



1 [Administrative, Planning Codes - Central South of Market Area Plan]

2  
3 **Ordinance amending the Administrative and Planning Codes to give effect to the**  
4 **Central South of Market Area Plan, encompassing an area generally bounded on its**  
5 **western portion by Sixth Street, on its eastern portion by Second Street, on its northern**  
6 **portion by the border of the Downtown Plan Area (an irregular border that generally**  
7 **jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by**  
8 **Townsend Street; making approval findings under the California Environmental Quality**  
9 **Act, including adopting a statement of overriding considerations; and making findings**  
10 **of consistency with the General Plan, and the eight priority policies of Planning Code,**  
11 **Section 101.1, and findings of public necessity, convenience, and welfare under**  
12 **Planning Code, Section 302.**

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

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

21 Section 1. Environmental and Planning Code Findings.

22 (a) On May 10, 2018, after a duly noticed public hearing, the Planning Commission  
23 certified the Final Environmental Impact Report (EIR) for the proposed Central South of  
24 Market (SoMa) Area Plan (the Project) by Motion No. 20182, finding that the Final EIR reflects  
25 the independent judgment and analysis of the City and County of San Francisco, is adequate,

1 accurate, and objective, and contains no significant revisions to the Draft EIR, and that the  
2 content of the report and the procedures through which the Final EIR was prepared,  
3 publicized, and reviewed comply with the California Environmental Quality Act (CEQA) (Public  
4 Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Section  
5 15000 et seq.), and Chapter 31 of the Administrative Code. Copies of the Planning  
6 Commission Motion and the Final EIR are on file with the Clerk of the Board in File No.  
7 180651 and are incorporated herein by reference.

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

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

18 (d) At the same hearing, the Planning Commission, in Resolution No. 20185,  
19 recommended the proposed Planning Code and Zoning Map amendments for approval and  
20 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
21 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
22 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
23 the Board of Supervisors in File No. 180184, and is incorporated herein by reference.

24 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
25 Planning Code Amendment will serve the public necessity, convenience, and welfare for the

1 reasons set forth in Planning Commission Resolution Nos. 20185 and 20186, and the Board  
2 incorporates such reasons herein by reference.

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

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

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

24  
25 Section 2. General Findings

1 (a) Findings Regarding Setback Requirement on Fourth Street. The increased  
2 development in Central SoMa is likely to cause congestion and crowding for pedestrians on  
3 the Central SoMa Plan Area’s sidewalks, particularly near the intersection of the Central  
4 Subway and Caltrain, due to the increased concentration of commuters using Muni and  
5 Caltrain at that location. In most of the Plan Area, pedestrian congestion will be ameliorated  
6 by widening sidewalks to the widths identified in the Better Streets Plan, pursuant to Planning  
7 Code Section 138.1. However, the sidewalks on 4th Street between Bryant and Townsend  
8 Streets cannot be widened to the extent recommended by the Better Streets Plan because  
9 the Central Subway will run at grade in the middle of the street. Therefore, requiring the  
10 buildings on 4th Street between Bryant Street and Townsend Street be set back five feet at  
11 ground level will alleviate this impact to pedestrian congestion and crowding.

12 (b) Findings Regarding Micro-Retail Uses in the Central SoMa Special Use District.  
13 The Plan seeks to provide small retail spaces, referred to as “micro-retail,” to ensure that  
14 space is available for small, non-Formula Retail establishments, which are more likely to offer  
15 non-traditional and unique merchandise for residents and visitors. The micro-retail space  
16 requirements provide for a diversity of retail land uses, which will help preserve Central  
17 SoMa’s distinct neighborhood character and help fulfill the City’s Priority Policy of the General  
18 Plan that existing neighborhood-serving retail uses be preserved and enhanced and that  
19 opportunities for resident employment in and ownership of neighborhood-serving retail  
20 establishments be enhanced. In addition, the Board hereby incorporates by reference and  
21 adopts the findings set forth in Planning Code Section 303.1(a), which further support the  
22 provision of non-Formula Retail micro-retail spaces in the Central SoMa Plan Area.

23 (c) Findings Regarding Privately-Owned Public Open Space (POPOS).

24 (1) Adequate open space is of vital importance to the desirability of downtown  
25 and South of Market as a place to visit, work or shop.

1           (2) New non-residential development increases demands on the City's existing  
2 limited parks, recreational facilities, and open spaces, contributing to overcrowding of those  
3 facilities.

4           (3) Publicly-accessible open space and recreation facilities are essential to  
5 creating and maintaining an attractive central business district and to generally create an  
6 environment appealing for workers, shoppers, and visitors. The economic sustainability and  
7 well-being of the City is dependent on the reputation of its commercial and visitor areas as  
8 pleasant and amenity-filled. Businesses choose to locate in San Francisco because of its  
9 balance of high-accessibility to other businesses and services and its livability. The skilled  
10 and creative workforce sought by businesses growing in San Francisco values spending time  
11 in an interesting and amenity-filled walkable urban environment. These spaces directly  
12 enhance the economic value of the commercial properties themselves.

13           (4) New non-residential development increases the demand for parks,  
14 recreational facilities, and open space. These amendments provide for open space  
15 demanded as a result of new non-residential development. These amendments also provide  
16 for a reduction in open space requirements where recreational and open space amenities are  
17 provided by other means. Also, to ensure that these publicly accessible spaces mitigate the  
18 impacts described above, truly supplement the public open space system, and provide  
19 welcoming environments to all members of the public, indoor and upper-story spaces are  
20 discouraged in favor of outdoor, street-level spaces, except where a specific recreational  
21 amenity is provided that is necessarily indoors or the project location makes outdoor space  
22 undesirable (e.g., adjacent to a freeway). Further, limited amounts of food and beverage  
23 service retail are permitted in larger spaces created pursuant to this ordinance to ensure that  
24 these spaces are active and attractive to workers, visitors, and shoppers, as well as provide  
25 some revenue for the property owners.

1 (5) To ensure that the requirements of this ordinance provide sufficient flexibility  
2 for project sponsors to address the context of their particular sites and address the impacts of  
3 their developments, project sponsors are given options to meet the requirements other than  
4 by setting aside space on their project sites. These options include (depending on zoning  
5 district) provision of off-site open space and payment of fees in lieu of providing any space.  
6 Reasonable geographic latitude is given in provision of off-site spaces. In-lieu fee amounts  
7 are set based on the reasonably comparable costs of acquiring land in the area of the  
8 development and improving the property to the same high standard of investment as would be  
9 expected in a highly-trafficked public space in a high-density urban area (i.e., significantly  
10 higher cost per square foot for more intensive amenity, hardscape, and engineering  
11 investment than relatively cheaper expansive lawns and landscape areas common in less  
12 dense more outlying neighborhoods). These in-lieu fees are based on costs identified in  
13 Downtown San Francisco Park, Recreation, and Open Space Development Impact Fee  
14 Nexus Study by Hausrath Economics from April 2012.

15 (6) The San Francisco Infrastructure Level of Service Analysis (2014) ("LOS  
16 Analysis"), p. 22, concludes that four acres of open space are necessary for every 1,000  
17 "Service Population Units." Each employee is equivalent to 0.19 "Service Population Units"  
18 (Hausrath Economics Group, "Phoenix Park and EDU Factors Study," A Report to City of  
19 Phoenix Planning Department, Sept. 1998, cited in San Francisco Citywide Nexus Analysis  
20 (2014) at p. 14 n. 22.) Thus, every 1,000 additional employees creates a demand for 0.76  
21 acres of open space (4.0 acres/1,000 employees x 0.19 = 0.76 acres/1,000 workers).

22 (7) Development under the Central SoMa Plan is expected to add 8.5 million  
23 gross square feet (gsf) of new non-residential building space, based on the Planning  
24 Department's *Buildout Analysis for Central SoMa* (January 25, 2018).

1 (8) This 8.5 million gsf would result in approximately 40,000 jobs (assuming an  
2 employment density of approximately 220 gsf per worker). ("Central SoMa Growth Allocation  
3 by TAZ - August 2016.")

4 (9) Because, as noted above, every 1,000 additional employees creates a  
5 demand for 0.76 acres of open space, the Central SoMa Plan would create demand for an  
6 additional 30.4 acres of open space.

7 (10) The San Francisco Citywide Nexus Analysis (2014) ("Citywide Nexus  
8 Analysis"), at p. 15, states that the cost to construct new open space is approximately \$10.3  
9 million per acre. Therefore providing 30.4 acres of new open space in Central SoMa would  
10 cost the City approximately \$313 million.

11 (11) Non-residential development projects in Central SoMa pay the Eastern  
12 Neighborhoods Infrastructure Impact Fee (Fee), of which 6% is dedicated to open space. As  
13 of 2018, the maximum Fee paid by non-residential uses was \$19.81 per gsf; 6% of which is  
14 \$1.19 per gsf. As such, non-residential projects in Central SoMa are expected to generate  
15 approximately \$10 million towards open space, leaving an unfunded portion of nearly \$300  
16 million.

17 (12) The Central SoMa Plan POPOS program would yield approximately four  
18 acres of open space, based on the proposed requirement of 1 gsf of POPOS for every 50 gsf  
19 of non-residential development and the expectation of 8.5 million of gsf of non-residential  
20 development. At a cost of \$10.3 million per acre, these four acres of POPOS would be the  
21 equivalent of approximately \$40 million of additional open space fees.

22 (13) Therefore, expanding the POPOS requirement to the Central SoMa Plan  
23 Area is an essential part of the City's overall strategy to meet the demand for open space  
24 generated by new residents and workers.

1           (d) Findings Regarding the Establishment of Citizens Advisory Committees to Guide  
2 Plan Implementation. Through the Eastern Neighborhoods planning process, the City  
3 established the Eastern Neighborhoods Citizens Advisory Committee (CAC) to advise on the  
4 implementation of the Eastern Neighborhoods Plans and community improvements  
5 programming within the Central Waterfront, East SoMa, Western SoMa, Mission, and  
6 Showplace Square/Potrero Hill areas. However, with the addition of the Central SoMa Area  
7 Plan and its related implementation and community improvements programming, it is evident  
8 that a single CAC can no longer provide the appropriate community input necessary to serve  
9 these growing areas. The Board of Supervisors intends to revise the composition and  
10 jurisdiction of the Eastern Neighborhoods CAC, such that it is split into two CACs, one which  
11 serves the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one  
12 which serves the southern Plan Areas (Mission, Showplace Square/Potrero Hill, and Central  
13 Waterfront). Any process of modifying existing and proposed CACs should incorporate  
14 community input. Therefore it is the Board’s intent to create a process which incorporates the  
15 recommendations of neighborhood stakeholders and community members as they develop  
16 the necessary details of restructuring these bodies.

17           (e) Findings Regarding Access to Good Jobs. While accommodating the growth of  
18 jobs is important, it is just as important that these are jobs that pay a living wage. Many of the  
19 office jobs in the technology sector and even the PDR jobs are certain to be good jobs,  
20 particularly in that they pay well relative to education. However, it is important that the City  
21 supports good jobs across all sectors, including construction workers, hotel workers, and  
22 other professions. Therefore, it is the intent of the Board of Supervisors to develop a “Good  
23 Jobs Policy” to help enable permanent jobs at good living wages with benefits within the future  
24 development.

