BOARD of SUPERVISORS

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MEMORANDUM

Date: July 7, 2026

To: Planning Department/Planning Commission

From: John Carroll, Assistant Clerk, Land Use and Transportation Committee

Subject: Board of Supervisors Legislation Referral - File No. 260770
Planning Code; Zoning Map - Potrero Power Station Special Use District

☒ California Environmental Quality Act (CEQA) Determination
(California Public Resources Code, Sections 21000 et seq.)
- ☒ Ordinance / Resolution
- ☐ Ballot Measure

☒ Amendment to the Planning Code, including the following Findings:
(Planning Code, Section 302(b): 90 days for Planning Commission review)
☒ General Plan ☒ Planning Code, Section 101.1 ☒ 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.

[Planning Code; Zoning Map - Potrero Power Station Special Use District]

Ordinance amending the Planning Code and Zoning Map for the Potrero Power Station Special Use District (SUD) to increase height limits and modify the land use, parking, rooftop appurtenance, building design, and building approval requirements applicable to the SUD; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.
Images added are surrounded by a border.
Images deleted are surrounded by a border, with diagonal strikethough.

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

Section 1. Environmental and Land Use Findings

(a) On January 30, 2020, by Motion No. 20635, the Planning Commission certified as adequate, accurate, and complete the Final Environmental Impact Report ("FEIR") for the Potrero Power Station Mixed-Use Development Project (the "Project") pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), the CEQA Guidelines (14 Cal. Code Regs. Sections 15000 et seq.), and Chapter 31 of the Administrative Code, and made certain environmental findings, including adoption of a Mitigation Monitoring and Reporting Program ("MMRP") and a Statement of

Overriding Considerations. A copy of Planning Commission Motion No. 20635 is on file with the Clerk of the Board of Supervisors in File No. 200040.

(b) On _____, the Planning Department published an Addendum to the FEIR finding that certain proposed changes to the Project, including amendments to the Planning Code, Zoning Map, Design for Development, and the Project's development agreement, did not change the conclusions of the FEIR because the environmental impacts of these actions were adequately identified and analyzed under CEQA in the FEIR, and the proposed amendments would not result in any new or more severe environmental impacts than were identified previously. The Planning Department also amended the MMRP through the Addendum. A copy of the Addendum is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference. In accordance with the actions contemplated herein, this Board has reviewed and considered the FEIR and Addendum and adopts and incorporates by reference the findings and the revisions to the MMRP in the Addendum as though fully set forth herein. This Board concurs with the Planning Department's analysis and conclusions, and finds that the actions contemplated herein are within the scope of the Project described and analyzed in the FEIR and Addendum.

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

(d) Pursuant to Planning Code section 302, this Board finds that these Planning Code amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____, and the Board adopts such reasons

as its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

Section 2. Article 2 of the Planning Code is hereby amended by revising Section 249.87, to read as follows:

SEC. 249.87. POTRERO POWER STATION SPECIAL USE DISTRICT.

(a) **Purpose and Boundaries.** ~~*A Special Use District entitled the "*~~*The* Potrero Power Station Special Use District~~"~~ (the SUD) is ~~*hereby established,*~~ generally bounded by 22nd Street and the southern portion of the newly created Craig Lane to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west, in the southeast part of San Francisco. The precise boundaries of the SUD are shown on Sectional Map SU08 of the Zoning Map. The purpose of the SUD is to implement the land use controls for the Potrero Power Station Mixed-Use *Development* Project, which is subject to ~~*a*~~ *the* Development Agreement, *as defined in subsection (f).* ~~*approved by the Board of Supervisors in the ordinance contained in Board File No. 200040 _____.*~~ The Project will provide several benefits to the City, such as a significant amount of publicly accessible open space and Community Facilities, increased public access to the waterfront, neighborhood-serving retail, extensive infrastructure improvements, and affordable housing, while creating jobs, housing, and a vibrant community.

(b) **Role of the Port.** Within the SUD, certain open space properties are subject to the jurisdiction of the Port of San Francisco. The Developer will develop, operate, and maintain the public parks and open spaces subject to the Public Trust in accordance with a lease with the Port. A copy of the lease with the Port is on file with the Clerk of the Board of Supervisors in Board File No. 200217.

(c) **Relationship to Other Planning Code Provisions.** Applicable provisions of the Planning Code shall control except as otherwise provided in this Section 249.87. If there is a conflict between other provisions of the Planning Code and this Section 249.87, this Section 249.87 shall prevail. *Other provisions of the Planning Code shall be deemed to conflict with this Section 249.87 if such provisions create additional or different requirements than described in this Section 249.87 for a specific category of land use or building control.*

(d) **Relationship to Design for Development.** The Design for Development, *as defined in subsection (f),* ~~*adopted by the Planning Commission by Motion No. 26038 on January 30, 2020, and as may be periodically amended,*~~ sets forth design and land use standards and guidelines applicable within the SUD. ~~*A copy of the Design for Development is on file with the Clerk of the Board of Supervisors in Board File No. 200040.*~~ Any capitalized term in this Section 249.87~~,~~ and not otherwise defined in this Section or elsewhere in the Planning Code shall have the meaning ascribed to it in the Design for Development. This Section, *the* remainder of the ~~*the*~~ Planning Code, and the Design for Development shall be read and construed together so as to avoid any conflict to the greatest extent possible. If there is a conflict between the Design for Development and either this Section or the remainder of the Planning Code, this Section or the other provision of the Planning Code shall prevail. Subject to Section 249.87(c), if a later amendment to any provision of the Planning Code, including this Section 249.87, results in a conflict with the Design for Development, such amended Planning Code provision shall prevail*, to the extent permitted by the Development Agreement*. Amendments to the Design for Development may be made by the Planning Commission *or the Planning Director*, but if there is a conflict between an amendment to the Design for Development and this Section or the remainder of the Planning Code, as applicable, this Section or other provision of the Planning Code shall prevail unless and until such time as this Section or the remainder of the Planning Code is amended to be consistent with the amendment to the Design for Development.

(e) **Relationship to the Development Agreement.** This Section 249.87 shall be read and construed consistent with the Development Agreement, and all development within the Project Site that is subject to the Development Agreement shall satisfy the requirements of the Development Agreement for so long as the Development Agreement remains in effect. *Nothing in this Section 249.87 shall affect the rights and obligations of the City and the Developer under the Development Agreement as the Development Agreement relates to the application of changes of law (including changes to the Planning Code and this Section 249.87) to the Project, to the extent such changes of law are determined to be a conflicting New City Law as defined under the Development Agreement.*

(f) **Definitions.** For purposes of this Section 249.87, the following definitions shall apply. If not expressly superseded by definitions set forth in this subsection (f), all definitions of the Planning Code shall apply.

"100% Affordable Housing Project" means a building for which 100% of the Residential Uses are Dwelling Units that are restricted to a maximum sales or rental price that is affordable to households earning 150% of Area Median Income or less for Owned Units, and 130% of Area Median Income or less for Rental Units, with the exception of the manager's unit.

"Apparent Face, Maximum" means the maximum length of any unbroken plane of a given building elevation.

"Base (Podium)" means the lower portion of a midrise or highrise tower that extends vertically to a height of up to ~~*90*~~ *138* feet.

~~*"Bicycle Cage / Storage Room" means a location that provides bicycle storage within an enclosure accessible only to building residents, non-residential occupants, and employees.*~~

"Block" means an area of land bounded by public or private *right-of-way* ~~*Right-of-Way*~~ and/or park.

~~*"Building" has the same meaning as "Building Project."*~~

"Building Project" *or "Building"* means the construction of a building or group of buildings undertaken as a discrete project distinct from and not ~~*a part of*~~ the overall Project.

"Building Standards" means the standards applicable to Building Projects and any associated privately-owned open spaces within the SUD, consisting of the standards specified in subsection (h) below and the standards and guidelines identified as such in the Design for Development. It does not mean Building Code requirements under either the California, the San Francisco, or the Port Building Codes, which this Section 249.87 and the Design for Development do not override.

"Cart" means a mobile structure used in conjunction with food service and/or retail uses, that operates intermittently in a publicly accessible open space, and that is removed daily from such open space during non-business hours.

"City" means the City and County of San Francisco.

"Community Facility" has the meaning ~~*as*~~ set forth in Planning Code Section 102 as amended from time to time, except that it also includes transit support facilities.

~~*"Corner" means the first 30 feet extending from the intersection of two right-of-ways or a right-of-way and an open space along the Frontage of a building.*~~

"Design for Development" *or "D4D"* means the Potrero Power Station Design for Development adopted by Planning Commission Motion No. 26038, *and as amended and restated by Planning Commission Motion No. _____, and* as may be *further* amended from time to time. *A copy of the amended and restated Design for Development is on file with the Clerk of the Board of Supervisors in Board File No. _____.* The Design for Development is incorporated into this Section 249.87 by reference.

"Developer" *has the meaning set forth in the Development Agreement.* ~~*means the California Barrel Company, LLC, a Delaware limited liability company, or its successor(s).*~~

"Development Agreement" means the Development Agreement *originally* by and between the City and the *California Barrel Company LLC* ~~*Developer*~~, relative to the Project, approved by the Board of Supervisors by the ordinance in Board File No. 200040, *and amended and restated in the ordinance in Board File No. 260724,* as ~~*the Development Agreement*~~ may be *further* amended from time to time.

"Floorplate" means the gross area of a given floor of a building as bounded by the exterior walls of a floor, without any exclusions or deductions otherwise permitted under the definition of Gross Floor Area.

"Frontage" means the vertical exterior face or wall of a building and its linear extent that is adjacent to or fronts on a street, right-of-way, or open space.

"Gross Floor Area" has the meaning set forth in Planning Code Section 102 for C-3 districts, except that the following exemptions from that definition shall not apply to any new construction, and shall apply only to existing buildings on the Project Site that are rehabilitated or reused as part of the Project such as Unit 3 or Station A: (1) ground floor area devoted to building or pedestrian circulation and building service, and (2) space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of area workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75% of the area of the ground floor of the building plus the ground level, on-site open space.

"Kiosk" means a structure that is set upon the ground and is not attached to a foundation, such as a shipping container, trailer, or similar structure, from which food service and/or retail business is conducted. A Kiosk operates in a publicly accessible open space, and remains in place until the business operation is terminated or relocated.

"Major Modification" means a deviation of ~~*10%*~~ *15%* or more from any dimensional or numerical standard in the Planning Code, including in this Section 249.87 or in the Design for Development, except as explicitly prohibited per subsection (k) below.

~~*"Micro-Retail" means Retail Sales and Service Uses that are 1,000 gross square feet or smaller.*~~

"Mid-Block Alley" means a publicly-accessible alley that runs the entire length of the Block, generally located toward the middle of the subject Block, and perpendicular to the subject Frontage, and connecting to any existing streets and alleys. A Mid-Block Alley may be open to both pedestrian and vehicular traffic, and must have at least 60% of the area of the alley open to the sky*, except that an above-grade pedestrian connection is permitted as set forth in the Design for Development*.

~~*"Mid-Block Passage" means a publicly-accessible passage that runs the entire length of the building, generally located toward the middle of the subject Block, perpendicular to the subject Frontage, or diagonal across the Block, and connecting to any existing streets and alleys. A Mid-Block Passage is accessible only to pedestrians and may be completely covered.*~~

"Minor Modification" means a deviation of less than ~~*10%*~~ *15%* from any *applicable* dimensional or numerical standard in the Planning Code, including in this Section 249.87 or in the Design for Development, except as explicitly prohibited per subsection (k) below, or any deviation from any non-numerical standard in the Design for Development. Minor Modification also includes a deviation of *any size* ~~*greater than 10% resulting from changes to the following Planning Code sections enacted after the Effective Date of the Development Agreement: the*~~ *from any applicable dimensional or numerical applicable standard related to the size or location of curb cuts or vehicular building entrances per Section 6.20 of the Design for Development (except where such curb cuts or vehicular entrances are prohibited by the Design for Development, in which case a Major Modification would be required); ground floor uses per Section 3.2 of the Design for Development*

(including, without limitation, active ground floor uses per Section 3.2.3 of the Design for Development); dwelling unit exposure per Section 6.1.3 of the Design for Development; building projection requirements per Section 136; car share parking requirements per Section 166; freight loading requirements per Section 154; bicycle parking requirements per Section 155; and shower and locker requirements ~~*of*~~ *per* Section 155.4~~*, if the aforementioned deviations are commensurate with avoiding (1) displacement of any required ground floor uses (including PDR) per subsection (g)(8), (2) displacement of building or mechanical service areas necessary for the operation of the building, or (3) a new obligation that would require the construction of a subsurface floor that would otherwise not be constructed.*~~

"Privately-Owned Community Improvement" means those facilities and services that are privately-owned and privately-maintained, at no cost to the City (other than any public financing set forth in the Financing Plan, Exhibit C to the Development Agreement), for the public benefit, but not dedicated to the City. *Privately-Owned Community Improvements are further defined in the Development Agreement and Design for Development.* ~~*Privately-Owned Community Improvements include certain pedestrian paths, alleys (such as Craig Lane), storm drainage facilities, open spaces, and community or recreation facilities to be built on land owned by the Developer, or on land owned by the City subject to the appropriate permits.*~~

"Project" means the Potrero Power Station Mixed-Use *Development* Project.

"Project Site" means the approximately 29-acre site comprised of the various subareas shown on Figure 249.87-1 that is within the Special Use District.

"Projection" means a part of a building surface that extends outwards from the primary façade plane. Projections may include balconies, bay windows, and other architectural features. Projections may extend into the building Setback or the public *right-of-way.* ~~*Right-of-Way.*~~ A Projection that extends into the public right-of-way is also an Encroachment.

"Public Trust" refers to tidal and submerged lands subject to the jurisdiction of the Port and held in trust for the common use by the people for commerce, navigation, and fisheries.

