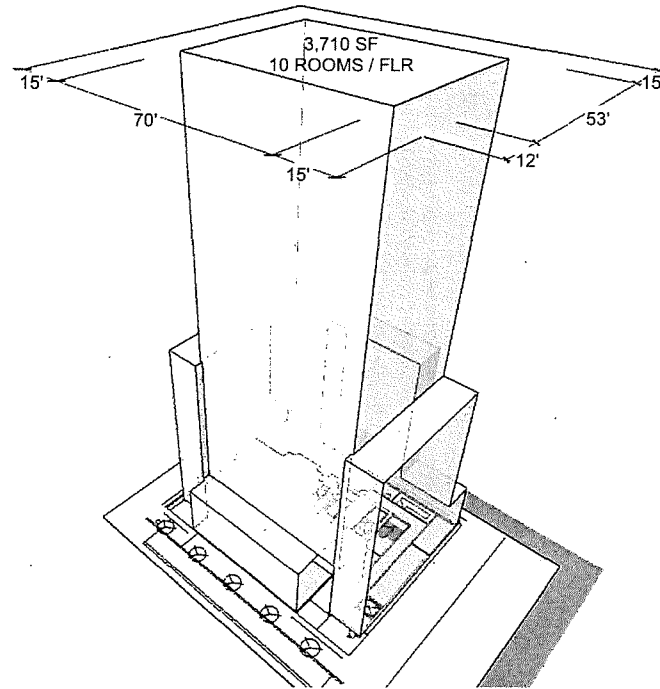
cc:

Supervisor Cohen (Malia.Cohen@sfgov.org)
Supervisor Stefani (Catherine.Stefani@sfgov.org)
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Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)
Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)

EXHIBIT A
Massing Diagram

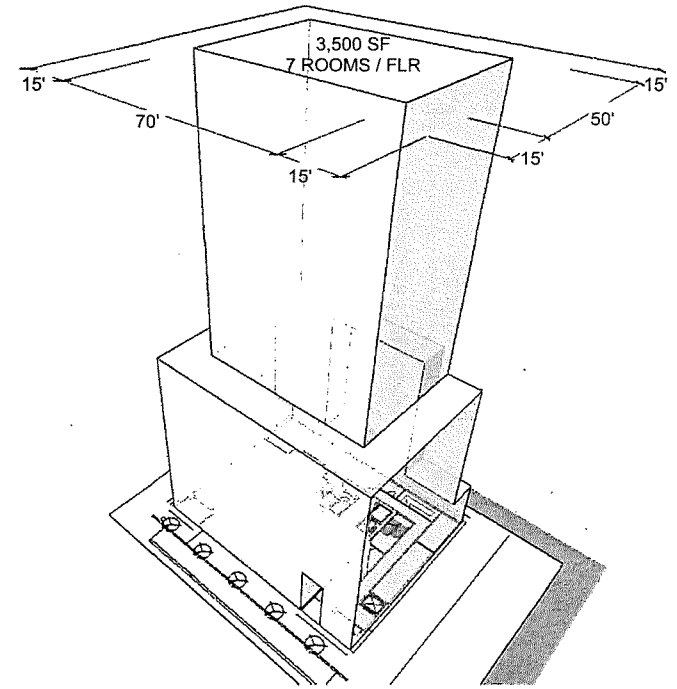


PROPOSED BUILDING



PROPOSED BUILDING (MASSING DIAGRAM)

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



PER CODE (MASSING DIAGRAM)