1 Section 3. The Administrative Code is hereby amended by revising Chapter 35, to  
2 read as follows:

3  
4 **CHAPTER 35: RESIDENTIAL, HOTEL, AND ~~INDUSTRIAL~~PDR COMPATIBILITY AND**  
5 **PROTECTION**

6 **SEC. 35.1. SHORT TITLE.**

7 This Chapter 35 may be referred to as the Residential and ~~Industrial~~PDR Compatibility  
8 and Protection Ordinance.

9 **SEC. 35.2. DECLARATION OF POLICY.**

10 It shall be the policy of the City and County of San Francisco (City) to protect its  
11 existing and future ~~industrial businesses~~Production, Distribution, and Repair (PDR) Uses from  
12 potentially incompatible adjacent and nearby development provided that such ~~industrial~~Uses  
13 are conducted and maintained ~~in a manner consistent with proper and accepted customs and~~  
14 ~~standards and~~ in accordance with all applicable federal, state, and local laws and regulations.  
15 The City ~~and County of San Francisco~~ encourages the use of best available control technologies  
16 and best management practices whenever possible to further reduce the potential for  
17 incompatibility with other uses, including residential.

18 Furthermore, it shall be the policy of the City ~~and County of San Francisco~~ to support the  
19 health, safety, and welfare of ~~protect~~ the future residents of and overnight visitors to  
20 ~~industrial~~Industrial, PDR, and mixed-use neighborhoods by providing for a notification process  
21 so that such residents and overnight visitors are made aware of some of the possible  
22 consequences of moving to or staying in an industrial or mixed-use such neighborhoods and by  
23 ~~encouraging and, if possible,~~ requiring, features in any new residential or hotel construction  
24 designed to promote the compatibility of residential and hotel and adjacent or nearby ~~industrial~~  
25 PDR uses.

1           **SEC. 35.3. DEFINITIONS.**

2           For the purposes of this Chapter 35, the following definitions shall apply.

3           ~~(a) "Adjacent Property" means all real property inside or within 150 feet of an Industrial Use~~  
4 ~~Zoning District.~~

5           ~~(b) "Eligible IndustrialPDR Use" means any legally existing, including legally non-~~  
6 ~~conforming, or future IndustrialPDR Use, conducted or maintained for industrialPDR purposes,~~  
7 ~~in a manner consistent with proper and accepted customs and standards, as established and followed~~  
8 ~~by similar industrialPDR uses in the same neighborhood if such uses exist, and in accordance with all~~  
9 applicable federal, state, and local laws and regulations.

10           ~~"Hotel Use" is as defined in Planning Code Section 102.~~

11           ~~(c) "IndustrialPDR Use" means any industrial use as defined in the Planning Code~~  
12 ~~Section 102, including, but not limited to, Automotive as defined in Planning Code Section 223, Animal~~  
13 ~~Services as defined in Planning Code Section 224, Wholesaling, Storage, Distribution and Open Air~~  
14 ~~Handling of Materials and Equipment as defined in Planning Code Section 225, Manufacturing and~~  
15 ~~Processing as defined in Planning Code Section 226. Other Uses as defined in Planning Code Section~~  
16 ~~227, and Light Manufacturing. Wholesale Sales, Storage as defined in Planning Code Section 890.54.~~  
17 ~~Upon adoption of the permanent Eastern Neighborhoods Zoning Controls. "Industrial Use" shall also~~  
18 ~~include Production, Design, and Repair Uses ("PDR Uses"), as defined in the zoning controls,~~  
19 ~~including, but not limited to, Publishing, Audio/Visual, Arts, Fashion, Transport, Food/Event, Interior~~  
20 ~~Design. Construction, Equipment, Motor Vehicles, and Other PDR uses.~~

21           ~~(d) "IndustrialPDR Use Zoning District" means a zoning district designated in Planning~~  
22 ~~Code Section 201 as an Industrial District, Production Distribution Repair District, or Eastern~~  
23 ~~Neighborhoods Mixed Use District C-M (Heavy Commercial), M-1 (Light Industrial), M-2 (Heavy~~  
24 ~~Industrial), SPD (South Park), RSD (Residential/Service Mixed Use), SLR (Service/Light~~  
25 ~~Industrial/Residential Mixed Use), SLI (Service/Light Industrial), SSO (Service/Secondary Office), or~~

1 *MB-CI (Mission Bay-Commercial Industrial). Upon adoption of the permanent Eastern Neighborhoods*  
2 *Zoning Controls, "Industrial Use Zoning District" shall also include a zoning district within the*  
3 *Eastern Neighborhoods Plan Area in which PDR is a principally permitted use, including, but not*  
4 *limited to, zoning districts designated PDR Zone, Employment and Business Development Zone, or*  
5 *Urban Mixed Use Zone.*

6 "Property" means all real property inside a PDR Use Zoning District.

7 ~~(e)~~ *"Residential Use" is as defined in Planning Code Section 102 means the use of any real*  
8 *property as a dwelling unit or units, regardless of whether it is a primary residence.*

9 ~~(f)~~ *"Transfer" means, but is not limited to, the following: sale or lease.*

10 "Transferee" means a purchaser or lessee of all or any portion of a Property, and includes but  
11 is not limited to the purchaser or lessee's partners, assigns, successors, representatives, and heirs.

12 "Transferee" shall not mean a guest at a Hotel or Motel.

13 "Transferor" means an owner of a Property who sells or leases all or any portion of the  
14 structure to a Transferee, and includes but is not limited to the owner's partners, assigns, successors,  
15 and representatives.

16 **SEC. 35.4. PROTECTION OF ~~INDUSTRIAL~~PDR USES.**

17 No Eligible ~~Industrial~~PDR Use shall be or become a public or private nuisance *if the*  
18 *PDR Use operates in compliance with the Municipal Code and state and federal law, and with the*  
19 *terms of its permits due to any changed condition in Adjacent Property after the Industrial Use has been*  
20 *in operation for more than two years if it was not a nuisance at the time it was established.*

21 **SEC. 35.5. EXEMPTIONS AND NONAPPLICATION.**

22 (a) The provisions of Section 35.4 shall not apply whenever a nuisance results from  
23 the negligent, improper, or illegal operation of any ~~Industrial~~PDR Use.

1 (b) This Chapter 35 is not intended to super~~e~~se~~d~~e or limit any other provisions of the  
2 Municipal Code with regard to the regulation and control of ~~Industrial~~PDR Uses, including, but  
3 not limited to, Article 11 of the Health and Safety Code.

4 \* \* \* \*

5 **SEC. 35.6. NOTICE REQUIREMENTS FOR TRANSFER OF REAL PROPERTY FOR**  
6 **RESIDENTIAL USE.**

7 (a) **Notice Requirement.** The ~~t~~ransferor of ~~Adjacent~~ Property for Residential Use or  
8 Hotel Use must provide notice to the ~~t~~ransferee as follows.

9 (1) **Timing of Disclosure.** For all transfers of ~~Adjacent~~ Property having any  
10 Residential Use or Hotel Use, the ~~t~~ransferor shall provide the disclosure described in  
11 ~~s~~subsection 35.6(a)(2) on a written document. This notice shall be provided for a lease prior to  
12 the tenant(s) signing at the lease, or for a purchase agreement for the transfer of the ~~Adjacent~~  
13 Property at the time required by California Civil Code Section 1102.3.

14 (2) **Disclosure Contents of Disclosure Notice.** The disclosure shall include a  
15 citation to this Section 35.6, a copy of this Chapter 35 as is in effect when the disclosure notice is  
16 provided, and a written statement containing substantially the following language in at least 12-  
17 point font:

18 **"DISCLOSURE OF ~~ADJACENT~~NEIGHBORING INDUSTRIALPDR USES**

19 You are purchasing or leasing property in an area that permits Production, Distribution, and  
20 Repair (PDR) Uses, as defined in Planning Code Section 102~~that may be adjacent to an existing~~  
21 ~~industrial use.~~ IndustrialPDR Uses may subject you to inconveniences or discomfort arising  
22 from ~~Industrial~~their operations, which may include, but are not limited to: noise, odors, dust,  
23 chemicals, smoke, operation of machinery, and loading and unloading operations, which may  
24 occur throughout the day and night. One or more of these types of inconveniences may occur  
25 even if the ~~industrial~~PDR Use is operating in conformance with existing laws and regulations

1 and locally accepted customs and standards for operations of such use. ~~If you live near~~  
2 ~~industrial uses, you~~You should be prepared to accept such inconveniences or discomfort as  
3 normal and a necessary aspect of living in a neighborhood with mixed ~~industrial~~PDR and  
4 residential ~~Uses~~. A PDR Use shall not be considered a public or private nuisance if it operates in  
5 compliance with the Municipal Code and state and federal law, and with the terms of its  
6 permits~~Transferor shall maintain a copy of this disclosure in the transferor's records for not less than~~  
7 ~~two years, and a copy shall be provided to the City or the transferee upon request.~~"

8 (b) **Affidavit of Disclosure.**

9 (1) Contents of Affidavit. The ~~t~~Transferor shall make and sign, upon penalty of  
10 perjury, an affidavit containing the following information, with appropriate terms to be inserted in  
11 place of the bracketed language, as specified: stating that the transferor provided the disclosure  
12 required by this Section and shall attach a copy of the notice actually provided; provided, however,  
13 that the attachment need not also include a copy of the then-current text of this Chapter. This affidavit,  
14 with the attached notice provided, shall be maintained in the transferor's records for not less than two  
15 years, and a copy shall be provided to the City or the transferee upon request.

16 (A) the identities of the Transferor and any entity on whose behalf the  
17 Transferor is acting;

18 (B) the identity of the Transferee;

19 (C) the address, including unit number, of the portion of the Project being  
20 transferred;

21 (D) whether the Transfer is a sale or lease; and

22 (E) the following language:

23 "I have provided to the [purchaser or lessee] the disclosure required by San Francisco  
24 Administrative Code Chapter 35. Attached is a true and correct copy of the notice provided to the  
25 [purchaser or lessee].

1           I declare under penalty of perjury under the laws of the State of California that the foregoing is  
2 true and correct. Executed on [date] in [city and state]."

3           (2) Affidavit Transmitted to the Planning Department. The Transferor shall transmit  
4 to the Planning Department, by any means acceptable to the Planning Department, the affidavit and a  
5 copy of the disclosure notice provided to each Transferee; provided however, that the attachment need  
6 not also include a copy of the then-current text of this Chapter 35. This transmittal must occur within  
7 90 days of the transfer. Upon request of the Transferee, the Transferor shall also provide a copy of this  
8 affidavit, with an attached copy of the disclosure notice referenced in the affidavit, to the Transferee.

9           (3) Affidavits Available to the Public. Pursuant to state and local law, upon request,  
10 the Planning Department shall provide a copy of the affidavit and attached notice to any member of the  
11 public.

12           (4) Covenants, Conditions, and Restrictions for Condominium Projects. If the  
13 Property will be subdivided into condominiums, the requirements of this Section 35.6(b) shall be  
14 included as terms of the Covenants, Conditions, and Restrictions ("CC&Rs") that will be filed with the  
15 State and that govern owners of the property. Upon request, a copy of the CC&Rs shall be provided to  
16 the Planning Department.

17           \* \* \* \*

18           ~~(e) This Chapter shall not create any private right of action against the City. The City shall~~  
19 ~~have no duty or liability based on any failure to achieve the disclosure required by this Chapter or~~  
20 ~~based on the City's failure to prosecute.~~Enforcement. The Planning Department shall enforce this  
21 Section 35.6 through the application of Planning Code Sections 176 and 176.1.