"Setback" means the required or actual distance between the vertical edges of a building above a specified height, or between the vertical edge of a building and the property line. The Setback may either start at grade creating an open space between the property line and the primary built structure, or it may start above a specified height for the purpose of bulk reduction in the mass of the building. The ground area created by a Setback imposed at the ground floor level may be dedicated for public use or may be private space between the public *right-of-way* ~~*Right-of-Way*~~ and the building mass.

~~*"Social Spaces" means areas that are communal and shared within a building used by building users, such as fitness rooms, workshops for hands-on projects and to conduct repairs, leasing offices, shared kitchens, resident libraries or reading rooms, community rooms, children's playrooms and classrooms, which may also serve as general assembly rooms, communal kitchens, conference rooms, employee break rooms, and waiting areas.*~~

"Streetwall" means a continuous façade of a building and/or buildings along a street Frontage.

~~*"Transparent Frontage" means the condition in which glass, glazing, a window, or other building feature allows visibility into the building interior. "Transparent Frontage" does not include heavily tinted or highly mirrored glass.*~~

"Upper Building (Tower)" means the portion of a midrise or highrise tower above the Base.

(g) **Uses.**

(1) **Potrero Power Station Special Use District Zoning Designations.** As shown on the Zoning Map, the Potrero Power Station Special Use District is coterminous with

the Potrero Power Station Mixed Use District (PPS-MU)~~,~~ and the Public Trust Property zoned Public (P). This Special Use District in Section 249.87 and other Sections referenced herein establish all zoning controls for the PPS-MU district.

(2) **Permitted Uses.** The following Uses set forth in Table 249.87-1: Potrero Power Station Land Uses shall be permitted within the different Blocks of the SUD shown in Figure 249.87-1, where P means Permitted Use, ~~*and*~~ NP means Non-permitted Use, *and C means subject to approval by the Planning Commission as a conditional use as provided in Section 303 of this Code*.

Figure 249.87-1 Potrero Power Station Land Use Plan

22ND STREET
SAN FRANCISCO BAY
13
14
1
2
3
4
CRAIG LANE
GEORGIA STREET
LOUISIANA STREET
HUMBOLDT STREET
5
15
7
8
9
11
12
23RD STREET
"STACK"
Residential
Office/ Life Science/ Laboratory*
Hotel and/or Residential
Potential District Parking Garage and Publicly Accessible Rooftop Soccer Field Location
Open Spaces
Project Site Boundary
Notes:
*Non-Retail Sales and Services Uses and/or Life Science/ Laboratory Uses will be permitted on Blocks 2, 3, 11, 12 and 15 so long as one or more of the aforementioned blocks is primarily Laboratory.

Table 249.87-1: Potrero Power Station Land Uses*

Power Station Blocks	Residential Uses	Institutional Uses	Retail Sales and Service Uses	Non-Retail Sales and Service (including Office Uses)	Entertainment, Arts, and Recreation Uses	PDR Uses **	Laboratory Uses**	Life Science Uses	Utility and Infrastructure Uses	Parking ~~Garage, Public~~	***Public Facility***

Block 1	P*(15)*	P(1)	P(2)(7)~~(16)~~ *(14)*	P(8)	P(3)(9)	P*(4)*~~(5)~~	NP	NP	~~*NP(12)*~~*P(6)*	P~~*(14)*~~*(12)*	*P*
Block 2	NP	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(13)*~~	P(3)(9)	P*(4)*~~*(5)*~~	P~~*(13)*~~	P~~*(13)*~~	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 3	NP	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(13)*~~	P(3)(9)	P*(4)*~~*(5)*~~	P~~*(13)*~~	P~~*(13)*~~	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 4	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P(8)	P(3)(9)	P*(4)*~~*(5)*~~	NP	NP	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 5	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(8)*~~	P(3)(9)	P*(5)*~~*(4)*~~	*P* ~~*NP*~~	*P* ~~*NP*~~	~~*NPP(12)*~~(6)	P~~(14)~~*(12)*	*P*
Block 6	Block Omitted from Land Use Plan										
Block 7	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P(8)	P(3)(9)	P*(4)*~~*(5)*~~	NP	NP	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 8	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P(8)	P(3)(9)	P*(4)*~~*(5)*~~	NP	NP	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 9	P*(15)*	P(1)	P(10) ~~*(16)*~~*(14)*	P(8)	P(3)(11)	P*(4)*~~*(5)*~~	NP	NP	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 10	Block Omitted from Land Use Plan										
Block 11	NP	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(13)*~~	P(3)(9)	P(4)	P~~*(13)*~~	P~~*(13)*~~	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 12	~~*NP*~~ *P(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(13)*~~	P(3)(9)	P(4)	P~~*(13)*~~	P~~*(13)*~~	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 13	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P(8)	P(3)(9)	P(4)	NP	NP	~~*NPP(12)*~~(6)	P~~*(14)*~~*(12)*	*P*
Block 14	P*(15)*	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P(8)	P(3)(9)	P*(4)*~~*(5)*~~	NP	NP	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
Block 15	NP	P(1)	P(2)(7) ~~*(16)*~~*(14)*	P~~*(13)*~~	P(3)(9)	P*(4)*~~*(5)*~~	P~~*(13)*~~	P~~*(13)*~~	~~*NP(12)*~~*P(6)*	~~*NPP(12)*~~	*P*
The Stack	NP	NP	P(2) ~~*(16)*~~*(14)*	NP	P(3)	NP	NP	NP	~~*NP(12)*~~*P(6)*	NP	*P*
Public and Private Open Space	NP	NP	P~~*(15)*~~*(13)*	NP	NP	NP	NP	NP	~~*NPP(6)*~~	NP*(12)*	*P*

Notes

* This Special Use District shall not become operative as to Block 13~~*, Block 14, and a portion of Block 1,*~~ until the occurrence of a specified condition set forth in Section ~~*6*~~ *5* of the ordinance in Board File No. 260770 ~~*200039*~~, ~~*enacting*~~ *amending* this Section 249.87.

*** To the extent not explicitly enumerated, the list of permitted PDR and Laboratory Uses shall include prototyping, light manufacturing, and testing for robotics, sensors, and other specialized technologies.*

(1) *Institutional Healthcare Uses are P except inpatient Hospital buildings are NP.* ~~*Hospital is NP.*~~ *If building is majority Residential, Institutional Healthcare Uses are* P at basement, ground floor, and mezzanine only ~~*for majority Residential buildings*~~; provided that Residential Care Facility and Child Care Facility are permitted on all floors. *Majority shall be measured by total Gross Floor Area.*

(2) Hotel is NP.

(3) Livery Stable~~s~~ ~~*are*~~ *is* NP.

(4) Automobile Assembly, Agricultural and Beverage Processing *1*, Arts Activities, Business Services, Catering, Light Manufacturing, Metal Working, Trade Shop, Wholesale Sales are P at the basement level, ground floor, 2nd floor, and mezzanine only. Other PDR Uses are NP.

(5) *Automobile Assembly,* Agricultural and Beverage Processing *1*, Light Manufacturing, Arts Activities, Business Services, Catering, *Metal Working,* Trade Shop and Wholesale Sales are P. ~~*at the basement level, ground floor, 2nd floor, and mezzanine only.*~~ *Other PDR Uses are NP.*

(6) *Internet Service Exchange and other data center uses are C on Block 5.* Public Utility Yard and Storage Yards are P *on Blocks 5 and 13. Wireless Telecommunications Services (WTS) Facility Macro and WTS Facility Micro are P on all Blocks, Public and Private Open Spaces, and the Stack. All other Utility and Infrastructure Uses are NP*.

(7) P at the basement level, ground floor, mezzanine, and 2nd floor only.~~; on~~ *On* Blocks 2, 3, *5 (if Block 5 is majority non-residential), 9 (if Block 9 is majority non-residential),* 11, 12 *(if Block 12 is majority non-residential)*, and 15, ~~*and Block 9 if Block 9 is majority non-residential,*~~ Bar, Tourist Oriented Gift Store, Specialty Grocery, Gym, Liquor Store, Limited Restaurant, Restaurant, and Retail Personal Service Uses are P on rooftops.~~;~~ ~~*other*~~ *Other* Retail *Sales and Service* Uses are NP on rooftops. *Majority shall be measured by total Gross Floor Area.*

(8) P at the basement level, ground floor, and mezzanine only.

(9) P at the basement level, ground floor, mezzanine, and 2nd floor.~~; on~~ On Blocks 2, 3, *5 (if Block 5 is majority non-residential), 9 (if Block 9 is majority non-residential)* 11, 12 *(if Block 12 is majority non-residential)*, and 15,~~ and Block 9 if Block 9 is majority non-residential,~~ Arts Activities, General Entertainment, Nighttime Entertainment, Open Recreation Area, Outdoor Entertainment, and Passive Outdoor Recreation Uses are P on rooftops.~~; other~~ *Other* Entertainment, Arts, and Recreation Uses are NP on rooftops. *Majority shall be measured by total Gross Floor Area.*

(10) Hotel is P. Bar, Tourist Oriented Gift Store, Specialty Grocery, Gym, Liquor Store, Limited Restaurant, Restaurant, and Retail Personal Service Uses are P on rooftops.~~; other~~ *Other* Retail *Sales and Service* Uses are NP on rooftops. ~~Only one rooftop bar shall be permitted on Block 9.~~ If building is majority Residential, P at the basement level, ground floor, mezzanine, 2nd floor, ~~and~~ 3rd floor*, penthouse floor, and rooftop* only.

(11) If building is majority non-residential, P on all floors and rooftop, provided that only Arts Activities, General Entertainment, Nighttime Entertainment, Open Recreation Area, Outdoor Entertainment, and Passive Outdoor Recreation Uses P on rooftops.~~; other~~ *Other* Entertainment, Arts, and Recreation Uses are NP on rooftops. If building is majority Residential, P at the basement level, ground floor, mezzanine, 2nd floor, and 3rd floor only.

~~*(12) Wireless Telecommunications Services (WTS) Facility, Macro and Wireless Telecommunications Services (WTS) Facility, Micro are P.*~~

~~*(13) Consistent with the Phasing Plan of the Development Agreement, one or more of Blocks 2, 3, 11, 12, or 15 must be deed restricted for Life Science/Laboratory Uses.*~~

(~~14~~12) ~~Up to one District Parking Garage is permitted but not required and may be located only on Blocks 1, 5, or 13. The maximum amount of parking that may be located in the Garage is subject to the parking maximums for the Project as built, less the amount of parking that is developed in each individual building. The maximum height of the Parking Garage shall be 90 feet. The rooftop of~~

~~*the District Parking Garage shall be used as a publicly accessible recreational sports field.*~~ *At or above-grade parking garages and accessory structures intended to serve below-grade parking are permitted on any Block. Below-grade parking garages are permitted on any Block and below certain Open Spaces, as described in the Design for Development. All parking may be accessory or non-accessory. The maximum amount of parking permitted within the Project shall be determined by applying the parking ratios set forth in Table 249.87-3 to the uses within the Project. Parking spaces may be located on any Block within the Project and may be developed and owned independently of any particular use or building. The total number of parking spaces provided throughout the Project shall not exceed the maximum amount of parking permitted pursuant to Table 249.87-3, subject to subsection (n)(4).*

(~~15~~*13*) Only Carts and Kiosks permitted.

(~~16~~*14*) Self Storage Uses are conditionally permitted.

(15) Intermediate Length Occupancy (ILO) Dwelling Units are P. ILO units shall not be subject to the requirements of Sections 202.10(a), 202.10(b)(1)-(b)(3), and 202.10(c)-(d). No more than 200 ILO units are permitted across all Blocks.

(3) **Temporary Uses.** Temporary Uses are permitted consistent with Planning Code Sections 205.1 through 205.4, subject to the following:

(A) Temporary Uses listed in Section 205.1(d) may be authorized for a period of up to 180 days. Retail Sales and Service Uses as well as Entertainment, Arts, and Recreation Uses that are permitted as a ~~*principal*~~ *Principal* Use pursuant to Table 249.87-1 may be authorized for a period of up to 180 days as a Temporary Use.

(B) Temporary *Uses* ~~*uses*~~ listed in Section 205.3 may be authorized for a period *of* up to 72 hours per event for up to 12 events per year.

(C) Carts may be permitted as Temporary Uses pursuant to Section 205.4.

~~*(4) **Carts and Kiosks.** Any approved Carts and Kiosks shall only be permitted in the numbers reflected in Table 249.87-2, shall not block accessible paths of travel or areas for Emergency Vehicle Access, and shall have a footprint of 200 square feet or less. Kiosks are permitted in the same manner as other permanent uses.*~~

~~***Table 249.87-2 Standards for Location of Carts and Kiosks***~~

~~*USE/LOCATION*~~	~~*LOUISIANA PASEO*~~	~~*POWER STATION PARK*~~	~~*HUMBOLDT STREET PLAZA*~~	~~*BLOCK 9 OPEN SPACE*~~	~~*STACK PLAZA*~~	~~*WATERFRONT PARK*~~
~~*Cart (not larger than 200 square feet)*~~	~~*Limit of 1 in this open space*~~	~~*Limit of 2 in this open space*~~	~~*Limit of 1 in this open space*~~	~~*Not permitted*~~	~~*Not permitted*~~	~~*Limit of 3 in this open space*~~
~~*Kiosk (not larger than 200 square feet)*~~	~~*Limit of 1 in this open space*~~	~~*Limit of 1 in this open space*~~	~~*Limit of 1 in this open space*~~	~~*Not permitted*~~	~~*Not permitted*~~	~~*Limit of 1 in this open space*~~

(~~5~~4) **Interim Uses.** Prior to completion of the Project, ~~*certain interim uses*~~ *Interim Uses* may be authorized for a period not to exceed five years by the Planning Director, without a public hearing if the Planning Director finds that such Interim Use will not impede orderly development consistent with this Section 249.87, the Design for Development, and the Development Agreement. Any authorization granted pursuant to this subsection 249.87(g)(~~5~~4) shall not exempt *an applicant* ~~*Applicant*~~ from obtaining any other permit required by law. Additional time for such uses may be authorized upon a new application for ~~*the proposed*~~ *any approved* Interim Use. *Interim parking uses shall not be subject to the requirements of Planning Code Section 142.* Permitted Interim Uses shall include, but are not limited to:

(A) Retail Sales and Services;

(B) Entertainment, Arts, and Recreation, including but not limited to temporary art installations, exhibits, and sales, recreational facilities and uses (such as play

and climbing structures and outdoor fitness classes), and temporary structures to accommodate ~~*events*~~ *permitted Uses* (such as stages, seating, and support facilities for patrons and operations);

(C) Public and Private Parking Lots, if accessory to other *principally or conditionally* permitted *Uses*, ~~*temporary*~~*Temporary Uses, or Interim Uses*~~*, or interim uses*~~;

(D) PDR;

(E) Educational activities, including but not limited to after-school day camp and activities;

(F) Site management service, administrative functions, and customer amenities and associated loading;

(G) Rental or sales offices incidental to new development; ~~*and*~~

(H) Trailers, recreational vehicles, or other temporary housing for construction workers, seasonal labor, or other workforce employment needs*; and*~~.~~

(I) Any Interim Uses permitted by Planning Code Section 205.