at tower:
 11 floors at 7 rooms / floor = 77 rooms
 Δ -33 rooms
 -16%

EXHIBIT B
Section Diagram

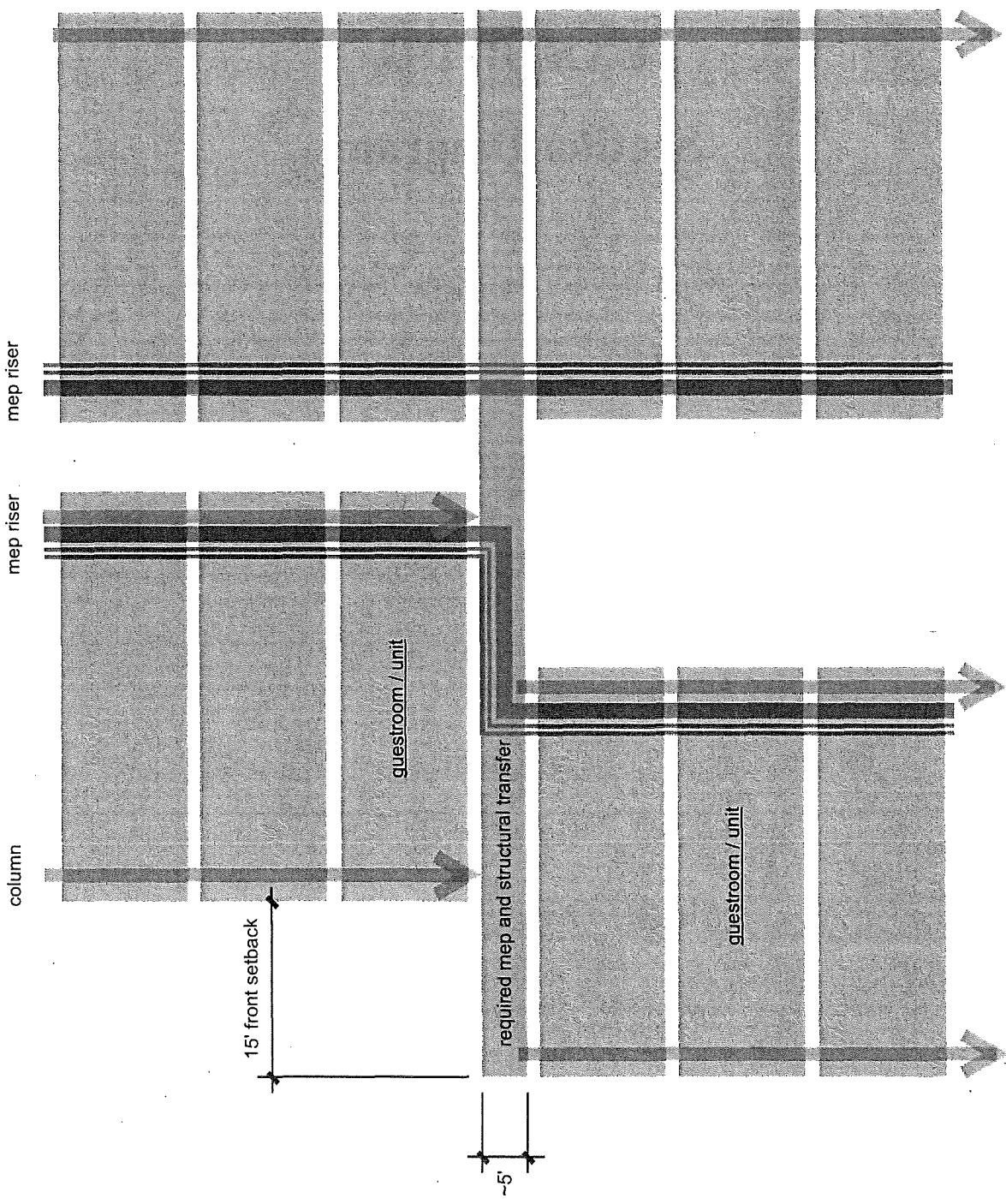


EXHIBIT C

Suggested Code Modifications

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

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

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

			<u>(v) Above the ground floor on parcels less than 100 feet deep, up to a maximum depth of 12 feet.</u>																									
Tower Setbacks	Proposed § 132.4(d)(2)(B)	The proposed language mandates a 15-foot setback for towers for the portion above 85 feet. On small parcels, this setback will drastically limit floorplate sizes and will prevent projects from shifting massing so as to avoid undesirable conditions for adjacent properties.	<p>Revise proposed § 132.4(d)(2)(B) to provide a reduced setback where the Commission finds that a 15-foot setback would unduly restrict the development potential of a site, so long as at least an 8-foot setback is provided.</p> <p><u>(B) For Towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the Tower Portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Pursuant to Section 329, the Planning Commission may grant a modification to this setback requirement as applied to a proposed project if it finds that (1) a 15-foot setback would unduly restrict the development potential of the site and (2) that a setback of no less than five (5) feet is provided along all property lines.</u></p>																									
Skyplane	Proposed § 270(h)	The proposed apparent mass controls applicable in a height district above 160 feet are not clearly drafted. Table 270(h) applies an 80% apparent mass reduction requirement to the non-tower portion of a building, i.e. the portion below 85 feet. It is unclear how this can be implemented consistent with the street wall articulation requirement or while allowing construction of a tower above.	<p>Table 270(h) should be revised to clarify how the apparent mass reduction requirements apply in a height district above 160 feet.</p> <table border="1" data-bbox="1102 828 1911 1258"> <thead> <tr> <th colspan="5"><u>Table 270(h)</u></th> </tr> <tr> <th colspan="5"><u>Apparent Mass Reduction</u></th> </tr> <tr> <th><u>Building</u></th> <th><u>Side of the Street</u></th> <th><u>Height</u></th> <th><u>Base Height</u></th> <th><u>Apparent Mass Reduction</u></th> </tr> <tr> <th><u>Frontage</u></th> <th></th> <th><u>District</u></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td><u>Major Street</u></td> <td><u>All</u></td> <td><u>Above 160 feet</u></td> <td><u>85 feet</u></td> <td><u>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u></td> </tr> </tbody> </table>	<u>Table 270(h)</u>					<u>Apparent Mass Reduction</u>					<u>Building</u>	<u>Side of the Street</u>	<u>Height</u>	<u>Base Height</u>	<u>Apparent Mass Reduction</u>	<u>Frontage</u>		<u>District</u>			<u>Major Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>85 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u>
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Skyplane	Proposed § 270(h); Amended § 329	If the apparent mass reduction requirements apply to towers in 180-foot height districts, an exception should be provided for small sites. At 816 Folsom, which is only 80 feet deep and 100 feet wide, an 80% apparent mass reduction will substantially decrease the development potential of the site.	<p>Revise amended § 329(d) to allow the Planning Commission to provide a modification from the skyplane requirements for sites with less than 10,000 square feet.</p> <p>(d) Exceptions. As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>****</p> <p><i>(12) Within the Central SoMa SUD, exception from the Apparent Mass Reduction requirements required by Section 270(h)(2) for projects on a Major Street with a parcel area of less than 10,000 square feet.</i></p> <p>(1213) Where not specified elsewhere in this Ssubsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <u>except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</u></p>
