

BOARD of SUPERVISORS



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MEMORANDUM

Date: July 26, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 240787
Planning Code, Zoning Map - Central SoMa and Transit Center District Commercial Development Requirements

[X] California Environmental Quality Act (CEQA) Determination

(California Public Resources Code, Sections 21000 et seq.)

[X] Ordinance / Resolution

[] Ballot Measure

CEQA Clearance under Memorandum to File for Case File Nos. 2011.1356E (Central SoMa Plan EIR), 2007.0558E and 2008.0789E (Transit Center District Plan and Transit Tower EIR), October 16, 2024. Re: 2024-006988PCAMAP and 2024-007906GRA Central SoMa and Transit Center District Commercial Development Requirements

01/09/2025

[X] Amendment to the Planning Code, including the following Findings:

(Planning Code, Section 302(b): 90 days for Planning Commission review)

[X] General Plan [X] Planning Code, Section 101.1 [X] Planning Code, Section 302

[] Amendment to the Administrative Code, involving Land Use/Planning

(Board Rule 3.23: 30 days for possible Planning Department review)

[] General Plan Referral for Non-Planning Code Amendments

(Charter, Section 4.105, and Administrative Code, Section 2A.53)

(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

[] Historic Preservation Commission

[] Landmark (Planning Code, Section 1004.3)

[] Cultural Districts (Charter, Section 4.135 & Board Rule 3.23)

[] Mills Act Contract (Government Code, Section 50280)

[] Designation for Significant/Contributory Buildings (Planning Code, Article 11)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.



MEMORANDUM TO FILE

Date: October 16, 2024

To: Case File Nos. 2011.1356E (Central SoMa Plan EIR), 2007.0558E and 2008.0789E (Transit Center District Plan and Transit Tower EIR)

From: Debra Dwyer, Joy Navarrete, Principal Environmental Planners

Re: 2024-006988PCAMAP and 2024-007906GPA Central SoMa and Transit Center District Commercial Development Requirements [Board file No. 240787]

Background

On May 24, 2012, the Planning Commission certified the Final Environmental Impact Report (EIR) for the Transit Center District Plan and Transit Tower EIR under cases 2007.0558E and 2008.0789E. On May 10, 2018, the Planning Commission certified the Final Environmental Impact Report (EIR) for the Central SoMa Plan EIR under case 2011.1356E. Special use districts related to commercial development requirements were adopted as part of these two plans as discussed below.

Existing Law

The Central SoMa Special Use District, set forth in Planning Code Section 249.78, provides development controls for the central portion of the South of Market (SoMa) neighborhood. In particular, for development projects in the Special Use District south of Harrison Street on sites larger than 40,000 square feet that entail new construction or addition of 100,000 square feet or more, at least two-thirds of the Gross Floor Area of all building area below 160 feet in height shall be non-residential.

The Transit Center Commercial Special Use District, set forth in Planning Code Section 248, provides development controls for a portion of the C-3-O(SD) Zoning District in the downtown area around the Transbay Transit Center (Salesforce Transit Center). The special use district's primary control is a requirement that all new development on lots larger than 20,000 square feet in the Special Use District shall include not less than two gross square feet of principally or conditionally permitted commercial uses for every one-gross-square-foot of dwellings or other housing uses.

Proposed Amendments to the Planning Code

The proposed amendments ("proposed amendments") included in this Board of Supervisors ordinance (Board File 240787) proposes to remove from the Planning Code the requirement that certain development projects in the Central SoMa Special Use District must provide at least two-thirds of the Gross Floor Area of all building area below 160 feet in height for non-residential uses. The proposed amendments would also remove the Transit Center Commercial Special Use District from the Planning Code and Zoning Map in its entirety, including the requirement that certain

development projects shall include not less than two gross square feet of principally or conditionally permitted commercial uses for every one-gross-square-foot of dwellings or other housing uses.