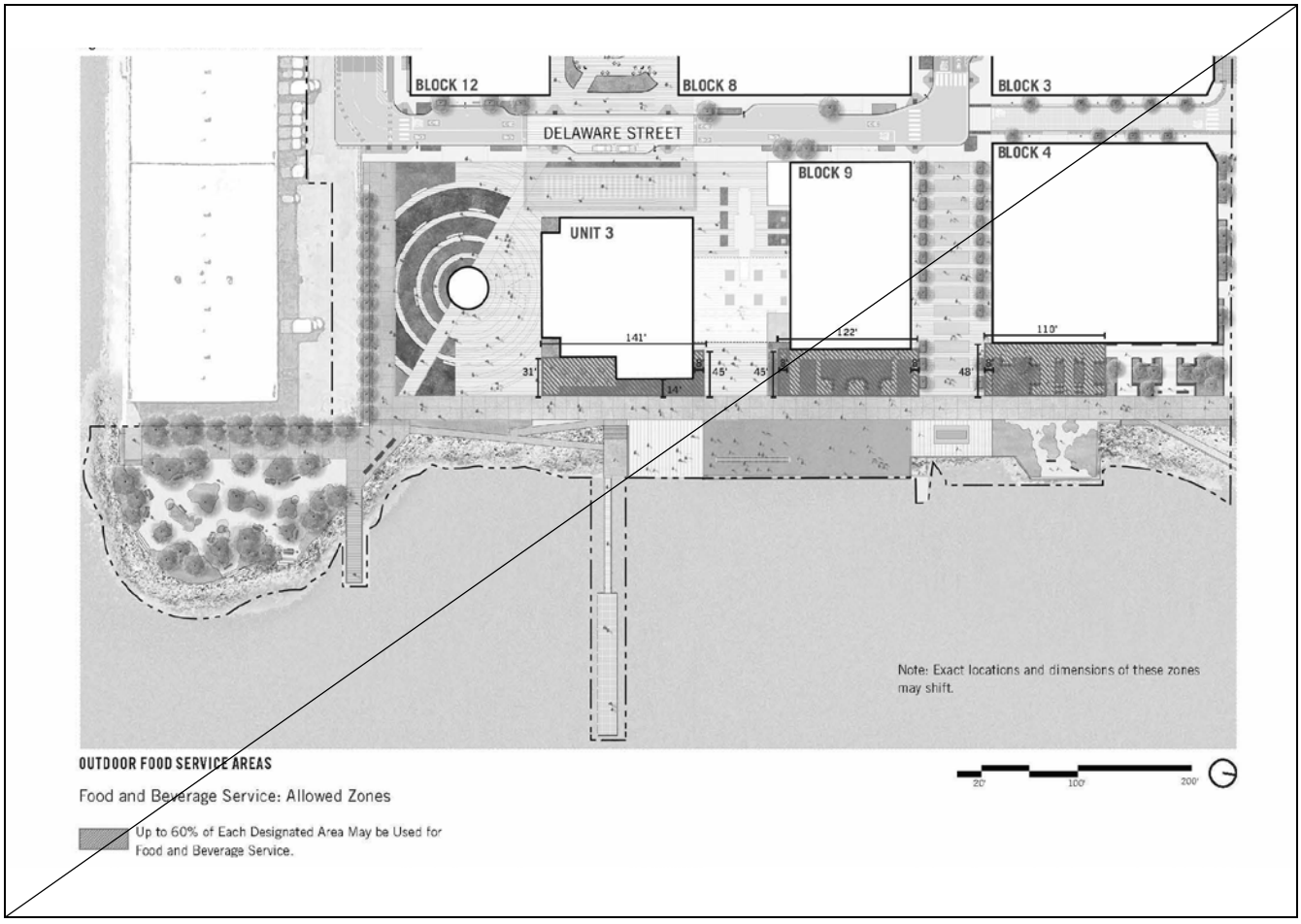
(~~*6*~~*5*) **Outdoor Activity Areas.** *Outdoor Activity Areas as defined in Section 102 are permitted.*

~~*(A) Outdoor Activity Areas as defined in Section 102 are permitted.*~~

~~*(B) **Waterfront Outdoor Food Service Areas.** Permanent, semi-permanent and movable furnishings such as tables, chairs, umbrellas, heat lamps, and fire pits for eating and drinking use shall be permitted on the east side of the buildings constructed on Blocks 4 and 9. The shaded areas in Figure 249.87-2 indicate potential locations for this use. Food service areas must remain clear of the Blue Greenway at all times. Within these areas, up to 60% of the area may be reserved for exclusive use by eating and drinking establishments during business hours. This reserved area may be contiguous. The remainder of these areas shall also feature similar seating amenities, shall be open to the public and shall not require patronage of any eating and drinking establishment. Public seating*~~

~~*should be of high quality and differentiated from reserved seating at adjacent eating and drinking establishments. Signage shall be provided to clearly indicate that public seating is open to the public without having to patronize the eating and drinking establishment.*~~

~~***Figure 249.87-2 Waterfront Park Outdoor Food Service Areas***~~



(~~7~~6) **Nonconforming Uses.** Nonconforming uses and structures may be continued and are otherwise subject to Sections 181-183 and 188 of the Planning Code.

(*~~8~~*7) **Ground Floor Use Requirements.** Within this SUD, only the ground floor controls contained in the *Design for Development* ~~*SUD*~~ shall apply. *Requirements for* Ground Floor Uses ~~*shall be consistent with*~~ *in* Section 145.1 *shall not apply.*~~*, subject to the following:*~~

~~*(A) **Active Uses**: Consistent with subsection (g)(8)(C), only the following Uses shall be considered an active uses: Retail Sales and Service Use; PDR Use; Institutional Use; Entertainment, Arts, and Recreation Use; Non-Retail Sales and Service Use; and Residential Use; and Lobbies up to 40 feet in width or 25% of building frontage, whichever is larger. With the exception of space for parking and loading access, building egress, and access to mechanical systems, space for active uses must be provided within the first 25 feet of building depth on the ground floor for 100% of the shaded Active Use, Priority Retail, and Priority PDR Frontage zones identified in Figure 249.87-3, unless specified otherwise in subsection (g)(8)(C).*~~

~~*(B) **Active Uses for Active Lane Frontages.** In addition to the active uses permitted under subsection (g)(8)(A), the following shall be considered an active use for areas shown as Active Lane Frontages in Figure 249.87-3: building insets of at least 4 feet in depth at the ground floor for pedestrian amenities, including permanent, semi-permanent, and movable furnishings such as tables, chairs, umbrellas; and Public Art, such as a wall mural, at least 15 feet in height measured from ground level.*~~

~~*(C) **Active Use Requirements:***~~

~~*(i) Non-Retail Sales and Service Use and any accessory mail rooms and bicycle storage rooms that have direct access to the street or lobby space (whether accessory to Residential, Office or any other use) may collectively occupy up to a maximum of 50% of the building Frontage.*~~

~~*(ii) Non-Retail Sales and Service Use and Institutional Use shall provide Social Spaces (as defined in this Section 249.87).*~~

~~*(iii) Dwelling Units shall have direct access to a street or public open space.*~~

~~*(iv) Micro-Retail Uses shall be provided within the first 10 feet of building depth.*~~

~~*(v) Social Spaces, including those provided pursuant to subsection (g)(C)(ii)1 shall be provided within the first 15 feet of building depth, at the front of the space, and oriented toward the street.*~~

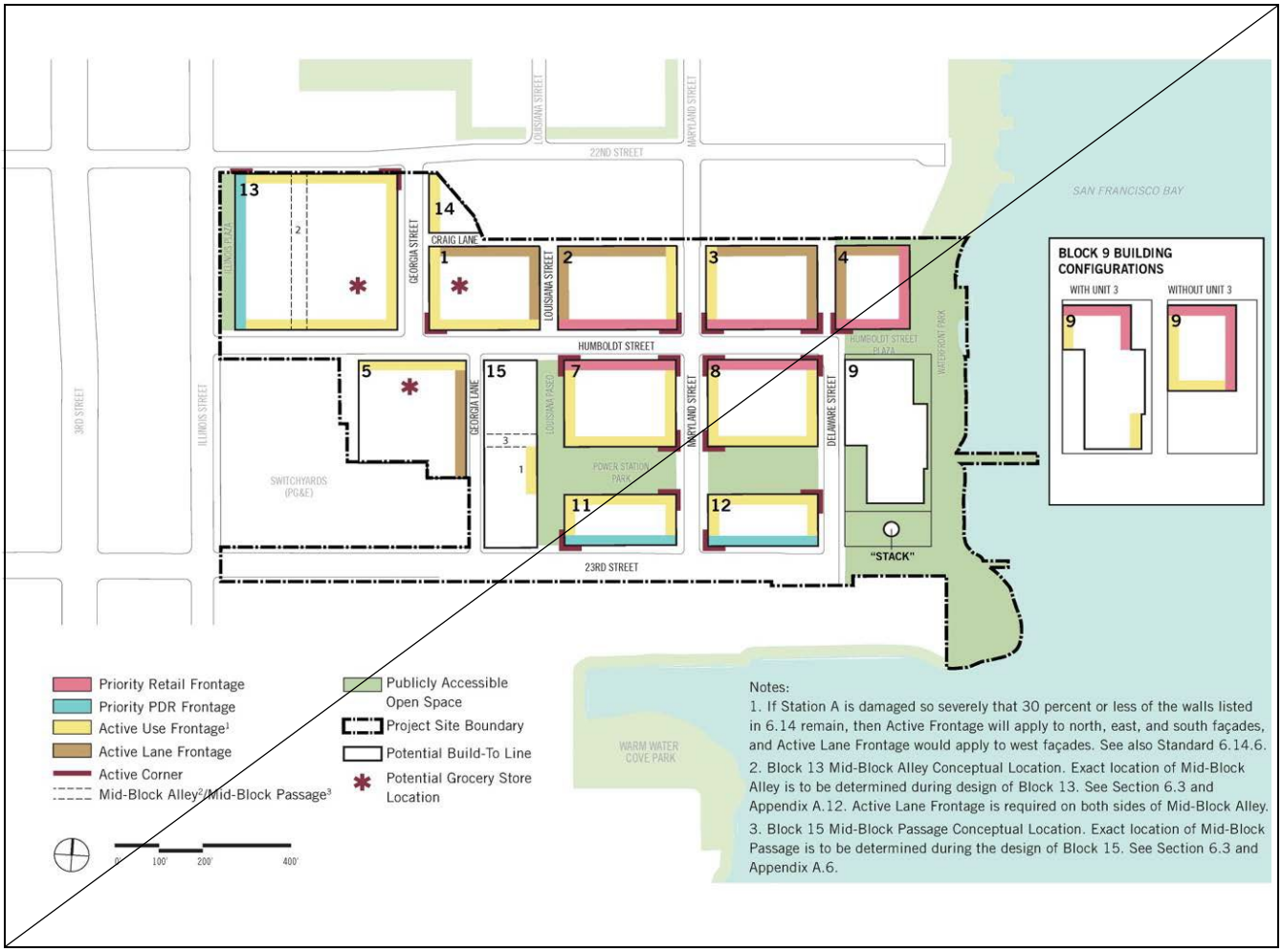
~~*(vi) Within Priority Retail Frontage zones, a minimum of 50% of the active uses shall be Retail Sales and Service Uses to a depth of 40 feet.*~~

~~*(vii) Within Priority PDR Frontage zones, a minimum of 75% of the active uses shall be PDR Uses to a depth of 40 feet, except that if Childcare and/or Community Facilities are provided within the subject Priority PDR Frontage(s), then a minimum of 50% of the active uses shall be limited to PDR uses.*~~

~~*(viii) Within Active Lane Frontages, a minimum of 20% of the Frontage shall contain Active Uses for Active Lane Frontages as described in subsection (g)(8)(B) of this SUD.*~~

~~*(ix) Within Active Corners, as shown in Figure 249.87-3, only the following active uses are permitted for a minimum of 30 feet of the Frontage from each corner: (1) Retail Sales, and Service Use; (2) Entertainment, Arts, and Recreation Use; and (3) Community Facility Use.*~~

~~***Figure 249.87-3: Ground Floor Uses***~~



(h) **Building Standards.** Building Standards shall be as follows, unless modified in accordance with subsection (k) below.

(1) **Dwelling Unit Density.** There shall be no residential density limit or maximum floor area ratio within the SUD.

(2) **Required Residential Dwelling Unit Mix.**

(A) No less than 30% of the total number of proposed dwelling units in each building or phase in a Development Phase Approval shall contain at least two bedrooms.

Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

(B) No less than ~~*10%*~~ *5%* of the total number of proposed dwelling units *required to contain at least two bedrooms* in each building or phase in a Development Phase Approval shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. Units counted towards this requirement ~~*may*~~ *will* also count towards the requirement for units with two or more bedrooms as described in subsection (A) above.

(C) The dwelling unit mix requirement in this subsection (h)(2) shall not apply to *100% Affordable Housing Projects or* buildings for which 100% of the Residential Uses are: Group Housing, ~~*Dwelling Units that are restricted to a maximum sales or rental price that is affordable to households earning 150% of Area Median Income or less for Owned Units and 130% of Area Median Income for Rental Units,*~~ Single Room Occupancy (SRO) Units, Student Housing, or housing specifically and permanently designated for seniors or persons with physical disabilities, including units to be occupied by staff serving any of the foregoing Residential Uses.

(3) **Building Height Limits.**

(A) **Measurement of Height.** Building heights are to be measured from the highest point of finished grade along the property line of the ~~*parcel*~~ *Parcel* on which the building is located, up to the highest point of the uppermost structural slab in the case of a flat roof; or up to the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form.

(B) **Maximum Building Height.** For purposes of the SUD, the height limits shall be as set forth in Section Map HT08 of the Zoning Map and as further limited and detailed in Figure ~~*249.87-4*~~ *249.87-2*: Building Height Maximums, and as further governed by

this Section 249.87. The following rooftop elements may project above given height limits without regard to horizontal area with the condition that:

~~*(i) On rooftops between 45 feet and 100 feet in height, rooftop elements greater than four feet in height must be set back at a minimum ratio of 1.2 feet in a horizontal dimension from the roof edge for every one foot that they exceed the maximum height limit;*~~

(~~*ii*~~*i*) On Upper Building rooftops, mechanical features must be screened or enclosed;

(~~*iii*~~*ii*) Enclosed structures designed for human occupancy may not exceed 25% of the total roof area of a building (including roof areas of the same building at different elevations);

(~~*iv*~~*iii*) The sum of the horizontal areas of the following rooftop elements may not exceed 40% of the total horizontal area of the roof of the building, and may project for the number of feet above the permitted height limit as follows:

a. Elevator, stair and mechanical penthouses, and other mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, such as chimneys, ventilators, plumbing vent stacks, and/or cooling towers together with visual screening for any such features, all up to 20 feet in height. Elevators, stair and mechanical penthouses may exceed 20 feet in height as required by the California Code of Regulations.

b. ~~*On the roof of majority Residential buildings, structures*~~ *Structures* related to the recreational use of the rooftop (e.g., greenhouses, sheds for the storage of furniture or equipment, hot tub enclosures, changing rooms, etc.) up to 16 feet in height.

c. On the roof of majority non-residential buildings, Retail structures up to 16 feet in height containing one or more of the uses permitted in

Table 249.87-1. ~~*Any enclosed space for these uses shall not exceed 5,000 square feet of Gross Floor Area and, other than on Block 9, shall be accompanied by one square foot of Publicly Accessible Open Space for each square foot of Gross Floor Area.*~~

d. Enclosed restrooms up to 10 feet in height.

e. On the roof of Block 8, Dwelling Units up to maximum height of 16 feet.

(~~*v*~~*iv*) On buildings that contain ~~*majority*~~ Laboratory*, PDR, Internet Service Exchange, or data center uses,* ~~*Use,*~~ mechanical features necessary to building operations ~~*related to Laboratory facilities*~~ may exceed 40% of the horizontal area of the roof provided they do not contain space for human occupancy;

(~~*vi*~~*v*) The following rooftop elements may project above given height limits without regard to horizontal area:

a. Non-occupied architectural features, including non-permeable wind screens, up to 10 feet in height on buildings between 45 and 100 feet *in height* ~~*(with a minimum Setback of five feet from the roof edge)*~~ and up to 20 feet *in height* on Upper Buildings above the maximum permitted building height, except on Block 7, where these features may extend up to 10% vertically above the maximum permitted building height;

b. Unenclosed structures related to unroofed publicly accessible recreation facilities, such as sports fields and swimming pools, ~~*including lighting required for the nighttime enjoyment of rooftop fields,*~~ all up to 60 feet in height, and/or fencing, goal boxes and other sports equipment, netting or other semi-transparent enclosure necessary for the safe enjoyment of unroofed recreation facilities, all up to 30 feet in height;

c. Furniture and other unenclosed features intended to allow for the habitable use of the rooftop, including, but not limited to tables, chairs, umbrellas, lighting, canopies, lattices, sunshades, and trellises, all up to a height of 10 feet;

d. Photovoltaic panels;

e. Equipment and appurtenances necessary to Living Roofs as defined in Planning Code Section 149;

f. Wireless Telecommunications Services Facilities and other antennas, ~~*dished*~~ *dishes* and towers and related screening elements;

g. Landscaping features, with a maximum height of 48 inches for planters or other non-plant materials;

h. Trees and plants;

i. Decking, up to three feet in height;

j. Flagpoles and flags;

k. Cranes, scaffolding, and batch plants erected temporarily at active construction sites; ~~*and*~~

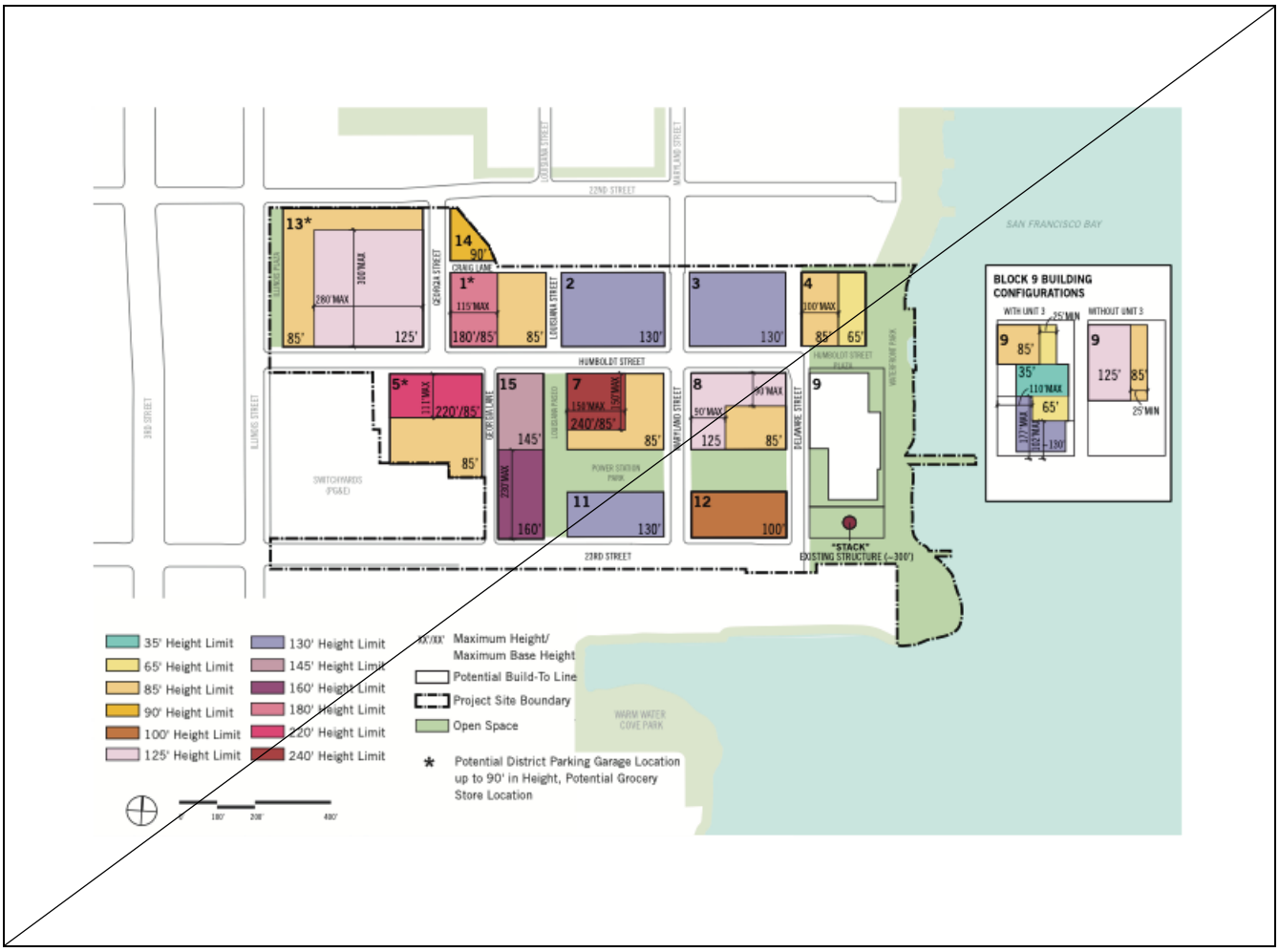
l. Railings, parapets, and catwalks, up to four feet in height *or as otherwise required to meet Building Code requirements for an occupiable roof; and*~~.~~

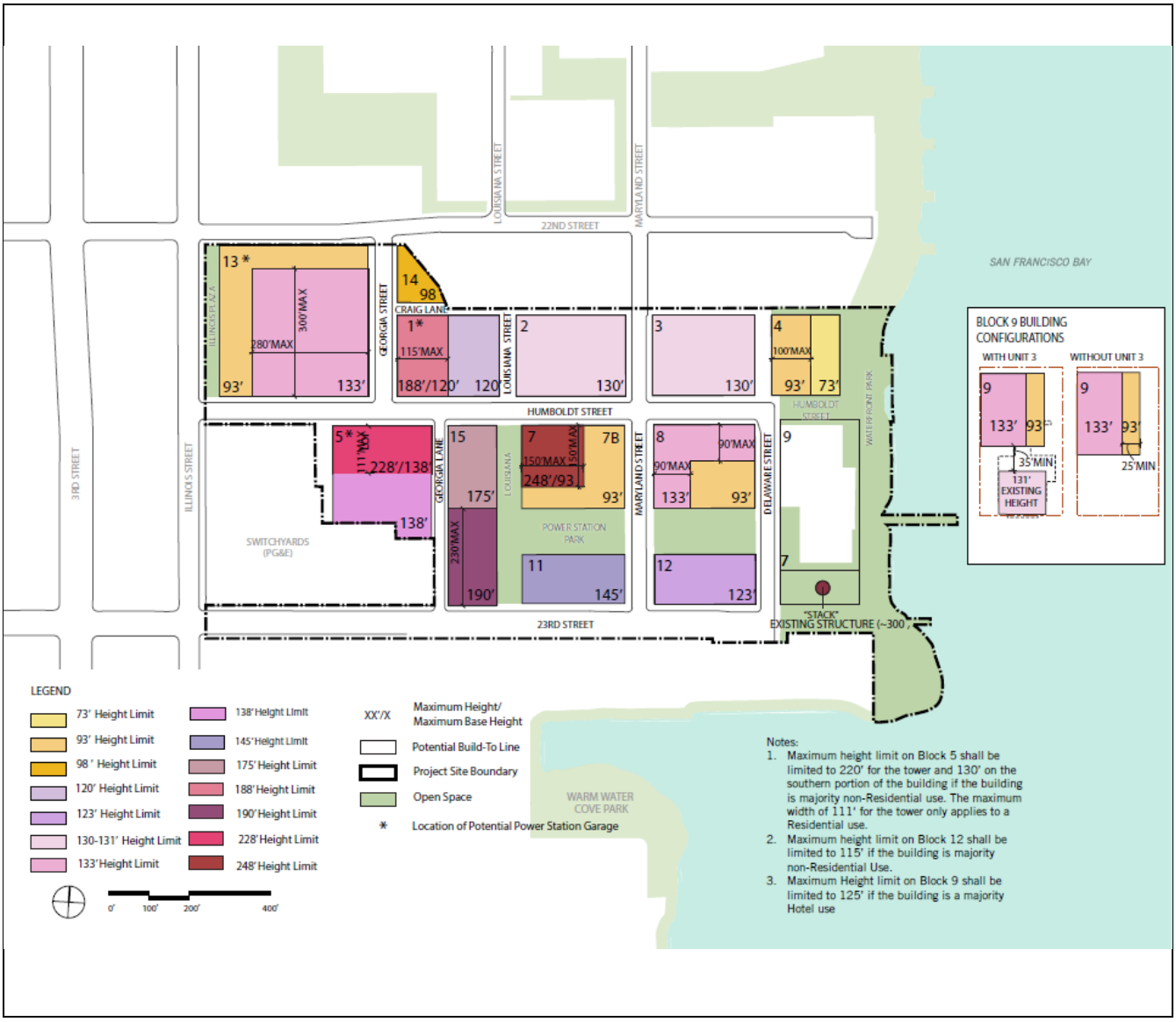
m. On Unit 3, structures up to 15 feet in height that support the use of Unit 3 as a viewing platform or any other permitted Use, including elevated seating, landscaping, and circulation areas.

(vii) Permitted above-grade pedestrian connections for Turbine Plaza*, and any other above-grade pedestrian connection permitted under the Design for Development*.