22           **SEC. 35.7. PLANNING DEPARTMENT AND COMMISSION REVIEW OF**  
23 **RESIDENTIAL PROJECTS.**

24           The Planning Department and Commission shall consider, among other  
25 considerationsfactors, the compatibility of uses when approving Residential Uses and Hotel Uses

1 in PDR Use Zoning Districts adjacent to or near existing Industrial Uses and to shall take all  
2 reasonably available means through the City's design review and approval processes to  
3 ensure that the design of such new residential and hotel development projects is sensitive to  
4 both the existing and future Industrial PDR Uses in these Districts and the future residents and  
5 overnight visitors of the new development. Such considerations factors may include, among  
6 others:

- 7 (a) The proposed project's consistency with the Industrial Area Design Guidelines;
- 8 (b) The proposed project's overall design, acoustical treatment, and ventilation to  
9 achieve interior noise levels and ventilation compatible with residential standards; and
- 10 (c) The location of non-habitable spaces or spaces such as closets, bathrooms,  
11 kitchens, and/or landscaping so that such spaces may provide a buffer between the proposed  
12 habitable residential areas and any common property line with Industrial PDR Uses.

13 **SEC. 35.8. SEVERABILITY.**

14 In the event that a court or agency of competent jurisdiction holds that a Federal or  
15 State law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this  
16 Chapter 35 or the application thereof to any person or circumstances, it is the intent of the  
17 Board of Supervisors that the court or agency sever such clause, sentence, paragraph, or  
18 section or application thereof so that the remainder of this ordinance Chapter shall remain in  
19 effect.

20 **SEC. 35.9. NO PRIVATE RIGHT OF ACTION AGAINST CITY.**

21 This Chapter 35 shall not create any private right of action against the City. The City shall have  
22 no duty or liability based on any failure to achieve the disclosure required by this Chapter or based on  
23 the City's failure to enforce or prosecute pursuant to this Chapter.

1 Section 4. The Planning Code is hereby amended by adding Sections 128.1, 132.4,  
2 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, 434, and 848; revising Sections 102,  
3 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181,  
4 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 263, 270, 270.2,  
5 303.1, 304, 307, 329, 401, 406, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 418.7, 419,  
6 419.6, 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4,  
7 803.5, 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and  
8 890.124; and deleting Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to read as  
9 follows:

10 **SEC. 102. DEFINITIONS.**

11 \* \* \* \*

12 **Floor Area, Gross.** In Districts other than C-3, ~~CMUO~~the Central SoMa Special Use  
13 District, and the Van Ness Special Use District, the sum of the gross areas of the several floors of  
14 a building or buildings, measured from the exterior faces of exterior walls or from the  
15 centerlines of walls separating two buildings. Where columns are outside and separated from  
16 an exterior wall (curtain wall) that encloses the building space or are otherwise so arranged  
17 that the curtain wall is clearly separate from the structural members, the exterior face of the  
18 curtain wall shall be the line of measurement, and the area of the columns themselves at each  
19 floor shall also be counted.

20 In ~~the C-3 and CMUO~~Central SoMa Districts and the Van Ness Special Use Districts,  
21 the sum of the gross areas of the several floors of a building or buildings, measured along the  
22 glass line at windows at a height of four feet above the finished floor and along a projected  
23 straight line parallel to the overall building wall plane connecting the ends of individual  
24 windows, provided, however, that such line shall not be inward of the interior face of the wall.  
25

1 (a) Except as specifically excluded in this definition, "Gross Floor Area" shall include,  
2 but not be limited to, the following:

3 \* \* \* \*

4 (7) In districts other than the C-3 and CMUO Central SoMa Special Use  
5 Districts, floor space in accessory buildings; and

6 (8) In the C-3 and CMUO Central SoMa Special Use Districts, any floor area  
7 dedicated to accessory or non-accessory parking, except for bicycle parking, required  
8 off-street loading, and accessory parking as specified in subsection (b)(7); and

9 \* \* \* \*

10 (b) "Gross Floor Area" shall not include the following:

11 \* \* \* \*

12 (4) Mechanical equipment, appurtenances, and areas necessary to the  
13 operation or maintenance of the building itself (A) if located at an intermediate story of the  
14 building and forming a complete floor level; or (B) in the C-3 and CMUO Central SoMa Special  
15 Use Districts, if located on a number of intermediate stories occupying less than a full floor  
16 level, provided that the mechanical equipment, appurtenances, and areas are permanently  
17 separated from occupied floor areas and in aggregate area do not exceed the area of an  
18 average floor as determined by the Zoning Administrator;

19 \* \* \* \*

20 (7) In C-3 and CMUO Districts, floor space dedicated to parking which does not  
21 exceed the amount principally permitted as accessory, and is located underground.

22 \* \* \* \*

23 (13) Ground floor area in the C-3-O, C-3-O(SD), C-3-S, C-3-S(SU), ~~and~~ and C-  
24 3-G, Districts, and CMUO in the Central SoMa Special Use Districts devoted to building or  
25 pedestrian circulation and building service;

1 \* \* \* \*

2 (16) Floor area in C-3, ~~South of Market Mixed Use Districts~~, and Eastern  
3 Neighborhoods Mixed Use Districts devoted to child care facilities, provided that:

4 (A) Allowable indoor space is no less than 3,000 square feet and no  
5 more than 6,000 square feet, ~~and~~;

6 (B) The facilities are made available rent free, ~~and~~;

7 (C) Adequate outdoor space is provided adjacent, or easily accessible, to  
8 the facility. Spaces such as atriums, rooftops, or public parks may be used if they meet  
9 licensing requirements for child care facilities; and

10 (D) The space is used for child care for the life of the building as long as  
11 there is a demonstrated need. No change in use shall occur without a finding by the Planning  
12 Commission that there is a lack of need for child care and that the space will be used for a  
13 facility described in Ssubsection (b)(17) below dealing with cultural, educational, recreational,  
14 religious, or social service facilities;

15 (17) Floor area in C-3, ~~South of Market Mixed Use Districts~~, and Eastern  
16 Neighborhoods Mixed Use Districts permanently devoted to cultural, educational, recreational,  
17 religious, or social service facilities available to the general public at no cost or at a fee  
18 covering actual operating expenses, provided that such facilities are:

19 (A) Owned and operated by a nonprofit corporation or institution; or

20 (B) Are made available rent free for occupancy only by nonprofit  
21 corporations or institutions for such functions. Building area subject to this Ssubsection shall  
22 be counted as Occupied Floor Area, except as provided in Ssubsections(a) through (f) in the  
23 definition for Floor Area, Occupied, for the purpose of calculating the freight loading  
24 requirements for the project;

25 \* \* \* \*

1  
2           **SEC. 123. MAXIMUM FLOOR AREA RATIO.**

3           (a) The limits upon the floor area ratio of buildings, as defined by this Code, shall be as  
4 stated in this Section and Sections 124 through 128.1. The maximum floor area ratio for any  
5 building or development shall be equal to the sum of the basic floor area ratio for the district,  
6 as set forth in Section 124, plus any premiums and floor area transfers which are applicable to  
7 such building or development under Sections 125, 127, ~~and 128,~~ and 128.1 and as restricted  
8 by the provisions of Sections 123(c) and (d) and 124(b) and (j).

9           (b) No building or structure or part thereof shall be permitted to exceed, except as  
10 stated in Sections 172 and 188 of this Code, the floor area ratio limits herein set forth for the  
11 district in which it is located.

12           (c) In the C-3 Districts, ~~T~~he amount of TDR that may be transferred to a development  
13 lot, as allowed by Section 128, is limited as follows:

14                   (1) The gross floor area of a structure on a lot in the C-3-O District may not  
15 exceed a floor area ratio of 18 to 1;

16                   (2) The gross floor area of a structure on a lot in the C-3-R, C-3-G and C-3-S  
17 Districts may not exceed a floor area ratio that is 1½ times the basic floor area limit for the  
18 district as provided in Section 124. This section shall not apply to the C-3-S (SU) District.

19           (d) The gross floor area of a structure on a lot on which is or has been located a  
20 Significant or Contributory Building may not exceed the basic floor area ratio limits stated in  
21 Section 124 except as provided in Sections 128(c)(2) and 124(f).

22           (e) **C-3-O(SD) District.** To exceed the basic floor area ratio limit of 6.0:1 up to a ratio  
23 of 9.0:1, TDR must be transferred to the development lot as described in Section 128. The  
24 use of TDR to exceed a floor area ratio of 9.0:1 shall not be allowed in the C-3-O(SD) district.  
25 In order to exceed a floor area ratio of 9.0:1, all projects must participate in the Transit Center

District Mello-Roos Community Facilities District as described in Section 424.8. The gross floor area of a structure on a lot in the C-3-O(SD) District shall not otherwise be limited.

(f) A project subject to the TDR requirements of Section 249.78 is subject to the floor area ratio restrictions contained in that Section.

**SEC. 124. BASIC FLOOR AREA RATIO.**

(a) Except as provided in ~~S~~subsections (b), (c), (d), (e), and (l) of this Section 124, the basic Floor Area Ratio limits specified in the Zoning Control Table for the district in which the lot is located, or in Table 124 below, shall apply to each building or development in the districts indicated.

<b>TABLE 124</b>	
<b>BASIC FLOOR AREA RATIO LIMITS</b>	
<i>District</i>	<i>Basic Floor Area Ratio Limit</i>
* * * *	
<del>RSD</del> , SPD, NC-1, NCT-1, NC-S	1.8 to 1
Haight	
Inner Clement	
Inner Sunset	
North Beach	
Outer Clement	
Sacramento	

1	24th Street-Noe Valley	
2	West Portal	
3	* * * *	
4		
5	<i>SLR, SLI</i>	<i>2.5 to 1</i>
6	<i>SSO and in a 40 or 50 foot height district</i>	<i>3.0 to 1</i>
7	<i>SSO and in a 65 or 80 foot height district</i>	<i>4.0 to 1</i>
8	<i>SSO and in a 130 foot height district</i>	<i>4.5 to 1</i>
9		
10	* * * *	

11 \* \* \* \*

12 (j) Within ~~the any~~ RSD, SPD, ~~SLR, SLI or SSO~~ District, Live/Work Units constructed  
13 above the floor area ratio limits in Section 102 (Floor Area Ratio, subsection (b)(19)) of this  
14 Code shall be subject to the following conditions and standards:

15 (1) Considering all Dwelling Units and all Live/Work Units on the lot, existing and  
16 to be constructed, there shall be no more than one Live/Work Unit and/or Dwelling Unit per  
17 200 square feet of lot area, ~~except that, for projects in the RSD District which will exceed 40 feet in~~  
18 ~~height, and therefore are required to obtain conditional use approval, the allowable density for~~  
19 ~~Dwelling Units and Live/Work Units shall be established as part of the conditional use determination;~~  
20 and

21 \* \* \* \*

22 **SEC. 128.1. TRANSFER OF DEVELOPMENT RIGHTS IN THE CENTRAL SOMA**  
23 **SPECIAL USE DISTRICT.**

1           (a) Purpose. *The purpose of this Section is to use Transferable Development Rights to*  
2 *facilitate the economic viability of buildings that are of civic importance, that are not built to their full*  
3 *development potential, and that are within the Central SoMa Special Use District, established in*  
4 *Section 249.78.*

5           (b) Definitions.