POPOS & Open Space Exception	Amended §§ 426 & 329(d)	<p>Neither the existing nor the proposed § 329 provides for an exception from non-residential open space or POPOS requirements. While § 426 provides for payment of an in lieu fee, non-residential projects would first need to obtain a variance, which is difficult to justify for new construction.</p> <p>The Code should allow for an open space/POPOS exception rather than require a variance for these projects.</p>	<p>Revise amended § 329(d) to allow for an exception from the non-residential and POPOS requirements for Central SoMa projects that pay the in lieu fee rather than provide on-site open space.</p> <p>(d) Exceptions. As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>****</p> <p><i>(12) Exception from non-residential usable open space requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p><i>(13) Exception from POPOS requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p>(1214) Where not specified elsewhere in this Ssubsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is</p>

			located, <u>except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</u>
POPOS	Amended § 138(d)(2)(F);	<p>The POPOS requirements are burdensome and cannot be feasibly implemented for the smaller Central SoMa projects.</p> <p>If a straightforward fee-out option is not provided, the Code should provide for rooftop POPOS on small properties and/or scale back the indoor POPOS requirements so as to eliminate the 2,500 square foot minimum area requirement and reduce the mandated floor-to-ceiling height to 15 feet.</p>	<p>Revised proposed § 138(d)(2)(F) to eliminate the 2,500 square foot minimum area for indoor POPOS and reduce the minimum floor-to-ceiling height to 15 feet.</p> <p><u>(F) All indoor open spaces provided at street grade shall:</u></p> <ul style="list-style-type: none"> <u>(i) Have a minimum area of 2,500 square feet;</u> <u>(ii) Have a minimum floor-to-ceiling height of 2015 feet;</u> <u>(iii) Provide openings directly to a sidewalk or other publicly-accessible outdoor space and, weather permitting, be accessible without the need to open doors;</u> <u>(+iii) Be situated, designed, and programmed distinctly from building lobbies or other private entrances to the building;</u>

180185

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

Dear President Breed and Supervisors:

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

Thank you very much for your attention to this matter.

Best regards,

Mike

REUBEN, JUNIUS & ROSE, LLP

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Assistant to Daniel A. Frattin
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PRIVILEGE AND CONFIDENTIALITY NOTICE – This transmittal is intended solely for use by its addressee, and may contain confidential or legally privileged information. If you receive this transmittal in error, please email a reply to the sender and delete the transmittal and any attachments.

REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
dfrattin@reubenlaw.com

June 1, 2018

Delivered Via Email and U.S. Mail

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

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

Dear President Breed and Supervisors:

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel A. Frattin

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

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

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

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

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

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

BOARD of SUPERVISORS



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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, July 9, 2018

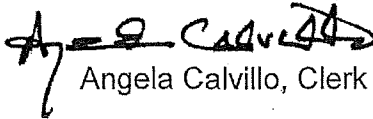
Time: 1:30 p.m.

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

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

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

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, July 6, 2018.



Angela Calvillo, Clerk of the Board

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

Somera, Alisa (BOS)

From: melinda_vazquez@dailyjournal.com
Sent: Wednesday, June 27, 2018 11:15 AM
To: Somera, Alisa (BOS)
Subject: Confirmation of Order 3148963 for AS - 07.09.18 Land Use - 180490 & 180185 Central SoMa Plan & SUD

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 120503

Type of Notice : GPN - GOVT PUBLIC NOTICE
Ad Description : AS - 07.09.18 Land Use - 180490 & 180185 Central SoMa Plan & SUD
Our Order Number : 3148963
Newspaper : SAN FRANCISCO EXAMINER 10%
Publication Date(s) : 06/28/2018

Thank you.