(C) **Height of Existing Structures.** The existing heights for Unit 3 (131 feet) and the Stack (300 feet) are permitted. In the event that the Stack collapses or is otherwise damaged beyond repair, permitted heights shall be those applicable to open space. ~~*Should Unit 3 be demolished, the height limit for Block 9 shall be 125/85 feet, as set forth on Sectional Map HT08 of the Zoning Map and as further limited and detailed in Figure 249.87-4.*~~

Figure ~~*249.87-4*~~ *249.87-2*: Building Heights Maximum


22ND STREET
HUMBOLDT STREET
23RD STREET
SAN FRANCISCO BAY
BLOCK 9 BUILDING CONFIGURATIONS
WITH UNIT 3
WITHOUT UNIT 3
"STACK"
EXISTING STRUCTURE (~300')
35' Height Limit
65' Height Limit
85' Height Limit
90' Height Limit
100' Height Limit
125' Height Limit
130' Height Limit
145' Height Limit
160' Height Limit
180' Height Limit
220' Height Limit
240' Height Limit
XX'/XX' Maximum Height/ Maximum Base Height
Potential Build-To Line
Project Site Boundary
Open Space
Potential District Parking Garage Location up to 90' in Height, Potential Grocery Store Location



(4) **Bulk.** The following bulk controls, summarized in Table ~~*249.87-3*~~ *249.87-2*, apply only to building heights greater than 145 feet: the Upper Buildings of the midrise towers on Block 1, and the highrise towers on Blocks 5 and 7. For purposes of this subsection a midrise tower is a building between 146 and ~~*180*~~ *188* feet in height and a highrise tower is a building between ~~*181*~~ *191* and ~~*240*~~ *248* feet in height. *Bulk controls in Planning Code section 270 or in this subsection (h)(4) shall not apply to Block 15 with or without Station A; Bulk controls for*

Block 15 with or without Station A shall be governed by the Design for Development. ~~*Unless otherwise stated, these controls do not apply to Block 15 with or without Station A.*~~

(A) The maximum average Floorplate of the Upper Building is defined as the sum of the area of all of the Floorplates of the Upper Building, divided by the number of floors in the Upper Building.

(B) The Maximum Plan Dimension of an Upper Building is the greatest plan dimension parallel to the longest side of the building at any given level of the Upper Building. The Maximum Diagonal Dimension of an Upper Building is the greatest horizontal distance between two opposing points at any level of the Upper Building. Maximum Plan and Maximum Diagonal Dimension do not apply to balconies, cornices, decorative Projections, unenclosed building elements, or other unenclosed obstructions permitted by Planning Code Section 136.

(C) The Maximum Apparent Face shall be a maximum of 120 feet of the Upper Building. The Maximum Apparent Face shall be offset with a change in plane of at least five feet in depth. This change in plane must be accompanied by a change in height of the roof form (which may be a reduction or increase in the height of the roof screen) of at least five feet and/or a change in material. The required change in plane may occur by curving the face of the building.

(D) For buildings with curved façades, on those portions of the façade that are curved, the Maximum Apparent Face shall be measured as the plan dimension between the end points of each arc. If the building is a circle or ellipse, the Maximum Apparent Face shall be measured as the longest diameter of the circle or ellipse.

~~*(E) For Block 15 without Station A, the building above the 65-foot setback shall achieve a 15% average reduction in square footage for all floors. The reduction shall apply relative to*~~

~~*a baseline floorplate of 47,089 square feet (i.e. the footprint of Station A) for construction up to 145 feet and a baseline floorplate of 24,955 square feet for construction between 145 feet and 160 feet.*~~

~~*(F) Sculpting of Vertical Addition to Station A on Block 15. New construction of a vertical addition to Station A on Block 15 is subject to the building height maximums for Block 15 shown on Figure 249.87-4, and shall achieve a 15% reduction in overall exterior volume for all mass above the existing Station A walls. The reduction shall apply relative to a baseline floorplate of 47,089 square feet (i.e. the footprint of Station A) for construction up to a height of 145 feet, and a baseline floorplate of 24,955 square feet for construction between 145 feet and 160 feet in height.*~~

~~*(i) Assuming the existing Station A walls are an average of 65 feet in height, the overall volume allowed above shall be calculated as follows:*~~

~~*A*~~	~~*Floorplate up to 145' x height between Station A walls and 145' = volume A*~~	~~*47,089 square feet x 80 feet = 3,767,120 cubic feet*~~
~~*B*~~	~~*Floorplate above 145' x height above 145' = volume B*~~	~~*24,955 square feet x 15 feet = 374,325 cubic feet*~~
~~*C*~~	~~*A + B = total volume*~~	~~*3,767,120 cubic feet + 374,325 cubic feet = 4,141,445 cubic feet*~~
~~*D*~~	~~*C x 0.85 = maximum buildable volume*~~	~~*4,141,445 cubic feet x 0.85 = 3,520,228 cubic feet*~~
~~*E*~~	~~*C x 0.15 = required volumetric reduction*~~	~~*4,141,445 cubic feet x 0.15 = 621,217 cubic feet*~~

~~*(ii) The 15% reduction may be achieved by providing setbacks, a Vertical Hyphen, or a combination of these or other sculpting strategies. Where a Vertical Hyphen is utilized as a design element, it shall be at least 10 feet in depth and at least one story in height beginning at the height of the cornice of the existing walls of Station A.*~~

~~*(iii) A project applicant may request and the Planning Director may grant a waiver from the 15% reduction requirement if the Planning Director determines that new*~~

~~*construction on Block 15 above the height of the Station A walls demonstrates superior design quality consistent with the provisions of this Section 249.87 and with the following sculpting purposes:*~~

~~*a. Differentiation in mass from the existing Station A structure below;*~~

~~*b. Reduction in mass to ensure that development on Block 15 does not overwhelm adjacent open spaces and sensitively responds to its immediate context, including adjacent structures, streets, open spaces, and to the existing walls of Station A itself, and;*~~

~~*c. Sculpting of the mass with an architectural expression that distinguishes Block 15 as a high-quality, character-defining element of the site's urban design.*~~

~~*(iv) Projections in new construction above the existing Station A walls are permitted per Planning Code Section 136 for Streets, Alleys, and Useable Open Space, except that such projections shall be measured from the outer face of the existing Station A wall that faces a street, alley, or open space.*~~

~~*(v) To allow for the possibility of a design response that results in a superior design consistent with the provisions of this Section 249.87, particularly Section 249.87(h)(4)(F)(iii), the Planning Director may approve projections on the eastern wall of Station A (facing Louisiana Paseo and Power Station Park) that deviate from Planning Code Section 136 provided that no projection extends farther than 10 feet beyond the outer face of the existing Station A walls, and projections are limited to no more than 25% of the square footage of the building face above the existing Station A walls.*~~

Table ~~*249.87-3*~~ *249.87-2*: Summary of Bulk Controls and Separation Requirements

	LOWRISE & MIDRISE BUILDINGS (UP TO 145' IN HEIGHT)	**MIDRISE TOWER ON BLOCK 1 (146'-~~*180'*~~ *188'* IN HEIGHT)**	**MIDRISE TOWER ON BLOCK 15 (~~*146'-160'*~~ *175-190'* IN HEIGHT)**	**HIGHRISE TOWERS ON BLOCKS 5 AND 7 (~~*181'-240'*~~ *191' – 248'* IN HEIGHT)**

UPPER BUILDING BULK CONTROLS				
Maximum Average Floorplate	N/A	12,000 gross square feet	See D4D Standard 6.5.1	12,000 gross square feet *(residential)* *25,000 gross square feet (commercial)*
Maximum Plan	N/A	150’	N/A	140’ *(residential)* *195’ (commercial)*
Maximum Diagonal	N/A	190’	N/A	160’ *(residential)* *220’ (commercial)*
Maximum Apparent Face	N/A	120’	N/A	120’ *(residential)* *175’ (commercial)*
Upper Building Separation	N/A	85’	115’	115’ *(residential)* *90’ (commercial)*

(5) **Upper Building Separation.** The applicable Upper Building separation requirements shall be as set forth in Table ~~*249.87-3*~~ *249.87-2*. Separation shall be measured horizontally from the building face of the subject Upper Building to the nearest building face of the closest Upper Building, exclusive of permitted obstructions pursuant to Planning Code Section 136 .

(6) **Streetwalls.** New buildings must provide a Streetwall for at least 65% of each Frontage from sidewalk grade to the required maximum Streetwall height as established in Figure ~~*249.87-5*~~ *249.87-3*. The Streetwall requirements of this subsection do not apply to the following:

(A) Existing buildings on the Project Site that are rehabilitated or reused as part of the Project (such as Unit 3 or Station A), including additions to such existing buildings;

(B) Pocket parks that extend at least 10 feet horizontally inward from the property line; or

(C) The Frontage of any new building facing Waterfront Park, ~~(including~~ Humboldt Street Plaza~~)~~, Power Station Park, or Louisiana Paseo, provided that deviations from the minimum 65% standard shall contribute to differentiated architecture.

(7) **Setbacks.** All building mass shall be set back from the building's Streetwall above a certain height, as summarized in Figure ~~*249.87-5*~~ *249.87-3* and further regulated below.

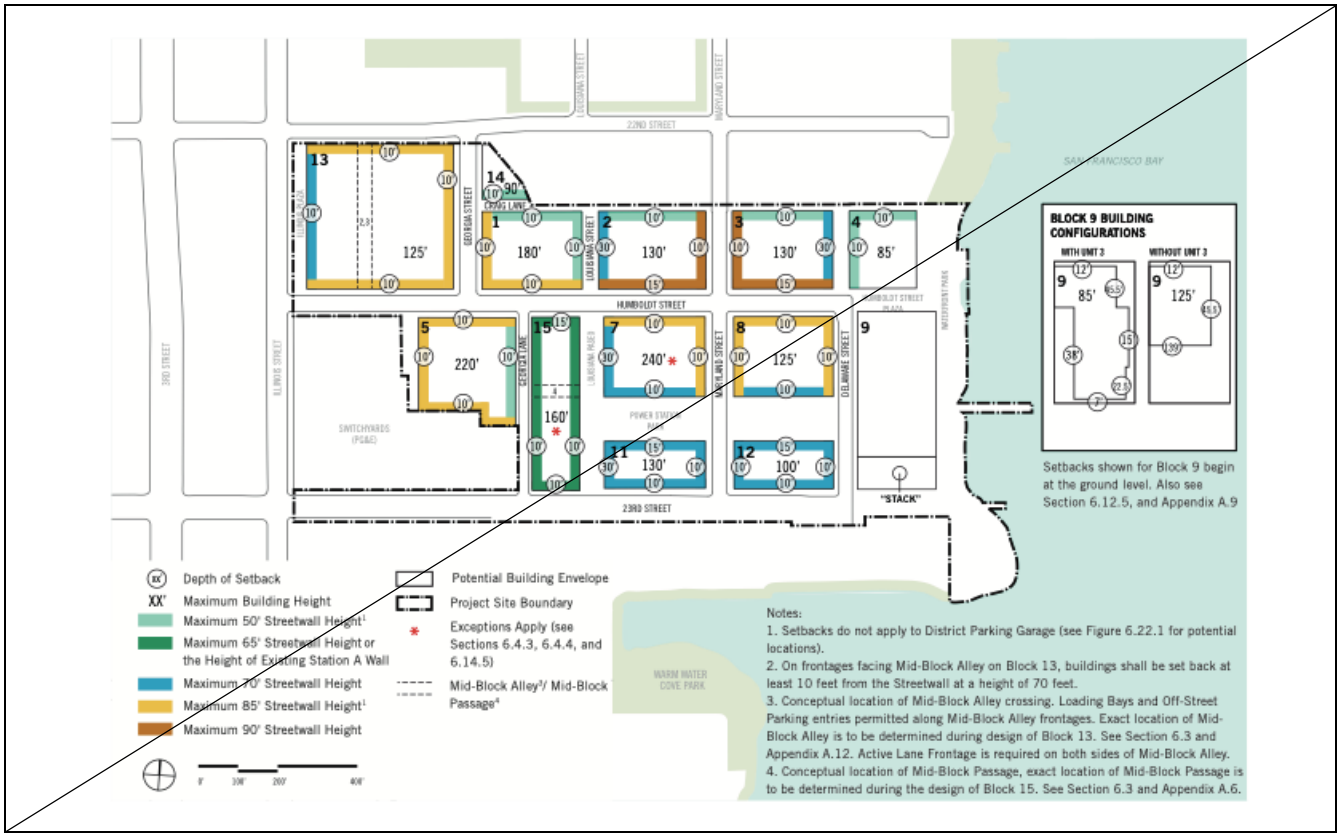
(A) Setbacks are not required along Mid-Block Alleys, except that, on Frontages facing the Mid-Block Alley on Block 13, buildings shall be set back at least 10 feet from the Streetwall at a height of 70 feet.