6           "Development Lot." *A lot within the Central SoMa Special Use District to which*  
7 *Transferable Development Rights may be transferred. The following areas are exempted from the*  
8 *calculation of the Development Lot area: The Development Lot shall not include any land*  
9 *dedicated to the City for affordable housing pursuant to Section 249.78 or land dedicated to*  
10 *the City for publicly-owned parks or publicly-owned recreation centers pursuant to Section*  
11 *263.32 or 263.34.*

12           "Preservation Lot." *A parcel of land within the Central SoMa Special Use District on*  
13 *which exists (1) a Significant or Contributory Building, as designated pursuant to Article 11 of this*  
14 *Code; or (2) a structure designated as an individual landmark or as contributory to a historic district*  
15 *designated pursuant to Article 10 of this Code. The boundaries of the Preservation Lot shall be the*  
16 *boundaries of the Assessor's Lot on which the building is located at the time the ordinance making the*  
17 *designation is adopted, unless boundaries are otherwise specified in that ordinance.*

18           "Transfer Lot." *A lot within the Central SoMa Special Use District from which*  
19 *Transferable Development Rights may be transferred.*

20           "Transferable Development Rights (TDR)." *Units of allowable Gross Floor Area that*  
21 *may be transferred, pursuant to the provisions of this Section and Article 11 of this Code, from a*  
22 *Transfer Lot to increase the allowable Gross Floor Area of a development on a Development Lot.*

23           "Unit of TDR." *One unit of TDR is one square foot of Gross Floor Area.*

24           (c) Applicability. *TDR may be transferred from a Transfer Lot to a Development Lot, subject*  
25 *to the requirements set forth in this Section 128.1 and Section 249.78.*

1                   (1) The maximum TDR available for transfer from a Transfer Lot consists of the  
2 difference between the allowable Gross Floor Area on the Transfer Lot and the actual Gross Floor  
3 Area of the development located on the Transfer Lot. For purposes of this Section, the allowable Gross  
4 Floor Area of the Transfer Lot is as follows:

5                   (A) 3.0 Floor Area Ratio for projects in height districts of 40 to 49 feet;

6                   (B) 4.0 Floor Area Ratio for projects in height districts of 50 to 59 feet;

7                   (C) 5.0 Floor Area Ratio for projects in height districts of 60 to 69 feet;

8                   (D) 6.0 Floor Area Ratio for projects in height districts of 70 to 85 feet; and

9                   (E) 7.5 Floor Area Ratio for projects in height districts over 85 feet.

10                   (2) TDR may not be transferred for use on any lot on which there is a Significant or  
11 Contributory building designated pursuant to Article 11 or any building designated pursuant to Article  
12 10; provided that this restriction shall not apply if the Historic Preservation Commission finds that the  
13 additional space resulting from the transfer of TDR is essential to make economically feasible the  
14 reinforcement of a Significant or Contributory building designated pursuant to Article 11 to meet the  
15 standards for seismic loads and forces of the Building Code, in which case TDR may be transferred for  
16 that purpose, provided that the project sponsor has satisfied all other requirements of this Section and  
17 Article 11, including but not limited to the requirements of Sections 1111 through 1111.6.

18                   (3) Notwithstanding any other provision of this Section 128.1, development on a  
19 Development Lot is limited by the provisions of this Code, other than those on floor area ratio,  
20 governing the approval of projects, including but not limited to the requirements relating to height,  
21 bulk, setback, sunlight access, and separation between towers, and any limitations imposed pursuant to  
22 Section 329 review applicable to the Development Lot.

23                   (d) **Controls.** The transfer of TDR shall be allowed only under the following circumstances:

24                   (1) The Transfer Lot is a Preservation Lot or consists of a building all of the housing  
25 units of which are Affordable Housing Units as defined in Section 401.

1                   (2) The purchaser of the TDR is a Development Lot as defined in Section 128 and  
2 128.1.

3                   (e) Additional Requirements. Projects transferring TDR pursuant to this Section 128.1 are  
4 subject to the requirements of Planning Code Section 128(e) through (l) and Section 249.78.

5                   **SEC. 132.4. SETBACKS, STREETWALL ARTICULATION, AND TOWER SEPARATION**  
6 **IN THE CENTRAL SOMA SPECIAL USE DISTRICT.**

7                   (a) Purpose. The controls in this Section 132.4 are intended to ensure that new buildings in the  
8 Central SoMa Special Use District contribute to the activation, safety, and dynamism of the  
9 neighborhood, help create a strong urban room, and facilitate a substantial amount of light and air to  
10 the neighborhood's major streets.

11                   (b) Definitions. The definitions of Section 102 shall apply, as well as the following additional  
12 definitions.

13                   **"Mid-Rise Building."** A building above 85 feet and up to 160 feet in Height.

14                   **"Mid-Rise Portion."** The portion of a Mid-Rise Building above 85 feet in Height.

15                   **"Separation."** The distance, measured horizontally, between the outside surfaces of the  
16 exterior walls of the subject buildings.

17                   **"Tower."** Any building taller than 160 feet in Height.

18                   **"Tower Portion."** The portion of a Tower above 85 feet in Height.

19                   (c) Applicability. The controls in this Section 132.4 apply within the Central SoMa Special Use  
20 District, established in Section 249.78.

21                   (d) Controls.

22                   (1) Streetwall.

23                   (A) Requirements. Buildings shall be built up to the street- or alley-facing  
24 property line up to 65 feet in Height, subject to the controls of Section 261.1 as applicable, except as  
25 provided in subsection (B) below.

1 (B) Permitted Streetwall Setbacks. Notwithstanding the requirements of  
2 subsection (A), any building may be recessed from the property line as follows:

3 (i) To the extent necessary to accommodate any setback required by this  
4 Code;

5 (ii) For portions of residential buildings with walk-up dwelling units that  
6 have setbacks in accordance with the Ground Floor Residential Guidelines;

7 (iii) For publicly-accessible open space built pursuant to the  
8 requirements of Section 138; or

9 (iv) For building façade architectural articulation and modulation up to  
10 a maximum depth of 58 feet.

11 (2) Setbacks.

12 (A) For Mid-Rise Buildings in the CS Bulk District, as defined in Section 270(h),  
13 the following requirements apply:

14 (i) Along all street- and alley-facing property lines, a 15-foot setback is  
15 required for the Mid-Rise Portion for at least 60 percent of the frontage length. This setback may be  
16 reduced for obstructions permitted by Section 136;

17 (ii) Along all interior property lines, a 15-foot setback is required for the  
18 Mid-Rise Portion for the entire frontage. This setback may be reduced for obstructions permitted  
19 according to Section 136.

20 (B) For Towers in the CS Bulk District, along all property lines, a 15-foot  
21 setback is required for the Tower Portion for the entire frontage. This setback may be reduced for  
22 obstructions permitted according to Section 136.

23 (C) Along 4th Street between Bryant Street and Townsend Street, building  
24 facades on new development shall be set back from the street-facing property line by a minimum depth  
25 of five feet to a minimum height of 25 feet above sidewalk grade. This setback shall be designed as an

1 extension of the sidewalk, free of columns or other obstructions, except as allowed according to Section  
2 136, and shall generally be available to the public at all times for pedestrian circulation.

3 **(3) Building Separation.**

4 (A) The Tower Portion of a project shall have a horizontal separation of at least  
5 115 feet from the Tower Portion of any other Tower.

6 (B) Through the procedures of Section 329, the Planning Commission may  
7 reduce the separation required under subsection (A) if it finds that a Tower project meets all of the  
8 following criteria:

9 (i) The Tower Portion of the project has, at a minimum, a horizontal  
10 separation of at least 85 feet from the Tower Portion of any other Tower;

11 (ii) The maximum floor area of any floor of the Tower Portion of the  
12 project is no more than 10,000 gross square feet;

13 (iii) The maximum height of the uppermost building element or mass,  
14 occupied or unoccupied, of the Tower has a difference of at least 50 feet in Height from the maximum  
15 height of the uppermost element of any other Tower within 115 feet of horizontal distance; and

16 (iv) The Tower Portion of the project is designed so as to maximize  
17 apparent distance and architectural differentiation from any other nearby Tower.

18 (C) The Tower Portion of a project shall have a horizontal separation of at least  
19 30 feet from any Mid-Rise Portion on the same development lot, except that a bridge between the  
20 Tower Portion and the Mid-Rise Portion may be permissible up to a height of 130 feet if the bridge is  
21 no more than one story in height, is set back a minimum of 15 feet from any property line, and is  
22 visually subordinate to the buildings it connects.

23 (D) Any development containing both a Tower Portion and Mid-Rise Portion  
24 shall be designed to emphasize a visual distinction between the Tower and Mid-Rise Portions as  
25 separate structures.

\* \* \* \*

**SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED, AND RED-MX, RSD, SLR, SLI AND SSO DISTRICTS.**

The rear yard requirements established by this Section 134 shall apply to every building in the districts listed below. To the extent that these provisions are inconsistent with any Special Use District or Residential Character District, the provisions of the Special Use District or Residential Character District shall apply. These requirements are intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

(a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the districts indicated:

(1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-3, RC-4, NC Districts other than the Pacific Avenue NC District, C, M, MUG, WMUG, MUO, CMUO, MUR, UMU, RED, RED-MX, and SPD, RSD, SLR, SLI and SSO Districts. Except as specified in this subsection, the minimum rear yard depth shall be equal to 25% of the total depth of the lot on which the building is situated, but in no case less than 15 feet.**

(A) For buildings containing only SRO Units in the *South of Market Mixed Use and Eastern Neighborhoods Mixed Use* Districts, the minimum rear yard depth shall be equal to 25% of the total depth of the lot on which the building is situated, but the required rear yard of SRO buildings not exceeding a height of 65 feet shall be reduced in specific situations as described in § subsection (c) below.

(B) To the extent the lot coverage requirements of Section 249.78 apply to a project, those requirements shall control, rather than the requirements of this Section 134.

\* \* \* \*

1 (C) RC-3, RC-4, NC-3, NCT-3, Broadway, Fillmore Street NCT, Hayes-  
2 Gough NCT, Japantown, SoMa NCT, Mission Street NCT, Polk Street, Pacific Avenue, C,  
3 M, SPD, ~~RSD, SLR, SLI, SSO~~, MUR, MUG, MUO, and UMU Districts. Rear yards shall be  
4 provided at the lowest story containing a Dwelling Unit, and at each succeeding level or story  
5 of the building. In the Hayes-Gough NCT, lots fronting the east side of Octavia Boulevard  
6 between Linden and Market Streets (Central Freeway Parcels L, M, N, R, S, T, U, and V) are  
7 not required to provide rear yards at any level of the building, provided that the project fully  
8 meets the usable open space requirement for Dwelling Units *per pursuant to* Section 135 of  
9 this Code, the exposure requirements of Section 140, and gives adequate architectural  
10 consideration to the light and air needs of adjacent buildings given the constraints of the  
11 project site.