MELINDA VAZQUEZ
DAILY JOURNAL CORPORATION
CALIFORNIA NEWSPAPER SERVICE BUREAU
Phone: (800) 788 7840 / (213)229-5300
Fax: (800) 540 4089 / (213)229-5481

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

Mailing Address : 915 E FIRST ST, LOS ANGELES, CA 90012
Telephone (800) 788-7840 / Fax (800) 464-2839
Visit us @ www.LegalAdstore.com

ALISA SOMERA
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AS - 07.09.18 Land Use - 180490 & 180185 Central SoMa Plan & SUD

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

06/28/2018

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

EXM# 3148963
NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, JULY 9 2018 - 1:30 PM
CITY HALL, CHAMBER ROOM, ROOM 250
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 180490. Ordinance amending the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. File No. 180185. Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of

consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1 in accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 6, 2018. - Angela Calvillo, Clerk of the Board



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 180185 and 180490

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

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

Date: June 29, 2018

Time: 11:03 am

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

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

Signature: 

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

BOARD of SUPERVISORS



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

April 18, 2018

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

Dear Commissioners:

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

File No. 180185-2

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

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

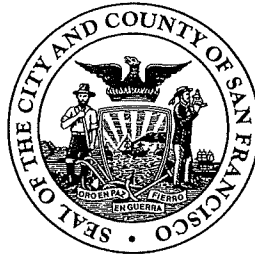
Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

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

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

BOARD of SUPERVISORS



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

April 18, 2018

File No. 180185-2

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

Dear Ms. Gibson:

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

File No. 180185-2

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

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

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

Attachment

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

BOARD of SUPERVISORS



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

March 6, 2018

File No. 180185

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

Dear Ms. Gibson:

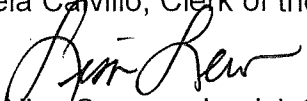
On February 27, 2018, Mayor Farrell introduced the following proposed legislation:

File No. 180185

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

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

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

BOARD of SUPERVISORS



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

March 6, 2018

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

Dear Commissioners:

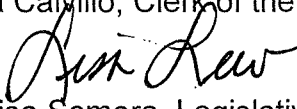
On February 27, 2018, Mayor Farrell introduced the following legislation:

File No. 180185

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The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board


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

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

OFFICE OF THE MAYOR
SAN FRANCISCO




MARK FARRELL
MAYOR

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

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

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


2018 APR 10 PM 1:55
BOARD OF SUPERVISORS
SAN FRANCISCO

Introduction Form

By a Member of the Board of Supervisors or Mayor

2010 FEB 26 10:00 AM
Time stamp
or meeting date
AK

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [redacted]
- 9. Reactivate File No. [redacted]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [redacted]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Mayor Farrell; Kim

Subject:

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

The text is listed:

Attached


Signature of Sponsoring Supervisor:



OFFICE OF THE MAYOR
SAN FRANCISCO



MARK FARRELL
MAYOR

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

RECEIVED
FEB 27 11 48 AM '18
CITY OF SAN FRANCISCO
PLANNING DEPARTMENT

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

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

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

Lew, Lisa (BOS)

From: Lew, Lisa (BOS)
Sent: Tuesday, March 06, 2018 4:11 PM
To: Gibson, Lisa (CPC)
Cc: Navarrete, Joy (CPC); Lynch, Laura (CPC); Somera, Alisa (BOS)
Subject: BOS Referral: File No. 180185 - Planning Code, Zoning Map - Central South of Market Special Use District
Attachments: 180185 CEQA.pdf

Hello,

The following proposed legislation is being transmitted to you for environmental review:

File No. 180185

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

Sent on behalf of Alisa Somera, Land Use and Transportation Committee. Please respond directly to Alisa Somera.

Regards,

Lisa Lew

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org



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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

Lew, Lisa (BOS)

From: Lew, Lisa (BOS)
Sent: Tuesday, March 06, 2018 4:11 PM
To: Ionin, Jonas (CPC)
Cc: Rahaim, John (CPC); Starr, Aaron (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Rodgers, AnMarie (CPC); Lynch, Laura (CPC); Navarrete, Joy (CPC); Somera, Alisa (BOS)
Subject: BOS Referral: File No. 180185 - Planning Code, Zoning Map - Central South of Market Special Use District
Attachments: 180185 PC.pdf

Hello,

The following legislations are being referred to your department pursuant to Planning Code, Section 302(b) for public hearing and recommendation:

File No. 180185

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

Sent on behalf of Alisa Somera, Land Use and Transportation Committee. Please respond to Alisa Somera.

Regards,

Lisa Lew
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org



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