As these are proposed amendments to the Planning Code and Zoning map, there would be no direct environmental impacts. However, the indirect impact of these changes would likely be less development of commercial office space as well as an increase in the development of residential uses.

As analyzed below, environmental impacts associated with these amendments would not result in new or more severe impacts than analyzed in the Central SoMa and Transit Center area plan EIRs.

Analysis

Generally, residential uses are less intensive and less impactful than commercial uses. Impacts that would not change regardless of development as commercial or residential use under the plans include construction-related impacts for transportation, air quality, and noise/vibration topics, and the construction-related mitigation measures would continue to apply to residential development under the plan, as applicable.

Pursuant to CEQA, this memorandum to file focuses specifically on the physical environmental effects that could result from implementing the proposed amendments, which in this case is transportation. The proposed amendments do not directly propose new housing development projects and thus, would not directly result in the construction of residential units. However, by allowing for residential use instead of commercial, the proposed amendments could encourage the production of a greater number of housing units at any given eligible site than would occur under existing land use controls within the Central SoMa and Transit Center area plans. In other words, the amendments would allow for a greater number of residential units to be included these areas than previously planned. Nonetheless, the proposed amendments would not increase projected demand for housing, nor would it change the total amount of residential growth (in terms of numbers of units) anticipated in the City. In addition, the Central SoMa and Transit Center area plan EIRs adequately analyzed growth that could occur pursuant to both the state density bonus program and the plans' own height bonus provision, and the resulting effects such as transportation, air quality, traffic noise, and water demand. Subsequent development projects in the plan areas would continue to undergo project-level CEQA review, as applicable, to determine whether or not they would result in significant environmental effects not disclosed in the EIRs as a result of any additional height increases or bulk modifications permitted under the state density bonus law. The state density bonus, as well as the plans' own height bonus provision, would be applied on a case-by-case and site-by-site basis and will have to be evaluated as such for any site-specific effects, such as shadow or wind impacts.

Transportation:

The Central SoMa and Transit Center District plan areas are classified as urban high density place types for travel demand and transportation analysis. In terms of the way people travel in this place type, for office use 24% of person trips are by auto (including for hire vehicles), 29% of trips are by transit, and 42% are walking trips. Whereas, for residential use 36% of person trips are by auto (including for hire vehicles), 28% of trips are by transit, and 38% are walking trips. Travel demand in terms of daily person trips associated with residential uses is 14% (3-4 bedroom units) to 71% (studio-1 bedroom units) below the daily person trips per 1,000 gross square feet (gsf) of commercial uses.

The proposed amendments could result in more projects being residential and qualifying for state density bonus (SDB). Although residential use is generally less intensive than commercial use, the proposed amendments in conjunction with SDB could result in larger developments i.e. residential square footage would be greater than the

commercial square footage it replaces. This could result in additional person trips than assumed in the EIRs. The transportation mitigation measures identified below to be carried out by SFMTA would be applicable regardless of the proposed amendments. In addition, the transportation mitigation measures applicable to development projects have demonstrated effectiveness at reducing impacts to less than significant. In addition, since it is not known how many projects would choose state density bonus and where those would be located, it is speculative to assume the amount of development under these amendments with SDB. Barring such speculation, one could assume that every eligible residential development site would employ the state density bonus. However, this approach would be likely to considerably overstate the number of residential units that would be developed. In reality, the state density bonus, as well as the plans' own height bonus provision, would be applied on a case-by-case and site-by-site basis and will have to be evaluated as such for any site-specific effects, such as transportation impacts.

To be conservative, but also realistic, the analysis below assumes there could be additional person trips with the proposed amendment.

Vehicle Miles Traveled: The entire plan areas for both the Central SoMa Plan and the Transit Center District Plan meet the map-based screening for vehicle miles traveled (VMT) for residential use. Daily VMT for the transportation analysis zones within the plan areas are substantially below the threshold of 15 percent below the regional average VMT per capita for residential use. Therefore, the indirect VMT impact related to additional residential development instead of commercial would be less than significant.