12 \* \* \* \*

13 (c) **Reduction of Requirements in RH-2, RH-3, RTO, RTO-M, RM-1, and RM-2**  
14 **Districts.** The rear yard requirement stated in *Paragraph subsection (a)(2)* above and as stated  
15 in *Paragraph subsection (a)(1)* above for SRO buildings located in *either the South of Market*  
16 *Mixed Use or the* Eastern Neighborhoods Mixed Use Districts not exceeding a height of 65 feet,  
17 shall be reduced in specific situations as described in this Subsection (c), based upon  
18 conditions on adjacent lots. Except for those SRO buildings referenced above in this  
19 paragraph whose rear yard can be reduced in the circumstances described in Subsection (c)  
20 to a 15-foot minimum, under no circumstances, shall the minimum rear yard be thus reduced  
21 to less than a depth equal to 25 percent of the total depth of the lot on which the building is  
22 situated, or to less than 15 feet, whichever is greater.

23 \* \* \* \*

24 **SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP**  
25 **HOUSING, R, NC, MIXED USE, C, AND M DISTRICTS.**

1 Except as provided in Sections 134.1, 172, and 188 of this Code, usable open space  
2 shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use,  
3 and M Districts according to the standards set forth in this Section 135 unless otherwise  
4 specified in specific district controls elsewhere in this Code.

5 \* \* \* \*

6 (d) **Amount Required.** Usable open space shall be provided for each building in the  
7 amounts specified herein and in Tables 135A and B for the district in which the building is  
8 located; provided, however, that in the Downtown Residential (DTR) Districts, open space  
9 shall be provided in the amounts specified in Section 825 of this Code.

10 In Neighborhood Commercial Districts, the amount of usable open space to be  
11 provided shall be the amount required in the nearest Residential District, but the minimum  
12 amount of open space required shall be in no case greater than the amount set forth in Table  
13 135A for the district in which the building is located. The distance to each Residential District  
14 shall be measured from the midpoint of the front lot line or from a point directly across the  
15 street therefrom, whichever requires less open space.

16 \* \* \* \*

17 (5) **Eastern Neighborhoods Mixed Use Districts.**

18 (A) Minimum amount.

19 (i) Dwelling units, excluding SRO dwelling units. The minimum  
20 amount of usable open space to be provided for use by each dwelling unit shall be as  
21 specified in Table 135B.

22 (ii) ~~For group housing structures and, including SRO dwelling~~  
23 units. ~~The~~ minimum amount of usable open space provided for use by each bedroom shall  
24 be one-third the amount required for a dwelling unit as specified in Table 135B.

25 (B) Compliance.

1 (i) Privately-owned public open space. Usable open space  
 2 requirements in these areas may be fulfilled by providing privately-owned public open space  
 3 as specified in Table 135B.

4 (ii) Towers in the ~~CMUO~~ Central SoMa Special Use District.  
 5 Residential developments taller than 160 feet shall provide on-site at least 36 square feet per unit or  
 6 bedroom of the open space requirement of Table 135B. Any additional open space required pursuant to  
 7 Table 135B may be satisfied through payment of the fee established in Section 427.

8 (iii) Payment in case of Variance or exception. Projects granted a  
 9 usable open space Variance pursuant to Section 305 or an exception through Section 329 shall pay the  
 10 fee established in Section 427 for each square foot of useable open space not provided.

11 \* \* \* \*

TABLE 135 A		
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING		
OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT		
District	Square Feet <del>of</del> Usable Open Space Required <del>For</del> <u>for</u> Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
* * * *		
C-3, <del>C-M, SLR, SLL, SSO</del> , M-1, M-2	36	1.33
* * * *		

24 \* \* \* \*

1 (h) **Publicly-Accessible Usable Open Space Standards.** In DTR Districts and the  
2 Eastern Neighborhoods Mixed Use Districts, some or all of the usable open space  
3 requirements may be fulfilled by providing privately-owned public open space. Any space  
4 credited as publicly-accessible usable open space, where permitted or required by this Code,  
5 shall meet the following standards:

6 (1) **Types of Open Space.** Open space shall be of one or more of the following  
7 types:

8 (A) An unenclosed park or garden at street grade or following the natural  
9 topography, including improvements to hillsides or other unimproved public areas;

10 (B) An unenclosed plaza at street grade, with seating areas and  
11 landscaping and no more than 10 percent of the total floor area devoted to facilities for food or  
12 beverage service, exclusive of seating areas as regulated in Section 138(d)~~(5)~~;

13 (C) An unenclosed pedestrian pathway which complies with the  
14 standards of Section 270.2 and which is consistent with applicable design guidelines.

15 (D) Streetscape improvements with landscaping and pedestrian  
16 amenities that result in additional pedestrian space beyond the pre-existing sidewalk width  
17 and conform to the Better Streets Plan and any other applicable neighborhood streetscape  
18 plans *perpursuant to* Section 138.1 or other related policies such as those associated with  
19 sidewalk widenings or building setbacks, other than those intended by design for the use of  
20 individual ground floor residential units; and

21 (2) **Standards of Open Space.** Open space shall meet the standards  
22 described in Section 138(d)~~(1) through (11) of this Code.~~

23 (3) **Maintenance.** Maintenance requirements for open space in these areas are  
24 subject to Section 138(h) of this Code.  
25

1 (4) **Informational Plaque.** Signage requirements for open space in these areas  
2 are subject to Section 138(i) of this Code.

3 (5) **Open Space Provider.** Requirements regarding how to provide and  
4 maintain open space are subject to Section 138(f) of this Code.

5 (6) **Approval of Open Space Type and Features.** Approval of open space in  
6 these areas is subject to requirements of Section 138(d) of this Code.

7 \* \* \* \*

8 **SEC. 135.3. USABLE OPEN SPACE FOR USES OTHER THAN DWELLING UNITS,**  
9 **GROUP HOUSING AND LIVE/WORK UNITS WITHIN THE ~~SOUTH OF MARKET,~~ EASTERN**  
10 **NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS.**

11 (a) **Amount of Open Space Required.** All newly constructed structures, all structures  
12 to which ~~gross floor area~~Gross Floor Area equal to ~~20% percent~~ or more of existing ~~gross floor~~  
13 ~~area~~Gross Floor Area is added, and all structures in the ~~SSO and~~ Eastern Neighborhoods Mixed  
14 Use Districts within which floor area is converted to office use other than office use accessory  
15 to a non-office use shall provide and maintain usable open space for that part of the new,  
16 additional or converted square footage which is not subject to Sections 135.1 and 135.2 as  
17 follows:

18 **MINIMUM USABLE OPEN SPACE REQUIREMENTS FOR USES OTHER THAN**  
19 **DWELLING UNITS, GROUP HOUSING AND LIVE/WORK UNITS IN THE ~~SOUTH OF~~**  
20 **~~MARKET,~~ EASTERN NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS**

Use	Square Feet of Useable Open Space Required
* * * *	

<p>1 <i>Manufacturing and light industrial, storage</i>  2 <i>without distribution facilities, and like uses in the</i>  3 <i>South of Market Mixed Use Districts</i></p>	<p><i>1 sq. ft. per 120 gross sq. ft. of occupied floor</i>  <i>area of new or added square footage</i></p>
<p>4 * * * *</p>	
<p>5 <i>Office uses, as defined in 890.70, in the South of</i>  6 <i>Market Mixed Use Districts</i></p>	<p><i>1 sq. ft. per 90 sq. ft. of occupied floor area of</i>  <i>new, converted or added square footage</i></p>
<p>7 * * * *</p>	

8 \* \* \* \*

9 (2) **Eastern Neighborhoods Mixed Use Districts.** In the Eastern

10 Neighborhoods Mixed Use Districts, the open space requirements of this Section 135.3 may  
11 be fulfilled by providing privately-owned public open space. Such open space is subject to the  
12 following:

13 (A) The amount of open space required pursuant to Table 135.3 may be  
14 reduced by 33% percent if it is publicly accessible usable open space.

15 (B) Publicly accessible usable open space is required to meet all  
16 requirements specified in Section 135(h) of this Code.

17 (C) Up to 50% percent of the publicly accessible open space may be  
18 provided off-site, subject to Section 329 ~~of this Code~~ for projects to which that Section applies  
19 and Section 307(h) for other projects. Any such space shall meet the publicly accessible open  
20 space standards set forth in Section 135(h) and be provided within 800 feet of the project. The  
21 publicly accessible off-site usable open space shall be constructed, completed, and ready for  
22 use no later than the project itself, and shall receive its Certificate of Final Completion from  
23 the Department of Building Inspection prior to the issuance of any Certificate of Final  
24 Completion or Temporary Certificate of Occupancy for the project itself. This subsection (C)

1 shall not apply to projects in the ~~GMUO~~Central SoMa Special Use District, and instead such  
2 projects shall comply with Section 138.

3 (3) **Central SoMa SUD.** This Section 135.3 shall not apply to projects subject  
4 to the privately-owned public open space requirement pursuant to Section 138(a)(2).

5  
6 (34) **DTR Districts.** In DTR Districts, the open space requirements of this  
7 Section may be fulfilled by providing privately-owned public open space and shall be subject  
8 to the following:

9 (A) Such open space shall meet all requirements specified in Section  
10 135(h) of this Code.

11 (B) Up to 50 percent of required open space may be provided off-site per  
12 the procedures of Section 309.1 if it is within the individual DTR district of the project or within  
13 500 feet of any boundary of the individual DTR district of the project.

14 \* \* \* \*

15 **SEC. 138. PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS**  
16 **IN C-3 DISTRICTS.**

17 (a) **Requirement Applicability.** The following projects shall provide open space in the amount  
18 and in accordance with the standards set forth in this Section:

19 (1) In C-3 Districts, any project proposing new construction of ~~An applicant for a~~  
20 ~~permit to construct a new~~ a Non-Residential building or an addition of Gross Floor Area equal to  
21 20 percent or more of an existing Non-Residential building (hereinafter "building"). Institutional  
22 uses in C-3 Districts are exempt from the requirements of this Section 138.~~in C-3 Districts shall provide~~  
23 ~~open space in the amount and in accordance with the standards set forth in this Section. All~~  
24 ~~determinations concerning the adequacy of the amount of open space to be provided and its compliance~~  
25 ~~with the requirements of this Section shall be made in accordance with the provisions of Section 309.~~



1 entirely within the C-3 District. Projects within the CMUO Central SoMa Special Use District may  
2 provide the open space required by this Section within one-half mile of the project if the required open  
3 space is on publicly-owned land underneath or adjacent to the I-80 freeway. Open space is within  
4 900 feet of the building for which the permit is sought within the meaning of this Section if any  
5 portion of the building project is located within 900 feet of any portion of the open space. Off-  
6 site open space shall be developed and open for use prior to issuance of a first certificate of  
7 occupancy, as defined in Section 401 of this Code, of the building project whose open space  
8 requirement is being met off-site. Failure to comply with the requirements of this subsection  
9 shall be grounds for enforcement under this Code, including but not limited to the provisions of  
10 Sections 176 and 176.1.