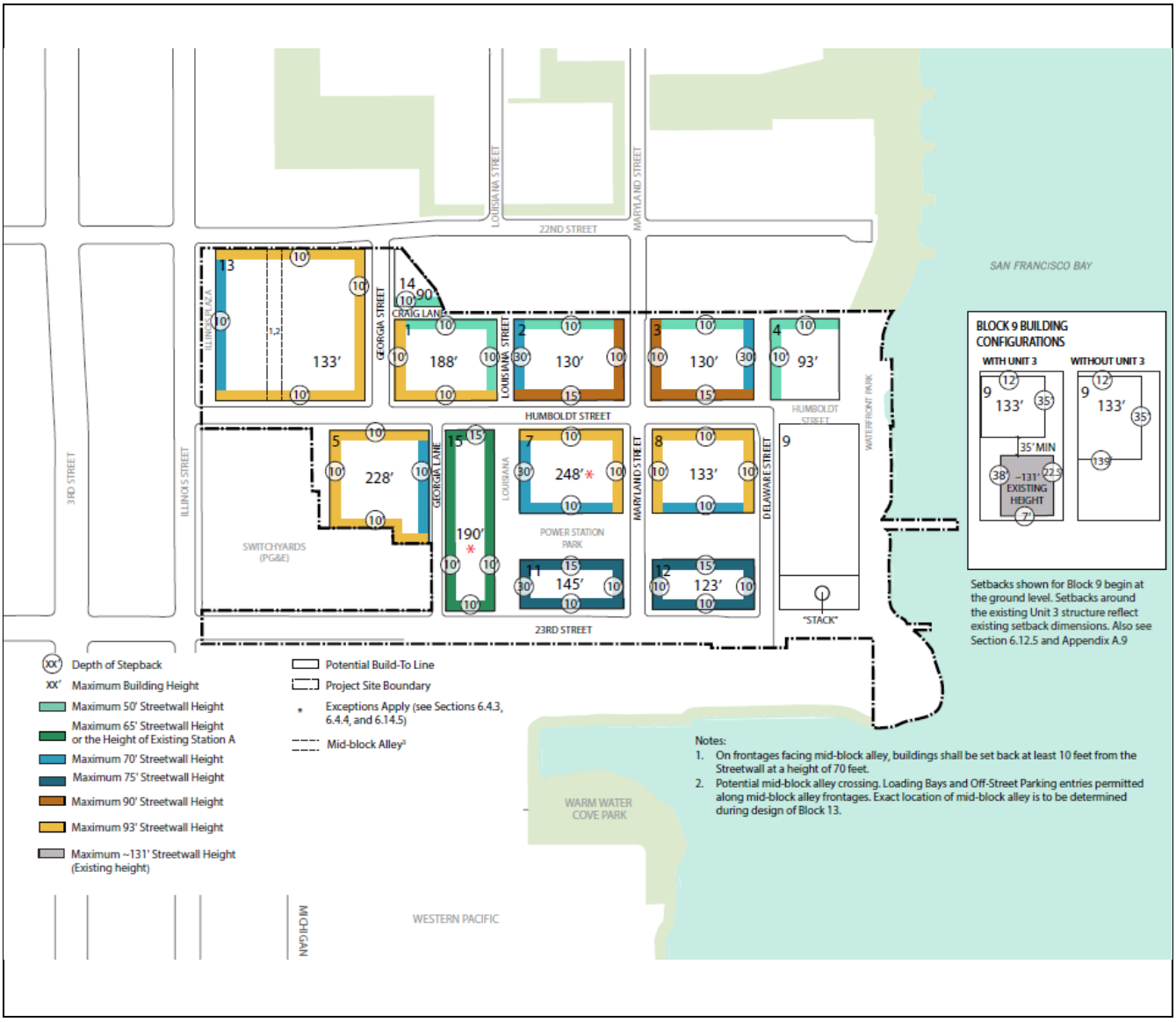
(B) The Setback requirements do not apply to the highrise tower on Block 7. Instead the highrise tower must be set back at least 15 feet in the horizontal dimension for at least 60% of the Upper Building's Frontages along Humboldt Street or Louisiana Paseo.

~~*(C) Setbacks are not required for the District Parking Garage.*~~

~~*(D) If the eastern wall of Station A is not retained, at least 60% of the eastern façade of Block 15 framed by the southern façade of Block 7 and the northern façade of Block 11 should include a volumetric projection of approximately 10 feet in plan from the primary façade of the building and that is at least 5 stories. The projection must provide a pedestrian passage way between Louisiana Paseo and Georgia Lane that is no less than 20 feet wide and 30 feet tall. If the projection reaches the ground floor, it must be permeable and open to pedestrians. Any building constructed within the Mid-Block Alley on Block 15 without Station A shall be set back at least five feet from the eastern and western faces of the building.*~~

Figure ~~*249.87-5*~~ *249.87-3*: Setbacks


22ND STREET
HUMBOLDT STREET
23RD STREET
SAN FRANCISCO BAY
125'
180'
130'
130'
85'
220'
160'
240'
125'
130'
100'
"STACK"
BLOCK 9 BUILDING CONFIGURATIONS
WITH UNIT 3
WITHOUT UNIT 3
85'
125'
Setbacks shown for Block 9 begin at the ground level. Also see Section 6.12.5, and Appendix A.9
Depth of Setback
Maximum Building Height
Maximum 50' Streetwall Height
Maximum 65' Streetwall Height or the Height of Existing Station A Wall
Maximum 70' Streetwall Height
Maximum 85' Streetwall Height
Maximum 90' Streetwall Height
Potential Building Envelope
Project Site Boundary
Exceptions Apply (see Sections 6.4.3, 6.4.4, and 6.14.5)
Mid-Block Alley/ Mid-Block Passage
Notes:
1. Setbacks do not apply to District Parking Garage (see Figure 6.22.1 for potential locations).
2. On frontages facing Mid-Block Alley on Block 13, buildings shall be set back at least 10 feet from the Streetwall at a height of 70 feet.
3. Conceptual location of Mid-Block Alley crossing. Loading Bays and Off-Street Parking entries permitted along Mid-Block Alley frontages. Exact location of Mid-Block Alley is to be determined during design of Block 13. See Section 6.3 and Appendix A.12. Active Lane Frontage is required on both sides of Mid-Block Alley.
4. Conceptual location of Mid-Block Passage, exact location of Mid-Block Passage is to be determined during the design of Block 15. See Section 6.3 and Appendix A.6.



(8) **Rear Yard.** There shall be no rear yard requirement within the Potrero Power Station Special Use District.

(9) **Usable Open Space *for Residential Uses*.** ~~*Usable open space shall be required for Residential Uses as follows: For each dwelling unit there shall be: (i) a minimum of 36 square feet of open space if private, or (ii) 48 square feet of open space if common. For Group Housing or Single Room Occupancy units, the minimum open space requirements shall be one-third the amount specified*~~

~~*in this subsection for a dwelling unit.*~~ *A minimum of 36 square feet of private or common open space shall be required for each dwelling unit, except that a minimum of 12 square feet of private or common open space shall be required for Group Housing or Single Room Occupancy units.* Required open space shall be on the same ~~*development block*~~ *Block* as the units it serves. To count as usable open space, the area credited on a deck, balcony, porch, or roof must either face a street, or face or be within an open area per Subsection 249.87(h)(10).

(A) **Common Open Space.** All common open space shall ~~*have a minimum 10 feet in every horizontal dimension and*~~ be unobstructed and open to the sky, except for obstructions permitted under Planning Code Section 136. Mid-Block Alleys may count as common open space provided that the *Mid-Block* Alley does not allow vehicular access. Common Open Space may be publicly accessible.

(B) **Private Open Space.** ~~*Private open space shall have a minimum dimension of six feet in every horizontal dimension.*~~ Private open space shall be directly accessible from the dwelling unit it serves.

(10) **Minimum Dwelling Unit Exposure.** All dwelling units shall face onto a public or private right- of-way, or onto an open area, defined as:

(A) A public street, *or* publicly accessible alley~~*, or Mid-Block Passage (public or private)*~~ at least 20 feet in width, ~~*that is*~~ unobstructed, and ~~*at least 60%*~~ open to the sky;

(B) A Mid-Block Alley;

~~*(B)*~~*(C)* An outer court or terrace that is open to a public street, public alley, Mid-Block Alley (public or private), or public open space and at least 25 feet in width;

~~*(C)*~~*(D)* An inner court which is unobstructed (except for obstructions permitted in Planning Code sections 136(c)(14), (15), (16), (19), and (20) and is no less than 40 feet in one horizontal dimension and 25 feet in the other horizontal dimension at the lowest

two floors which have dwelling units facing onto the inner court; ~~*The horizontal dimension that is at least 25 feet shall increase five feet at each subsequent floor;*~~

~~*(D)*~~*(E)* For below grade units, an open space at the same grade as the units, that is no less than 7.5 feet wide in every horizontal dimension, at least 136 square feet in area, and 60% open to the sky. Such open spaces shall face onto a street, alley or open space. Below grade units shall be *a* maximum *of* 6 feet below the grade of the street, alley or public open space.

(11) **Ground Floor Design.** *Within this SUD, Planning Code Sections 136.1, 145.1 145.4, and 145.5 shall not apply. Only the ground floor design controls of the Design for Development shall apply.*

~~*(A) **Ground Floor Height.** All non-residential ground floor spaces shall have a minimum floor-to-floor height of 15 feet as measured from grade. At least 30% of the cumulative PDR space pursuant to Figure 249.87-3 shall contain floor-to- floor heights of 17 feet.*~~

~~*(B) **Awnings and Canopies.** Awnings and canopies must be at least eight feet above sidewalk grade. Awnings that are more than 100 feet in length must be at least 15 feet above sidewalk grade. Awnings or canopies that are between eight and 15 feet above sidewalk grade may project up to 10 feet beyond the building facade (including into the public right of way). Awnings or canopies that are higher than 15 feet above sidewalk grade may project up to 15 feet beyond the building facade (including into the public right of way). In no instance shall any awning or canopy project beyond the width of the sidewalk they cover. Awnings and canopies shall be designed so as not to interfere with street tree canopy.*~~

~~*(C) **Transparent Frontages.** Portions of frontages that contain active uses per section 249.87(g)(8), other than Residential Units or PDR Uses, shall be fenestrated with transparent windows and doorways for not less than 60% of the street frontage at between two feet and 12 feet vertical above grade, and must allow visibility of at least four feet in depth inside of the building. PDR*~~

~~*frontages shall be fenestrated with transparent windows or doors for no less than 50% of the street frontage from sidewalk grade up to 12 feet vertical above grade, and must allow visibility of at least four feet in depth inside of the building. The use of dark, mirrored, or opaque glass shall not count toward the required transparent area. Ground-floor transparent frontage standards shall not apply to historic or adaptively-reused buildings.*~~

(12) **Maximum Off-Street Parking.** The location and design standards for off-street automobile parking shall be governed by the Design for Development. Off-Street parking is not required and shall be limited to the following maximum ratios:

Table ~~*249.87-4*~~ *249.87-3*: Maximum Off-Street Parking Ratios per Land Use*

Land Use	**Off-Street Parking Ratio**
Residential	0.6 space: 1 unit
Non-Retail Sales and Service, *Institutional (except Institutional Healthcare),* Industrial, PDR, Laboratory, or Life Science Uses	1 space: 1,500 gross square feet of Occupied Floor Area
Institutional Healthcare Use	*2 spaces: 1,500 square feet of Occupied Floor Area*
Hotel	1 space: 16 Hotel guest rooms, plus 1 space for a hotel manager
General Grocery or Special Grocery Uses	~~*3*~~ *4* spaces: 1,000 gross square feet of Occupied Floor Area
All Other Uses	~~*No off-street parking permitted*~~ *The amounts permitted in UMU districts.*
*Pursuant to subsection (n)(4), parking amounts may be greater on a *particular building or Parcel basis* ~~*Parcel-by-Parcel basis*~~ than otherwise allowed by Table ~~*249.87-4*~~ *249.87-3*.	

(13) **Signage.** All signs shall be defined as described by Article 6 of the San Francisco Planning Code. The provisions of Section 607.2 ("Mixed-Use Districts") ~~*of the San Francisco Planning Code*~~ applicable to Urban Mixed Use ("UMU") Districts shall apply such that

a sign that is permitted or prohibited in a UMU District shall likewise be permitted or prohibited in the ~~*Potrero Power Station*~~ SUD. ~~*All signs shall be defined as described by Article 6 of the San Francisco Planning Code.*~~ Provided further that:

(A) **Concealed Electrical Signage Elements.** All electrical signage elements such as wires, exposed conduits, junction boxes, transformers, ballasts, switches, and panel boxes shall be concealed from view.

(B) **Portable Signage.** Portable signs, such as sandwich boards and valet parking signs, are permitted and limited to one per business. All portable signage shall be located within frontage or furnishing zones on sidewalks, or within open spaces fronting the businesses.

(C) **Temporary Sale or Lease Signs.** No permit shall be required for temporary ~~*Sale*~~ *sale* or ~~*Lease*~~ *lease* Signs. Such signs are permitted only when all of the following criteria are met:

(i) No more than two such signs are permitted at any one time on any building;

(ii) The area of each sign is no larger than 40 square feet;

(iii) The height of each sign is no higher than 10 feet;

(iv) The sign is a wall sign or a window sign;

(v) The sign is not directly illuminated;

(vi) The sign indicates the availability of a particular space within the building on or in which the sign is placed; and

(vii) The sign directs attention to a space which is available for immediate sale or lease.

(D) **Signage Along the Waterfront and Power Station Park.** Signage for buildings fronting Power Station Park or the Bay Trail (including the eastern Frontage of

Blocks 4, 9, 12 and a portion of *Block* 15 directly facing Power Station Park*)*; northern Frontage of Blocks 11 and 12; and Southern Frontage of Blocks 7 and 8 shall:

(i) Be 50 square feet or less and its highest point may not reach a height greater than 35 feet; *and*

(ii) Consist only of indirect illumination, pursuant to Section 602 of this Code, including but not limited to halo-style lighting.

*(E) **Signage on Block 2.** The following shall also be permitted on Block 2:*

(i) Up to four Freestanding Signs, which may be any combination of Business and/or Identifying Signs. The height of any such sign shall not exceed six feet, and the largest face of any such sign shall not exceed 10 square feet in area; and

(ii) Up to three Freestanding Signs, which may be any combination of Business and/or Identifying Signs. The height of any such sign shall not exceed 11 feet, and the largest face of any such sign shall not exceed 36 square feet in area.