Transit: The EIRs identified a significant and unavoidable public transit delay impacts, and identified mitigation measures to address this impact to be implemented by the City (including the Planning Department and the SFMTA) and by sponsors of proposed developments (Central SoMa, M-TR-3a, Transit Enhancements; TCDP, M-TR-3a: Installation and Operation of Transit-Only and Transit Queue-Jump Lanes and M-TR-3c: Transit Improvements on Plan Area Streets). The SFMTA would be responsible for implementing transit safety, reliability, and travel time savings regardless of the removal of requirements for commercial development. In addition, development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues would not substantially affect public transit operations on the public right-of-way. Mitigation measure M-TR-6a: Driveway and Loading Operations Plan (DLOP) applies to projects over 100,000 gsf of development regardless of use. Mitigation measure M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones, requires the SFMTA to develop a curb management strategy for Central SoMa. The SFMTA completed a curb management strategy for the City to identify the approach for addressing the best use of the curb. In addition, development projects greater than 100,000 gsf must also implement a passenger loading zone. These measures would continue as required even if there is more residential use in the plan areas. For the above reasons, the proposed amendments would not alter the conclusions in the final EIR with respect to the significance of transit delay impacts.

Traffic hazards: Development of subsequent residential and non-residential projects under the Central SoMa Plan or the Transit Center District Plan would not introduce unusual design features that would result in traffic hazards. The EIRs acknowledged that these plans would bring more people into the areas, which would result in an increase in the potential for conflicts between vehicles, bicyclists, and pedestrians. The potential for conflicts increases with an increase in the number of roadway users as could occur with the code amendments. However, an increased potential for conflicts by itself does not represent a traffic hazard. Both plans call for implementation of street network changes (e.g., cycle tracks, sidewalk widening, transit-only lanes) that would reduce the potential for vehicle-pedestrian and vehicle-bicycle conflicts by designing the streets for all modes, enhancing sight lines and visibility, and reducing motor

vehicle travel speeds. Removal of requirements for projects to include commercial use, and therefore, potentially increase residential development would not change this conclusion.

Pedestrians and Bicycles. Both plans identify streetscape improvements within the plan areas, including improved bicycle facilities and safety improvements for pedestrians consistent with the City's Vision Zero policy. These improvements would be implemented by the City but could also be made as part of a private development's streetscape plan for compliance with the Better Streets Plan, if applicable.

Loading: The removal of the requirement to include commercial use and result in increase residential use would not alter the analysis or conclusions with respect to loading impacts in either EIR. Under both plans, mitigation identifies that SFMTA would be responsible for ensuring adequacy of on-street loading spaces (Central SoMa - M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones; TCDP, M-TR-7b: Augmentation of On-Street Loading Space Supply). In addition, project sponsors for projects over a certain size would be required to implement management of onsite loading facilities (Central SoMa M-TR-6a: Driveway and Loading Operations Plan; TCDP M-TR-5: Garage/Loading Dock Attendant and M-TR-7a: Loading Dock Management) regardless of whether the development is commercial or residential use.

For all of the above reasons, the proposed amendments would not alter the conclusions in the final EIR with respect to the significance of transportation and circulation impacts.

Based on the above, the proposed amendments to the Planning Code would not result in new environmental impacts, substantially increase the severity of the previously identified environmental impacts, nor require new or revised mitigation measures. Furthermore, mitigation and improvement measures that were applicable to the Central SoMa and Transit Center area plan EIRs would apply with the proposed amendments. As such, all environmental impacts that would result from the proposed amendments to the Planning Code (both construction and operational) would have the same conclusions as were disclosed in the final EIRs for the Central SoMa Plan and Transit Center District Plan.

Conclusion

San Francisco Administrative Code Section 31.19(c)(1) states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter." Thus, for the reasons outlined above, this memorandum to file provides sufficient documentation that the proposed amendments do not warrant additional environmental review.