11 (d) **Types and Standards of Open Space.**

12 (1) C-3 Districts. In C-3 Districts, Except as otherwise provided in Ssubsection  
13 (ef), the project applicant may satisfy the requirements of this Section by providing one or more  
14 of the following types of open space: A plaza, an urban park, an urban garden, a view terrace,  
15 a sun terrace, a greenhouse, a small sitting area (a "snippet"), an atrium, an indoor park, or a  
16 public sitting area in a galleria, in an arcade, in a public street or alley, or in a pedestrian mall  
17 or walkway, as more particularly defined in the table entitled "Guidelines for Open Space" in  
18 the Open Space Section of the Downtown Plan, or any amendments thereto, provided that the  
19 open space meets the following minimum standards. The open space shall:

20 (~~1A~~) Be of adequate size;

21 (~~2B~~) Be situated in such locations and provide such ingress and egress  
22 as will make the area easily accessible to the general public;

23 (~~3C~~) Be well-designed, and where appropriate, be landscaped;

24 (~~4D~~) Be protected from uncomfortable wind;

1 (5E) Incorporate various features, including ample seating and, if  
2 appropriate, access to food service, which will enhance public use of the area;

3 (6F) Have adequate access to sunlight if sunlight access is appropriate  
4 to the type of area;

5 (7G) Be well-lighted if the area is of the type requiring artificial  
6 illumination;

7 (8H) Be open to the public at times when it is reasonable to expect  
8 substantial public use;

9 (9I) Be designed to enhance user safety and security;

10 (10J) If the open space is on private property, provide toilet facilities open  
11 to the public; *and*

12 (11K) Have at least 75 percent of the total open space approved be open  
13 to the public during all daylight hours.

14 (2) GMUO Central SoMa Special Use District. In the GMUO Central SoMa  
15 Special Use District, a project shall satisfy the requirements listed below, as well as the approval  
16 process described in subsection (e):

17 (A) Projects shall meet the minimum standards of subsection (e)(1).

18 (B) Projects may provide open spaces outdoors or indoors, ~~or may pay the in-~~  
19 lieu fee as set forth in Section 4276 and subject to Commission review pursuant to subsection  
20 (ee) below or may pay the in-lieu fee as set forth in Section 426, except that development on sites  
21 of 40,000 square feet or more and located south of Bryant Street shall provide the required open space  
22 outdoors and may not pay an in-lieu fee.

23 (C) All open space provided shall be at street grade up to an amount that equals  
24 15 percent of the lot area. Any additional required open space may be provided above street grade.

1 (D) All open space shall be publicly accessible, at a minimum, from 7AM to  
2 6PM every day.

3 (E) All outdoor open space provided at street grade, except space provided  
4 underneath the I-80 freeway, shall meet the following requirements:

5 (i) The open space shall be open to the sky, except for obstructions  
6 permitted by Section 136 and up to 10% of space that may be covered by a cantilevered portion  
7 of the building if the space has a minimum height of 20 feet:

8 (ii) Any buildings on the subject property that directly abut the open  
9 space shall meet the active space requirements of Section 145.1; and

10 (iii) The open space shall be maximally landscaped with plantings on  
11 horizontal and vertical surfaces, subject to the appropriate design for circulation routes and any  
12 recreational or public amenities provided. Such plantings may include, but are not limited to living  
13 walls, stormwater gardens, and drought-tolerant landscaping.

14 (F) All indoor open spaces provided at street grade shall:

15 (i) Have a minimum area of 2,500 square feet;

16 (ii) Have a minimum floor-to-ceiling height of 20 feet for at least 75%  
17 of the space;

18 (iii) Provide openings directly to a sidewalk or other publicly-accessible  
19 outdoor space and, weather permitting, be accessible without the need to open doors;

20 (iv) Be situated, designed, and programmed distinctly from building  
21 lobbies or other private entrances to the building;

22 (G) All spacesProjects shall make efforts to include at least one publicly-  
23 accessible potable water source convenient for drinking and filling of water bottles.

24 (H) Any food service area provided in the required open space shall occupy no  
25 more than 20% of the open space;

1 (I) Any restaurant seating shall not take up more than 20% of the seating and  
2 tables provided in the required open space; and

3 (J) All spaces shall facilitate three-stream waste sorting and collection.

4 **(e) Approval of Open Space Type and Features.**

5 (1) In C-3 Districts, The type, size, location, physical access, seating and table  
6 requirements, landscaping, availability of commercial services, sunlight and wind conditions  
7 and hours of public access shall be reviewed and approved in accordance with the provisions  
8 of Section 309, and shall generally conform to the "Guidelines for Open Space" in the Open  
9 Space Section of the Downtown Plan, or any amendments thereto.

10 The Commission may, by resolution, declare certain types of open space ineligible to  
11 meet the requirements of this Section 138, either throughout C-3 Districts, or in certain defined  
12 areas, if it determines that a disproportionate number of certain types of open space, or ~~that~~  
13 an insufficient number of parks and plazas, is being provided ~~in order~~ to meet the public need  
14 for open space and recreational uses. Such resolution may exempt from its application  
15 projects whose permit applications are on file with the Planning Department.

16 Over time, no more than 20 percent of POPOS in the space provided under this Section  
17 138C-3 Districts shall be indoor space and at least 80 percent shall be outdoor space. Once an  
18 indoor space has been approved, another such feature may not be approved until the total  
19 square footage of outdoor open space features approved under this ~~subsection~~Section exceeds  
20 80 percent of the total square footage of all open spaces approved under this  
21 ~~subsection~~Section.

22 (2) In the GMUO Central SoMa Special Use District, all determinations concerning  
23 the adequacy of the location, amount, amenities, design, and implementation of open space required by  
24 this Section shall be made in accordance with the provisions of Section 329 and subsection-(e) (d(2)).

1 above. As part of this determination, the Planning Commission shall consider the ability of the open  
2 space to meet the open space, greening, and community needs of the neighborhood, as follows:

3 (A) Location. The provision of outdoor space, including off-site, should be  
4 given preference over the provision of indoor space and/or the payment of the in-lieu fee. The  
5 Commission may approve the provision of indoor space and/or the payment of the in-lieu fee only  
6 where the provision of outdoor space would:

7 (i) Be subject to substantially negative or unpleasant environmental  
8 conditions, such as noise, wind, or lack of access to direct sunlight; and/or

9 (ii) Where provision of the open space outdoors would substantially  
10 degrade the street wall or otherwise undermine the pedestrian experience.

11 (B) Amenities. The type of amenities provided shall take into consideration and  
12 complement the amenities currently and foreseeably provided in nearby publicly-accessible open  
13 spaces and recreational facilities, both publicly and privately owned, with a preference given to  
14 provision of amenities and types of spaces lacking or over-utilized in the area.

15 (C) Community Needs. The Commission shall consider the extent to  
16 which the open space serves the open space and recreational needs of the diverse  
17 inhabitants of the Central SoMa Special Use District, including but not limited to residents,  
18 youth, families, workers, and seniors.

19 \* \* \* \*

20 **SEC. 140. ALL DWELLING UNITS IN ALL USE DISTRICTS TO FACE ON AN OPEN**  
21 **AREA.**

22 (a) **Requirements for Dwelling Units.** ~~With the exception of Dwelling Units in SRO~~  
23 ~~buildings in the South of Market Mixed Use Districts, i~~In each Dwelling Unit in any use district, the  
24 required windows (as defined by Section 504 of the San Francisco Housing Code) of at least  
25 one room that meets the 120-square-foot minimum superficial floor area requirement of

1 Section 503 of the Housing Code shall face directly on an open area of one of the following  
2 types:

3 (1) A public street, public alley at least 20 feet in width, side yard at least 25 feet  
4 in width, or rear yard meeting the requirements of this Code; provided, that if such windows  
5 are on an outer court whose width is less than 25 feet, the depth of such court shall be no  
6 greater than its width; or

7 (2) An open area (whether an inner court or a space between separate  
8 buildings on the same lot) which is unobstructed (except for fire escapes not projecting more  
9 than necessary for safety and in no case more than four feet six inches, chimneys, and those  
10 obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code) and  
11 is no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in  
12 question is located and the floor immediately above it, with an increase of five feet in every  
13 horizontal dimension at each subsequent floor, except for SRO buildings in the Eastern  
14 Neighborhoods Mixed Use Districts, which are not required to increase five feet in every  
15 horizontal dimension until the fifth floor of the building.

16 \* \* \* \*

17 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,**  
18 **RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

19 (a) **Purpose.** The purpose of this Section is to preserve, enhance, and promote  
20 attractive, clearly defined street frontages that are pedestrian-oriented and fine-grained, and  
21 which are appropriate and compatible with the buildings and uses in Neighborhood  
22 Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use  
23 Districts.

24 \* \* \* \*

1 (c) **Controls.** The following requirements shall generally apply, except for those  
2 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling  
3 Height, which only apply to a "development lot" as defined above.

4 In NC-S Districts, the applicable frontage shall be the primary facade(s) ~~which that~~  
5 contain~~s~~ customer entrances to commercial spaces.

6 \* \* \* \*

7 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere in  
8 this Code:

9 (A) All ground floor uses in UMU Districts shall have a minimum floor-to-  
10 floor height of 17 feet, as measured from grade. Ground floor Residential Uses shall also be  
11 designed to meet the City's Ground Floor Residential Design Guidelines.

12 (B) Ground floor Non-Residential Uses in all C-3, NCT, DTR, Chinatown  
13 Mixed Use, ~~RSD, SLR, SLL~~ SPD, ~~SSO~~ RED-MX, WMUG, MUG, MUR, WMUO, CMUO and  
14 MUO Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade.

15 \* \* \* \*

16 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

17 (a) **Purpose.** To support active, pedestrian-oriented commercial uses on important  
18 commercial streets.

19 (b) **Applicability.** The requirements of this Section apply to the following street  
20 frontages.

21 \* \* \* \*

22 (7) Fourth Street, between ~~Folsom Bryant~~ and Townsend ~~Streets~~ in the ~~SLI~~ and  
23 CMUO Central SoMa Special Use Districts;

24 \* \* \* \*

1 (28) Any street frontage that is in the Polk Street Neighborhood Commercial  
2 District; ~~and,~~

3 (29) Pacific Avenue, between Van Ness Avenue and Jones Street, on lots  
4 where the last known ground floor use was a commercial or retail use;

5 (30) Folsom Street, between 4th and 6th Streets in the GMUO and MUG Central SoMa  
6 Special Use Districts;

7 (31) Second Street, on the west side, between Dow Place and Townsend Street in the  
8 GMUO Central SoMa Special Use District;

9 (32) Third Street, between Folsom Street and Townsend Street in the GMUO Central  
10 SoMa Special Use District and C-3-O Districts;

11 (33) Brannan Street, between Third Street and Fourth Street, in the GMUO Central  
12 SoMa Special Use District; and

13 (34) Townsend Street, on the north side, between Second Street and Fourth Street.

14 \* \* \* \*

15 (d) Controls.

16 \* \* \* \*

17 (4) In the Central SoMa SUD, a project whose street frontage is subject to this  
18 Section 145.4 may locate a Privately-Owned Public Open Spaces (POPOS) along such street  
19 frontage, provided that the ground floor portion of the building facing the POPOS is lined with  
20 active commercial uses.