(14) **Mid-Block Alleys** ~~*and Mid-Block Passages*~~**.**

(A) **Mid-Block Alleys.** *Planning Code section 270.3 shall not apply. Only the Mid-Block Alley controls of the Design for Development shall apply.* ~~*There shall be a Mid-Block Alley on Block 13. Any Mid-Block Alley shall:*~~

~~*(i) Be located as close to the middle portion of the subject block as possible, and connect to existing adjacent streets and alleys;*~~

~~*(ii) Have a minimum width of 20 feet at all points, exclusive of those obstructions allowed within Setbacks pursuant to San Francisco Planning Code Section 136;*~~

~~*(iii) Provide public pedestrian access with dual sidewalks each of not less than six feet in width with not less than four feet minimum clear walking width, unless the alley is designed as a shared street;*~~

~~*(iv) Have at least 60% of the area of the Alley open to the sky. Obstructions permitted within Setbacks pursuant to Planning Code Section 136 may be located within the portion of the alley or pathway that is required to be open to the sky. All portions of the Alley not open to the sky shall have a minimum clearance height from grade of 15 feet at all points;*~~

~~*(v) Provide such ingress and egress as will make the area easily accessible to the general public;*~~

~~*(vi) Have appropriate paving, furniture, and other amenities that encourage pedestrian use;*~~

~~*(vii) Be landscaped;*~~

~~*(viii) Have sufficient pedestrian lighting to ensure pedestrian comfort and safety;*~~

~~*(ix) Be free of any changes in grade or steps not required by the underlying natural topography and average grade; and*~~

~~*(x) Be fronted by Active Lane Uses.*~~

~~*(B) **Mid-Block Passage**. There shall be a Mid-Block Passage on Block 15. The Mid-Block Passage shall:*~~

~~*(i) Be located as close to the middle portion of the subject block as possible, connect to existing adjacent streets and alleys, and can be either perpendicular to the subject Frontage or diagonal across the Block;*~~

~~*(ii) Provide publicly accessible east-west access through the entire depth of Block 15 on the ground floor with at least 20 feet of continuous clear width and 15 feet of continuous clear height; and may be completely enclosed to facilitate preservation of the existing Station A walls; and shall be pedestrian only. If Station A is damaged such that 30% or less of the eastern wall remains, a Mid-Block Alley shall be provided pursuant to the standards set forth in subsection (h)(14)(A), except*~~

~~*that the pathway shall be pedestrian only, and if the pathway is enclosed it shall have a continuous clear height of 30 feet.*~~

(C) **Relationship to Open Space Requirements.** Any non-vehicular portions of ~~*such a Passage or*~~ *an* Alley, including sidewalks or other walking areas, seating areas, or landscaping, are permitted to count toward any open space requirements that include or require publicly accessible open space on the same block where the Passage or Alley is located.

(15) ***Building Standards for 100% Affordable Housing Projects.*** *In addition to the modifications allowed under subsection (g)(7) and (h)(2)(C) and as set forth in the Design for Development, 100% Affordable Housing Projects shall not be subject to the following Building Standards: Usable Open Space under subsection (h)(9) or Planning Code section 135; and Dwelling Unit Exposure under subsection (h)(10) or Section 140.*

(i) **Compliance with Article 4 of the Planning Code.**

(~~*A*~~*1*) **Inclusionary Housing Requirements.** Proposed Building Projects in areas of the Special Use District that are subject to ~~*a*~~ *the* Development Agreement shall comply with the affordable housing requirements of the Development Agreement. Proposed Building Projects in areas of the Special Use District that are not subject to ~~*a*~~ *the* Development Agreement shall comply with the affordable housing requirements as set forth in Section 415.1 et seq. Upon expiration or termination of the Development Agreement as applied to a portion of the Project Site not yet permitted for construction, the then-applicable affordable housing requirements of the Planning Code shall apply to that portion of the Project Site~~*.*~~*, without reference to the date of any earlier environmental evaluation or development application.*

(~~*B*~~*2*) **Other Impact Fees.** For so long as the Development Agreement remains in effect with respect to a portion of the Project Site, the ~~*developer*~~ *development* impact fees payable for any ~~*Vertical Development*~~ *Building Project* on that portion of the Project Site will be

determined in accordance with the Development Agreement. Upon expiration or termination of the Development Agreement as applied to a portion of the Project Site, the then-applicable ~~*developer*~~ *development* impact fees in the Planning Code shall apply to that portion of the Project Site.

(j) **Relationship to State or Local Density Bonus Programs.** In exchange for the benefits expressed in the Development Agreement and this Section 249.87, and as set forth in the Development Agreement, any Building Projects within the SUD *during the term of the Development Agreement* shall not be eligible for additional density or modifications to development standards allowed in any state or local law allowing additional density or modifications to development in exchange for on-site affordable housing, including but not limited to the State Density Bonus Law (California Government Code §65915 et seq), the Affordable Housing Bonus Program (Planning Code section 206 et seq.), and Planning Code Section~~s~~ 207. *Upon expiration or termination of the Development Agreement as applied to a portion of the Project Site, the then applicable state or local density bonus program law shall apply to that portion of the Project Site.*

(k) **Modifications to Building Standards and Use Requirements.**

(1) **No Modifications or Variances.** No variances, exceptions, modifications or other deviations from the requirements and standards of the Planning Code, including this SUD, and of the Design for Development are permitted except through the procedures for granting of Minor and Major Modifications established in this SUD. No modifications or variances are permitted for permitted Uses (with the exception of numerical standards related to Ground Floor Uses), maximum building height *(with the exception of rooftop appurtenances)*, or maximum automobile parking spaces.

(2) **Modification of Other Building Standards and Use Requirements.** A dimensional or numerical standard for Building Standards and Ground Floor Use

Requirements may only be modified as provided in subsections (k)(3) and (k)(4), on a ~~*project-by-project*~~ *Building-by-Building* basis. In order to grant a modification, the Director or Commission must find that the proposed modification achieves equal or superior design quality and public benefit as strict compliance with the applicable standard and meets the intent of the SUD and the Design for Development.

(3) **Minor Modifications.** The Planning Director may approve a Minor Modification administratively in accordance with the procedures set forth in subsection (n).

(4) **Major Modifications.** The Planning Commission may approve any application for a Major Modification in accordance with the procedures set forth in subsection (n).

(l) **Development Phase Approval.** Consistent with the Development Agreement, the Developer shall submit *a* Development Phase *Application* ~~*Plan*~~ to the Planning Director for approval, and no development may be approved within a Development Phase until after the Planning Director issues a Development Phase Approval. The Development Phase Approval process, as set forth in the Development Agreement, is to ensure that all *Associated Community Benefits* ~~*Community Improvements*~~ and Building Projects within a Development Phase are consistent with the Development Agreement and this SUD. ~~*Planning shall review Development Phase Applications within 30 days of receipt in order to determine completeness. If the Planning Director fails to respond within such 30-day period, the Development Phase Application will be deemed complete. The Planning Director shall act on a Development Phase Application within 60 days after submittal of a complete Development Phase Application. Changes proposed by the Planning Department will be reasonably considered by Developer, and changes proposed by Developer will be reasonably considered by the Planning Department. If there are no objections, or upon resolution of any differences, the Planning Director shall approve the Development Phase Application with such*~~

~~*revisions, comments, or requirements as may be permitted in accordance with the terms of the Development Agreement and the Phasing Plan.*~~

(m) **Design Review and Approval.** The Planning Department shall approve only those applications for individual Building Projects that are consistent with a Development Phase Approval. To ensure that Buildings and Privately-Owned Community Improvements meet the requirements of the Planning Code, including this Section 249.87, and the Design for Development, an ~~*Applicant*~~ *applicant* shall submit a Design Review Application and receive approval from the Planning Director, or the Planning Commission if required, before obtaining any permits for the applicable construction. Standards and limitations on design review approval are set forth in subsection (n), below. Nothing in this Section 249.87 limits the Charter authority of any City department or commission or the rights of City agencies to review and approve proposed infrastructure as set forth in the Development Agreement.

(n) **Design Review Applications and Process.**

(1) **Applications.** Each Design Review Application shall include the documents and other materials necessary to determine consistency with the Planning Code, including this Section 249.87, and the Design for Development, including site plans, floor plans, sections, elevations, renderings, landscape plans, and exterior material samples to illustrate the overall concept design of the proposed *Building Project.* ~~*buildings.*~~ If an ~~*Applicant*~~ *applicant* requests a Major or Minor Modification, the *Design Review Application* ~~*application*~~ shall describe proposed changes in reasonable detail, and to the satisfaction of the Planning Director, including narrative and supporting images, if appropriate, and a statement of the purpose or benefits of the proposed modification(s).

(2) **Completeness.** Planning Department staff shall review the *Design Review Application* ~~*application*~~ for completeness and advise the Applicant in writing of any deficiencies within 30 days of the date of the application.

(3) **Design Review of Buildings and Privately-Owned Community Improvements.**

(A) **Building Pre-Application Meeting.** Prior to submittal of a Design Review Application, the ~~*Applicant*~~ *applicant* shall conduct a minimum of one pre-application public meeting. The meeting shall be conducted at, or within a one-mile radius of, the Project Site, but otherwise subject to the Planning Department's pre-application meeting procedures, including but not limited to the submittal of required meeting documentation. A Planning Department representative shall be invited to such meeting.

(B) **Parks and Open Space Outreach.** Prior to the Planning Department's approval of any Design Review Application for any parks or open space within the Power Station park system, the ~~*Applicant*~~ *applicant* shall conduct a minimum of two community meetings*.*~~*; additional meetings may be required at the discretion of the Planning Director.*~~ The meetings shall be conducted at, or within a one-mile radius of, the Project Site, but otherwise subject to the Planning Department's pre-application meeting procedures, including but not limited to the submittal of required meeting documentation. A Planning Department representative shall be invited to such meetings.

(C) **Design Review Process.** Following submittal of the Design Review Application, upon a determination of completeness, Planning Department staff shall conduct design review and prepare a staff report determining compliance with this Section 249.87, the Planning Code, and the Design for Development, including a recommendation regarding any modifications sought. The staff report shall be delivered to the ~~*Applicant*~~ *applicant* and any third parties requesting notice in writing, shall be kept on file, and shall be posted on the Department's website for public review, within 60 days of the determination of completeness. If Planning Department staff determines that the design is not compliant with this Section 249.87, the Planning Code, or the Design for Development, the *applicant* ~~*Applicant*~~ may

resubmit the *Design Review* Application, in which case the requirements of this subsection (n) for determination of completeness, staff review and determination of compliance, and delivery, filing, and posting of the staff report, shall apply anew.

(4) **Off-Street Parking.** Design Review Applications for Buildings shall include the ~~*requested*~~ *proposed* number of off-street parking spaces ~~*sought*~~ for the Building. *Any off-street parking spaces authorized by the uses in a particular Building, but not proposed to be included in such Building under that Building's Design Review Application, may be independently proposed, developed, and owned as accessory or non-accessory spaces in any other Building at a later date.* It is the intent of Section 249.87 that at full build-out of all Parcels in the SUD, the total number of off-street parking spaces within the SUD shall not exceed the applicable maximum parking ratios specified in Table *249.87-3* ~~*249.87-4*~~. The maximum parking ratios shall not apply to individual Buildings or Parcels, but shall be considered cumulatively for the Buildings within the SUD as a whole, as set forth in the Development Agreement *and Design for Development*. In the event an individual Building results in parking that exceeds the applicable maximum parking ratios for the then cumulative development on the Project Site, the excess parking ~~*shall not*~~ *may* be put into operation and ~~*shall*~~ *may* be ~~*excluded from*~~ *included in* the available parking supply *as either accessory or non-accessory parking.* ~~*until such time as additional development within the Project Site occurs and the then applicable maximum parking ratios no longer are exceeded. Each application shall include both the individual request for off-street parking related to the specific location and the cumulative number of off-street parking spaces previously approved.*~~

(5) **Approvals and Public Hearings for Buildings and Privately-Owned Community Improvements.**

(A) **Buildings and Privately-Owned Community Improvements Seeking No Modifications.** Within 10 days after the delivery and posting of the staff report on the Design Review Application, the Planning Director shall approve or disapprove the design

based on its compliance with the Planning Code, including this Section 249.87, the Design for Development, and the General Plan. If the Design Review Application is consistent with the numeric standards set forth in this Section 249.87 and the Design for Development, the Planning Director's discretion to approve or disapprove the Design Review Application shall be limited to the Application's consistency with the non-numeric elements of the Design for Development and the General Plan. Prior to approval of a Design Review Application for any ~~*building*~~ *Building* and/or Privately-Owned Community Improvement that is 200 feet or more in height, or for the rehabilitation and development of Station A on Block 15 or of Unit 3 on Block 9, the Planning Director shall refer the Design Review Application to the Planning Commission for an informational hearing. Such informational hearing shall consider any pedestrian bridge proposed for attachment to Station A, regardless of whether such bridge is initially proposed as part of the Station A building or an adjacent building that proposes a bridge that would ultimately connect to Station A. In accordance with San Francisco Administrative Code Section 71.5, any Mills Act contract ~~*would also require*~~ *requires* approval by the Historic Preservation Commission.

(B) **Buildings and Privately-Owned Community Improvements Seeking Minor Modifications.** Within 10 days after the delivery and posting of the staff report on ~~*the*~~ *a* Design Review Application including a Minor Modification, the Planning Director~~,~~ shall approve or disapprove any Minor Modification based on its compliance with the Planning Code, including this Section 249.87, the Design for Development, and the General Plan. Notwithstanding any other provisions of this Section 249.87, the Planning Director *or Developer* may, at ~~*his or her*~~ *their* discretion, refer any Application that proposes a Minor Modification to the Planning Commission. ~~*if the Planning Director determines that the proposed Modification does not meet the intent of the Design for Development or the SUD.*~~

(C) **Buildings and Privately-Owned Community Improvements Seeking Minor or Major Modifications.** If an application for Design Review seeks one or more Major Modifications~~,~~ or ~~*if a Design Review Application that proposed*~~ a Minor Modification *that* is ~~*otherwise*~~ referred to the Planning Commission *by the Planning Director or Developer*, the Planning Commission shall calendar the item for a public hearing, subject to any required noticing. The Planning Commission's review shall be limited to the proposed Major *or Minor* Modification*.* ~~*or the modifications referred by the Planning Director for failure to meet the Design for Development standards.*~~ The Planning Commission shall consider all comments from the public and the recommendations of the staff report and the Planning Director in *deciding* ~~*making a decision*~~ to approve or disapprove the *proposed* ~~*Design Review Application, including the granting of any*~~ Major *or Minor Modification.* ~~*Modifications.*~~

(D) **Notice of Hearings.** In addition to complying with the notice requirements of the Brown Act and the Sunshine Ordinance, notice of Planning Commission hearings shall be provided as follows:

(i) by mail not less than 20 days prior to the date of the hearing, to the *applicant,* ~~*Applicant,*~~ to residents within 300 feet of the exterior boundaries of the property that is the subject of the *Design Review Application,* ~~*application,*~~ using for this purpose the names and addresses as shown on the citywide assessment roll in the Office of the Tax Collector, and to any person who has requested such notice; and

(ii) by posting on the subject property not less than 10 days prior to the date of the hearing.