21  
22 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**  
23 **SPECIFIED DISTRICTS.**

24 \* \* \* \*

25 **Table 151.1**

**OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
<b>RESIDENTIAL USES</b>	
* * * *	
Dwelling Units and SRO Units in <i>SLI, SALI, SSO, MUG</i> <u>outside of the Central SoMa SUD</u> , WMUG, MUR, MUO, WMUO, SPD Districts, except as specified below	P up to one car for each four Dwelling or SRO Units; C up to 0.75 cars for each Dwelling Unit, subject to the criteria and conditions and procedures of Section 151.1(e) or (f); NP above 0.75 cars for each Dwelling or SRO Unit.
Dwelling Units in <i>SLI, SALI, SSO, MUG</i> <u>outside of the Central SoMa SUD</u> , WMUG, MUR, MUO, WMUO, <u>and</u> SPD Districts with at least two bedrooms and at least 1,000 square feet of Occupied Floor Area	P up to one car for each four Dwelling Units; C up to one car for each Dwelling Unit, subject to the criteria and conditions and procedures of Section 151.1(e) or (f); NP above one car for each Dwelling Unit.
* * * *	
<u>Dwelling Units in MUG District within the Central SoMa SUD and the GMUO Districts</u>	<u>P up to one car for each two four Dwelling Units; NPC above 0.250 and up to 0.5 cars for each Dwelling Unit.</u>
* * * *	
<b>NON-RESIDENTIAL USES IN DISTRICTS OTHER THAN C-3</b>	
* * * *	
<b>Entertainment, Arts, and Recreation Uses Category</b>	

<p>1 Arts Activities, except theaters and 2 auditoriums</p>	<p>P up to one for each 2,000 square feet of Occupied Floor Area. <i>In South of Market Mixed Use Districts, participation in transportation programs may be required per Section 151.1(j).</i></p>
---	---

6 \* \* \* \*

7 **Sales and Services Category**

8 \* \* \* \*

<p>9 All retail in the Eastern Neighborhoods 10 Mixed Use Districts where any portion of the 11 parcel is <u>within the CMUO Central SoMa</u> 12 <u>Special Use District</u> or is less than 1/4 mile 13 from Market, Mission, 3rd Streets and 4th 14 Street north of Berry Street, except grocery 15 stores of over 20,000 gross square feet.</p>	<p>P up to one for each 1,500 square feet of Gross Floor Area.</p>
--	--

16 \* \* \* \*

<p>17 Office uses in DTR, <del>SSO</del>, SPD, MUG, 18 WMUG, MUR, WMUO, and MUO Districts</p>	<p>P up to 7% of the Occupied Floor Area of such uses and subject to the pricing conditions of Section 155(g); NP above.</p>
---	--

<p>20 <u>Office uses in the CMUO Central SoMa Special</u> 21 <u>Use District</u></p>	<p><u>P up to one car per 3,500 square feet of</u> <u>Occupied Floor Area.</u></p>
--	--

22 \* \* \* \*

23 \* \* \* \*

24 (f) **Small Residential Projects in MUG, WMUG, MUR, MUO, CMUO, WMUO, RED,**  
25 **RED-MX and SPD Districts.** Any project that is not subject to the requirements of Section

1 329 and that requests residential accessory parking in excess of what is principally permitted  
2 in Table 151.1 shall be reviewed by the Zoning Administrator subject to Section 307(i). The  
3 Zoning Administrator may grant parking in excess of what is principally permitted in Table  
4 151.1, not to exceed the maximum amount stated in Table 151.1, only if the Zoning  
5 Administrator determines that:

6 \* \* \* \*

7 **SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES**  
8 **IN DISTRICTS OTHER THAN C-3, AND EASTERN NEIGHBORHOODS MIXED USE**  
9 **~~DISTRICTS, OR SOUTH OF MARKET MIXED USE DISTRICTS.~~**

10 In districts other than C-3, and Eastern Neighborhoods Mixed Use Districts, ~~and the~~  
11 ~~South of Market Mixed Use Districts~~, off-street freight loading spaces shall be provided in the  
12 minimum quantities specified in the following table, except as otherwise provided in Section  
13 152.2 and Section 161 of this Code. The measurement of Occupied Floor Area shall be as  
14 defined in this Code, except that nonaccessory parking spaces and driveways and  
15 maneuvering areas incidental thereto shall not be counted.

16 **Table 152**  
17 **OFF-STREET FREIGHT LOADING SPACES REQUIRED (OUTSIDE C-3, AND EASTERN**  
18 **NEIGHBORHOODS MIXED USE DISTRICTS, ~~AND SOUTH OF MARKET MIXED USE~~**  
19 **~~DISTRICTS)~~**

20 \* \* \* \*

21 **SEC. 152.1. REQUIRED OFF-STREET FREIGHT LOADING AND SERVICE**  
22 **VEHICLE SPACES IN C-3, AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS,**  
23 **~~AND SOUTH OF MARKET MIXED USE DISTRICTS.~~**

24 In C-3, and Eastern Neighborhoods Mixed Use Districts, ~~and South of Market Mixed Use~~  
25 ~~Districts~~, off-street freight loading spaces shall be provided in the minimum quantities specified

1 in the following Table 152.1, except as otherwise provided in Sections 153(a)(6), 161, and as  
 2 stated below in this Section 152.1. Notwithstanding the requirements of this Section, including  
 3 Table 152.1, no building in the C-3-O(SD) district shall be required to provide more than six  
 4 off-street freight loading or service vehicle spaces in total. The measurement of Occupied  
 5 Floor Area shall be as defined in this Code, except that non-accessory parking spaces and  
 6 driveways and maneuvering areas incidental thereto shall not be counted.

7 For projects in the Eastern Neighborhoods Mixed Use Districts that are subject to  
 8 Section 329, the Planning Commission may waive these requirements *perpursuant to* the  
 9 procedures of Section 329 if it finds that the design of the project, particularly ground floor  
 10 frontages, would be improved and that such loading could be sufficiently accommodated on  
 11 adjacent Streets and Alleys. For projects in the Eastern Neighborhoods Mixed Use Districts  
 12 that are not subject to Section 329, the Zoning Administrator may administratively waive these  
 13 requirements pursuant to Section 307(h) and the criteria identified above which apply to  
 14 projects subject to Section 329.

15  
 16 **Table 152.1**  
 17 **OFF-STREET FREIGHT LOADING SPACES REQUIRED (IN C-3, AND EASTERN**  
 18 **NEIGHBORHOODS MIXED USE DISTRICTS, ~~AND SOUTH OF MARKET MIXED USE~~**  
 19 ***DISTRICTS*)**

Use or Activity	Gross Floor Area of Structure or Use (sq. ft.)	Number of Off-Street Freight Loading Spaces Required
* * * *		
Wholesaling, manufacturing,	0 – 10,000	0
and all other uses primarily	10,001 – 50,000	1

<p>engaged in handling goods, and Live/Work Units within existing buildings, within Eastern Neighborhoods Mixed Use Districts, <del>and South of Market Mixed Use Districts</del></p>	<p>Over 50,000</p>	<p>0.21 spaces per 10,000 sq. ft. of Occupied Floor Area (to closest whole number <del>per</del><u>pursuant to</u> Section 153)</p>
<p>* * * *</p>		

\* \* \* \*

**SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES.**

(a) In the calculation of off-street parking, freight loading spaces, and bicycle parking spaces required under Sections 151, 152, 152.1, 155.2, 155.3 and 155.4 of this Code, the following rules shall apply:

\* \* \* \*

(6) In C-3, MUG, MUR, MUO, ~~CMUO, and~~ UMU, ~~and South of Market Districts~~, substitution of two service vehicle spaces for each required off-street freight loading space may be made, provided that a minimum of 50 percent of the required number of spaces are provided for freight loading. Where the 50 percent allowable substitution results in a fraction, the fraction shall be disregarded.

\* \* \* \*

**SEC. 154. DIMENSIONS FOR OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE SPACES.**

(a) Parking Spaces. Required parking spaces may be either independently accessible or space-efficient as described in 154(a)(4) and 154(a)(5), except as required elsewhere in

1 the Building Code for spaces specifically designated for persons with physical disabilities.  
2 Space-efficient parking is encouraged.

3 (1) Each independently accessible off-street parking space shall have a  
4 minimum area of 144 square feet (8 feet by 18 feet) for a standard space and 112.5 square  
5 feet for a compact space (7.5 feet by 15 feet), except for the types of parking spaces  
6 authorized by Paragraph (a)(4) below and spaces specifically designated for persons with  
7 physical disabilities, the requirements for which are set forth in the Building Code. Every  
8 required space shall be of usable shape. The area of any such space shall be exclusive of  
9 driveways, aisles and maneuvering areas. The parking space requirements for the Bernal  
10 Heights Special Use District are set forth in Section 242.

11 (2) Any ratio of standard spaces to compact spaces may be permitted, so long  
12 as compact car spaces are specifically marked and identified as a compact space. Special  
13 provisions relating to the Bernal Heights Special Use District are set forth in Section 242.

14 (3) Off-street parking spaces in DTR, C-3, RTO, NCT, Eastern Neighborhoods  
15 Mixed Use, PDR-1-D, and PDR-1-G Districts shall have no minimum area or dimension  
16 requirements, except as required elsewhere in the Building Code for spaces specifically  
17 designated for persons with physical disabilities. For all uses in all Districts for which there is  
18 no minimum off-street parking requirement, per Section 151.1, refer to 151.1(c) for rules  
19 regarding calculation of parking spaces.

20 (4) Parking spaces in mechanical parking structures that allow a vehicle to be  
21 accessed without having to move another vehicle under its own power shall be deemed to be  
22 independently accessible. Parking spaces that are accessed by a valet attendant and are  
23 subject to such conditions as may be imposed by the Zoning Administrator to insure the  
24 availability of attendant service at the time the vehicle may reasonably be needed or desired  
25 by the user for whom the space is required, shall be deemed to be independently accessible.

1 Any conditions imposed by the Zoning Administrator pursuant to this Section shall be  
2 recorded as a Notice of Special Restriction.

3 (5) Space-efficient parking is parking in which vehicles are stored and  
4 accessed by valet, mechanical stackers or lifts, certain tandem spaces, or other space-  
5 efficient means. Tandem spaces shall only count towards satisfying the parking requirement if  
6 no more than one car needs to be moved to access the desired parking space. Space-  
7 efficient parking is encouraged, and may be used to satisfy minimum-parking requirements so  
8 long as the project sponsor can demonstrate that all required parking can be accommodated  
9 by the means chosen.

10 (6) Ground floor ingress and egress to any off-street parking spaces provided  
11 for a structure or use, and all spaces to be designated as preferential carpool or van pool  
12 parking, and their associated driveways, aisles and maneuvering areas, shall maintain a  
13 minimum vertical clearance of seven feet.

14 (b) Freight Loading and Service Vehicle Spaces. Every required off-street freight  
15 loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a  
16 minimum vertical clearance including entry and exit of 14 feet, except as provided below.

17 (1) Minimum dimensions specified herein shall be exclusive of platform,  
18 driveways and maneuvering areas except that minimum vertical clearance must be  
19 maintained to accommodate variable truck height due to driveway grade.

20 (2) The first such space required for any structure or use shall have a minimum  
21 width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including  
22 entry and exit, of 12 feet.

23 (3) Each substituted service vehicle space provided under Section 153(a)(6) of  
24 this Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a  
25 minimum vertical clearance of seven feet.

1  
2           **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF**  
3 **OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES.**

4           Required off-street parking and freight loading facilities shall meet the following  
5 standards as to location and arrangement. In addition, facilities which are not required but are  
6 actually provided shall meet the following standards unless such standards are stated to be  
7 applicable solely to required facilities. In application of the standards of this Code for off-street  
8 parking and loading, reference may be made to provisions of other portions of the Municipal  
9 Code concerning off-street parking and loading facilities, and to standards of the Better  
10 Streets Plan and the Bureau of Engineering of the Department of Public Works. Final authority  
11 for the application of such standards under this Code, and for adoption of regulations and  
12 interpretations in furtherance of the stated provisions of this Code shall, however, rest with the  
13 Planning Department.