(o) **Building Permits.** Each building permit application submitted to the Department of Building Inspection for Buildings shall be forwarded to the Planning Department. The applicable department shall review the building permit application for consistency with the authorizations granted pursuant to this Section 249.87. For improvements to be built upon

Port property, the Chief Harbor Engineer shall review all permit applications on behalf of the Port.

(p) **Change of Use.** No building permit may be issued for any building and/or Privately-Owned Community Improvement or for a Certificate of Occupancy or Certificate of Temporary Occupancy that would authorize a new ~~*use*~~ *Use* unless the Planning Department determines such permit or Certificate is consistent with the controls in this Section 249.87. ~~*Upon expiration or termination of the Development Agreement, any new development, other than replacement of what was built under the Development Agreement, shall require a conditional use approval under Section 303 of this Code.*~~

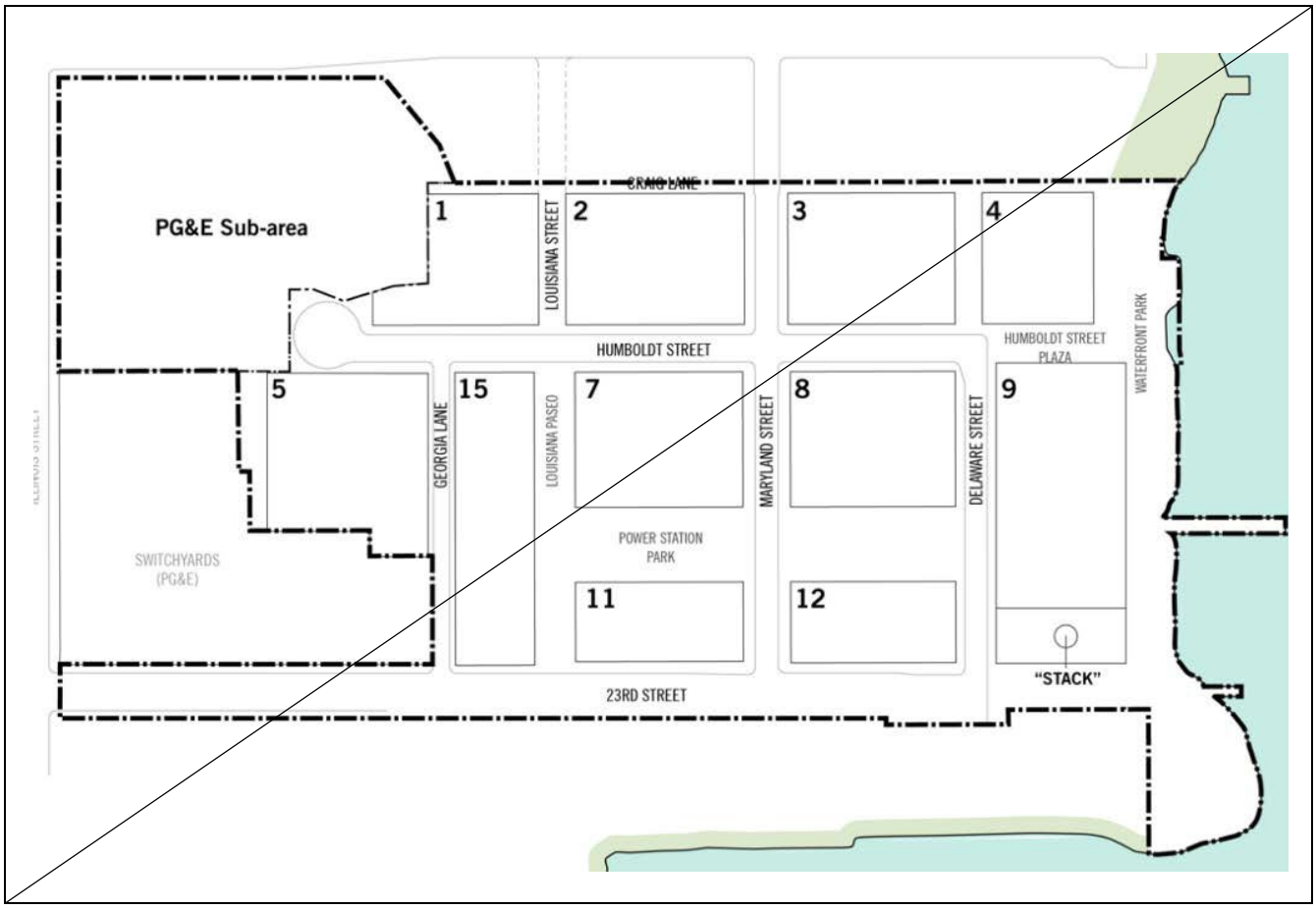
(q) **Discretionary Review.** No requests for discretionary review shall be accepted by the Planning Department or heard by the Planning Commission for any Building in the SUD.

(r) **Waiver of Planning Code Section 138.1.** The streetscape design set forth in the Design for Development ~~*attached to the Development Agreement shall set*~~ *sets* forth sufficient standards for pedestrian and streetscape improvements for so long as the Development Agreement remains in effect.

(s) **Compliance with Planning Code Section 169.** The ~~*TDM*~~ *Transportation Demand Management* provisions included in the Development Agreement shall govern in this SUD.

(t) **Operative Date for the PG&E Sub-Area.** The zoning controls expressed in this Section 249.87 shall not become operative as to the PG&E Sub-Area, as shown on Map 249.87-1, or any portion thereof, until a Notice of Joinder to the Development Agreement ~~*approved by the Board of Supervisors in Board file No. 200040*~~ has been recorded, or until the PG&E Sub-Area, or any portion thereof, is conveyed to the Developer. Copies of the Development Agreement, including a form of the Notice of Joinder, and a legal description of the PG&E Sub-Area are on file with the Clerk of the Board of Supervisors in Board File No. 200040.

Map 249.87-1


PG&E Sub-area
1
2
3
4
CRAIG LANE
LOUISIANA STREET
HUMBOLDT STREET
HUMBOLDT STREET PLAZA
WATERFRONT PARK
5
15
7
8
9
GEORGIA LANE
LOUISIANA PASEO
MARYLAND STREET
DELAWARE STREET
SWITCHYARDS (PG&E)
POWER STATION PARK
11
12
"STACK"
23RD STREET

(u) ***Health Services Master Plan.*** *The requirements of Planning Code section 342 shall not apply within this SUD.*

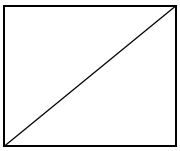
Section 3. Zoning Map. The Planning Code is hereby amended by revising the Height Map of the Zoning Map of the City and County of San Francisco as follows:

Description of Property (Assessor's Block/Lot)	Height and Bulk District Superseded	New Height and Bulk District
Block 4175, Lots 020, 021, 022, 023, 024, 025, 026, 027, 028, 499 (partial) and 500 Block 4232, Lots 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023 Non-assessed Port and City and County of San Francisco properties, the legal descriptions for which are found in Exhibits A-1 through A-7 to the Development Agreement	65-PPS / 240-PPS	73-PPS / 248-PPS

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, Board amendment deletions, image additions, and image deletions in accordance with the "Note" that appears under the official title of the ordinance.

Images proposed for addition are shown with a rectangular border, as shown below.

Images proposed for deletion are shown with a diagonal strikethrough and rectangular border, as shown below.



The border and strikethrough lines are for illustration purposes in this ordinance only. They are not part of the images themselves and shall not be published with the images in the code.

Larger copies of the images added to this ordinance are on file with the Clerk of the Board of Supervisors in File No. 260770 and incorporated herein by reference.

Section 5. Effective and Operative Date.

(a) This ordinance shall become effective on the 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) This ordinance shall only become operative until the later of (i) the effective date of this ordinance, and (ii) the date Ordinance No. _____ has become effective.

(c) Notwithstanding subsection (b) above, this ordinance shall not become operative as to the areas labeled as "PG&E Sub-Area" on Map 249.87-1, or any portion thereof, until the conditions in Section 249.87(t) have been satisfied. A copy of the Map, and a legal description of the area subject to this subsection (c) is on file with the Clerk of the Board of Supervisors in Board File No. 260770.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
Audrey Pearson
Deputy City Attorney

4922-4803-7559, v. 1

FILE NO. 260770

LEGISLATIVE DIGEST

[Planning Code; Zoning Map - Potrero Power Station Special Use District]

Ordinance amending the Planning Code and Zoning Map for the Potrero Power Station Special Use District (SUD) to increase height limits and modify the land use, parking, rooftop appurtenance, building design, and building approval requirements applicable to the SUD; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302.

Existing Law

The Potrero Power Station Special Use District (SUD), originally adopted in January 2020, contains special controls for the development of the former power station at Illinois Street between 22nd and 23rd Streets, to allow for the construction of residential, commercial, hotel, open space and other uses, consistent with a development agreement between the City and the developer, the California Barrel Company. The SUD includes modifications to Planning Code requirements related to allowed uses, building standards (including dwelling unit mix and density, measurement of building heights, street walls, setbacks, rear yard, open space, dwelling unit exposure, ground floor controls, parking, signage, mid-block passages), inclusionary housing, and the process for review and approval of development applications. The site consists of a number of "blocks" and open spaces, generally separated by new rights-of-way; for a map of the site, see the "Background" section of this legislative digest.

The site is also subject to a Design for Development, also adopted by the Planning Commission in January 2020 The Design for Development sets forth further design and land use standards and guidelines applicable in the SUD. Under the SUD, the Planning Commission can amend the Design for Development. The Planning Director can administratively approve individual buildings within the SUD if they are consistent with the SUD and the Design for Development, and can allow a modification to the standards applicable to an individual building by up to 10%; the Director can also waive certain specified standards. The Planning Commission must approve modifications over 10%. Projects cannot use the state density bonus law in addition to the controls in the SUD.

Amendments to Current Law

The ordinance would amend the Potrero Power Station SUD in the following ways:

Land Uses. The ordinance would expand the types of uses allowed on individual blocks within the SUD. Specifically, the ordinance would allow residential uses on Block 12, and

would allow residential buildings to include Intermediate Length Occupancy Dwelling Units, up to a total of 200 across all blocks. The ordinance would allow Lab and Life Science Uses on Block 5. Internet Service Exchanges and data centers would be permissible with a conditional use authorization on Block 5. Public Facilities would be allowed on all blocks.

Retail Sales and Service Uses, including a bar, would be permitted on Block 9, without a limit on the number. If Block 9 is majority residential, retail uses would be permitted at the penthouse and rooftop level. Certain retail sales and services would also be permitted on Blocks 5, 9 and 12 (including on the rooftop) if those Blocks are majority residential.

Parking. The ordinance would allow above-ground and below-ground parking on all blocks (rather than only on blocks 1, 5, 13), and would allow below-ground parking beneath certain open spaces; accessory parking could be located on any block and would not be tied to the uses on such block. The total number of spaces across all blocks could not exceed the maximum amount of parking permitted. Certain uses would allow parking in the amounts permitted in the UMU district.

Building Standards and Design. The ordinance would reduce the number of units required to contain at least three bedrooms, from 10% in each building or phase, to 5%. Requirements for active uses on the ground floor, the bulk limits of Block 15 (with or without Station A), ground floor design (ground floor height, awnings and canopies, and transparent frontages) and Mid-block alleys (e.g. location, width, sidewalks, accessibility) would be governed by the Design for Development, rather than the SUD.

100% Affordable Housing projects (defined as projects with units affordable to households earning up to 150% of area median income for ownership units or 130% AMI for rental units) would not be subject to usable open space, dwelling unit exposure, ground floor ceiling height, or active use requirements.

Additional signage would be allowed on Block 2, where UCSF is currently constructing a life science building.

The ordinance would remove certain requirements for waterfront uses from the SUD; they instead would be requirements in the Design for Development.

Building Heights. Height limits would increase on most blocks by no more than 30 feet; most height increases are less than 10 feet. The ordinance would allow an additional 15 feet in height on Unit 3 (located on Block 9) (currently 131 feet) to support Unit 3 as a viewing platform or other permitted use. The ordinance would also allow an additional 16 feet on Block 8 for Dwelling Units. The maximum height in the district would increase from 240 feet to 248 feet. On Block 1, the permitted height of the podium would increase from 85 feet to 120 feet. On Block 5 the permitted height of the podium would increase from 85 feet to 130 feet.

Design for Development Amendments

The ordinance would allow the Planning Director to amend the Design for Development, rather than only the Planning Commission.

Individual Building Approvals.
The Planning Director would continue to be able to approve applications for individual buildings within the SUD; the ordinance would allow the Planning Director to allow for a modification of up to 15% (rather than 10%) from any dimensional or numerical standard in the Planning Code, including the SUD and the Design for Development. The ordinance would allow the Planning Director to waive certain standards related to curb cuts, ground floor uses, dwelling unit exposure, and building projections (in addition to other standards currently allowed in the SUD).

Density Bonus Law. After the expiration of the development agreement (no earlier than 2050), the ordinance allows projects to use the state density bonus law.

Zoning Map. The ordinance amends the Zoning Map to increase the maximum heights in the SUD from 65/240 to 73/248, where the first number is the podium height and the second number is the overall height.

Background Information

The Board of Supervisors originally adopted a Potrero Power Station development agreement, the Potrero Power Station Special Use District and a Design for Development in 2020. The City and the developer wish to amend the development agreement (see Board File No. _____). This ordinance, and amendments to the Design for Development, would together modify specified controls for future development at the site, and allow additional flexibility in the review and approval of that development.

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