14           \* \* \* \*

15           **(d) Enclosure of Off-Street Loading and Service Vehicle Spaces Required.** All off-  
16 street freight loading and service vehicle spaces in the C-3, DTR, MUO, CMUO, WMUO,  
17 MUG, WMUG, and MUR, ~~and South of Market Mixed Use Districts~~ shall be completely enclosed,  
18 and access from a public Street or Alley shall be provided by means of a private service  
19 driveway, ~~which that~~ is totally contained within the structure. Such a private service driveway  
20 shall include adequate space to maneuver trucks and service vehicles into and out of all  
21 provided spaces, and shall be designed so as to facilitate access to the subject property while  
22 minimizing interference with street and sidewalk circulation. Any such private service driveway  
23 shall be of adequate width to accommodate drive-in movement from the adjacent curb or  
24 inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an  
25 adjacent Street or Alley is determined by the Zoning Administrator to be primarily used for

1 building service, up to four off-street freight or loading spaces may be allowed to be  
2 individually accessible directly from such a Street or Alley, pursuant to the provisions of  
3 Section 309 in a C-3 District, ~~the provisions of Section 307(g) in a South of Market Mixed Use~~  
4 ~~District~~, the provisions of Section 309.1 in a DTR District, the provisions of Section 329 for  
5 projects subject to Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District, or  
6 by administrative decision of the Zoning Administrator for projects that are not subject to  
7 Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District.

8 \* \* \* \*

9 (g) **Parking Pricing Requirements.** In order to discourage long-term commuter  
10 parking, any off-street parking spaces provided for a structure or use other than Residential or  
11 Hotel in a C-3, DTR, ~~SSO~~, SPD, MUG, WMUG, MUR, CMUO, WMUO, or MUO District,  
12 whether classified as an accessory or Conditional Use, ~~which~~that are otherwise available for  
13 use for long-term parking by downtown workers shall maintain a rate or fee structure for their  
14 use such that the rate charge for four hours of parking duration is no more than four times the  
15 rate charge for the first hour, and the rate charge for eight or more hours of parking duration is  
16 no less than 10 times the rate charge for the first hour. Additionally, no discounted parking  
17 rate shall be permitted for weekly, monthly or similar time-specific periods.

18 \* \* \* \*

19 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In  
20 order to preserve the pedestrian character of certain downtown and neighborhood commercial  
21 districts and to minimize delays to transit service, garage entries, driveways or other vehicular  
22 access to off-street parking or loading (except for the creation of new publicly-accessible  
23 Streets and Alleys) shall be regulated on development lots as follows on the following Street  
24 frontages:

1 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except  
2 as set forth in Section 827.

3 (2) Not permitted:

4 \* \* \* \*

5 (N) 3rd Street, in the UMU districts for 100 feet north and south of  
6 Mariposa and 100 feet north and south of 20th Streets, ~~and 4th Street between Bryant and~~  
7 ~~Townsend in the SLI and MUO District,~~

8 \* \* \* \*

9 (Y) 2nd Street from Market to ~~Folsom~~ Townsend Streets,

10 \* \* \* \*

11 (CC) Buchanan Street from Post Street to Sutter Street,

12 (DD) Grant Avenue between Columbus Avenue and Filbert Street,

13 (EE) Green Street between Grant Avenue and Columbus/Stockton,

14 (FF) All Alleys within the North Beach NCD and the Telegraph Hill-North  
15 Beach Residential SUD,

16 (GG) Howard Street from 5th Street to 13th Street,

17 (HH) Folsom Street from 2nd Street to 13th Street,

18 (II) Brannan Street from 2nd Street to 6th Street,

19 (JJ) Townsend Street from 2nd Street to 6th Street, except as set forth  
20 in permitted pursuant to Section 329(e)(3)(B) 249.78(e)(3).

21 (KK) 3rd Street from Folsom Street to Townsend Street,

22 (LL) 4th Street from Folsom Street to Townsend Street, and

23 (MM) 6th Street from Folsom Street to Brannan Street.

24 (3) Not permitted except with a Conditional Use authorization, except that in the  
25 C-3-O(SD) and the CMUO Central SoMa Special Use Districts, the Planning Commission may

1 grant such permission as an exception pursuant to Sections 309 *or* 329 in lieu of a Conditional  
2 Use authorization where the amount of parking proposed does not exceed the amounts  
3 permitted as accessory according to Section 151.1.

4 \* \* \* \*

5 (I) 1st, Fremont and Beale Streets from Market to Folsom Street, *and*

6 (J) The eastern (water) side of The Embarcadero between Townsend  
7 and Taylor Streets.

8 (K) Harrison Street from 2nd Street to 6th Street.

9 (L) Bryant Street from 2nd Street to 6th Street, and

10 (M) 5th Street from Howard Street to Townsend Street.

11 \* \* \* \*

12 (u) Driveway and Loading Operations Plan (DLOP) in the Central SoMa Special Use

13 District.

14 (1) Purpose. The purpose of a Driveway and Loading and Operations Plan (DLOP) is  
15 to reduce potential conflicts between driveway and loading operations, including passenger and  
16 freight loading activities, and pedestrians, bicycles, and vehicles, to maximize reliance of on-site  
17 loading spaces to accommodate new loading demand, and to ensure that off-site loading activity is  
18 considered in the design of new buildings.

19 (2) Applicability. Development projects of more than 100,000 net new gross square  
20 feet in the Central SoMa Special Use District.

21 (3) Requirement. Applicable projects shall prepare a DLOP for review and approval  
22 by the Planning Department and the SFMTA, in consultation with the San Francisco Municipal  
23 Transportation Agency. The DLOP shall be written in accordance with any guidelines issued by the  
24 Planning Department.

25 \* \* \* \*

1           **SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND**  
2 **TRANSPORTATION BROKERAGE SERVICES IN COMMERCIAL AND MIXED USE**  
3 **DISTRICTS.**

4           (a) **Purpose.** This Section 163 is intended to ~~assure~~ ensure that adequate services are  
5 undertaken to minimize the transportation impacts of added office employment and residential  
6 development in the downtown and South of Market area, in a manner consistent with the  
7 objectives and policies of the General Plan, by facilitating the effective use of transit,  
8 encouraging ridesharing, and employing other practical means to reduce commute travel by  
9 single-occupant vehicles.

10           (b) **Applicability.** The requirements of this Section apply to any project meeting one  
11 of the following conditions:

12           \* \* \* \*

13                           (4) In the case of the ~~SSO~~, WMUO, ~~CMUO~~ Central SoMa Special Use  
14 District, or MUO District, where the occupied square feet of new, converted or added floor  
15 area for office use equals at least 25,000 square feet.

16           \* \* \* \*

17           **SEC. 169. TRANSPORTATION DEMAND MANAGEMENT PROGRAM.**

18           Sections 169 through 169.6 (hereafter referred to collectively as "Section 169") set forth  
19 the requirements of the Transportation Demand Management Program (TDM Program).

20           \* \* \* \*

21           **SEC. 169.3. APPLICABILITY.**

22           \* \* \* \*

23           (e) Operative Date.

24                           (1) Except as described in subsection (4) (34) below, Development Projects with a  
25 Development Application filed or an Environmental Application deemed complete on or before

1 September 4, 2016 shall be subject to 50% of the applicable target, as defined in the Planning  
2 Commission's Standards.

3 (2) Except as described in subsection (4) (34) below, Development Projects with no  
4 Development Application filed or an Environmental Application deemed complete on or before  
5 September 4, 2016, but that file a Development Application on or after September 5, 2016,  
6 and before January 1, 2018, shall be subject to 75% of such target.

7 (3) Development Projects with a Development Application filed on or after  
8 January 1, 2018 shall be subject to 100% of such target.

9 (4) Development Projects within the Central SoMa Special Use District that fall  
10 within Central SoMa Fee Tier A, B, or C, as defined in Section 423.2, shall be subject to the  
11 following requirements:

12 (i) projects that have filed a Development Application or submitted an  
13 Environmental Application deemed complete on or before September 4, 2016 shall be subject  
14 to 75% of such target.

15 (ii) projects that filed a Development Application or submitted an  
16 Environmental Application deemed complete after September 4, 2016 shall be subject to  
17 100% of such target.

18 ~~(4) Development Projects within the Central SoMa Special Use District that~~  
19 ~~have a Central SoMa Development Fee Tier of A, B, or C, as defined in Section 423.2,~~  
20 ~~regardless of the date filed of any Development Application or Environmental Application,~~  
21 ~~shall be subject to 100% of such target.~~

22  
23 \* \* \* \*

24 **SEC. 175.1. EFFECTIVE DATE OF THE CENTRAL SOMA ZONING CONTROLS.**

1           (a) Intent. It is the intent of this Section 175.1 to provide for an orderly transition from prior  
2 zoning and planning requirements to the requirements under the Central SoMa Controls, without  
3 impairing the validity of prior actions by the City or frustrating completion of actions authorized prior  
4 to the effective date of those Controls.

5           (b) Definitions. The following definitions shall apply to this Section 175.1:

6           (1) "Central SoMa Controls" shall mean all Ordinances adopted in furtherance of the  
7 Central SoMa Area Plan, including but not limited to Ordinance Nos. \_\_\_\_\_, and associated  
8 amendments to the Planning Code, Zoning Map, and Administrative Code.

9           (2) "Development Application" is defined in Planning Code Section 401.

10           (3) "Project Approval" shall mean any required approval or determination on a  
11 Development Application that the Planning Commission, Planning Department, or Zoning  
12 Administrator issues.

13           (4) "Code Conforming Project" shall mean a development project for which all  
14 required Development Applications could have received Project Approval under the Planning Code  
15 immediately prior to the effective date of the Central SoMa Controls.

16           (c) Applicability. A Code Conforming Project within the Central SoMa Special Use District  
17 may elect to be exempt from the Central SoMa Controls and instead be subject to those controls in  
18 place immediately prior to the effective date of the Central SoMa Controls, if at least one Development  
19 Application for such project was filed before February 15, 2018 and the project receives its first  
20 Project Approval by December 31, 2019.

21           **SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND**  
22 **RECONSTRUCTION.**

23           The following provisions shall apply to nonconforming uses with respect to  
24 enlargements, alterations and reconstruction:

25           \* \* \* \*

1 (f) **Nighttime Entertainment Uses in Certain Mixed-Use Districts.** A nighttime  
2 entertainment use within the ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts may be enlarged, intensified,  
3 extended, or expanded, including the expansion to an adjacent lot or lots, provided that: (1)  
4 the enlargement, intensification, extension, or expansion is approved as a conditional use  
5 pursuant to Sections 303 and 316 of this Code; (2) the use as a whole meets the parking and  
6 signage requirements, floor area ratio limit, height and bulk limit, and all other requirements of  
7 this Code ~~which that~~ would apply if the use were a permitted one; and (3) the provisions of  
8 Section 803.5(b) of this Code are satisfied.

9 \* \* \* \*

10 **SEC. 182. NONCONFORMING USES: CHANGES OF USE.**

11 The following provisions shall apply to nonconforming uses with respect to changes of  
12 use:

13 (a) A nonconforming use shall not be changed or modified so as to increase the  
14 degree of nonconformity under the use limitations of this Code, with respect to the type of use  
15 or its intensity except as provided in Section 181 for Nighttime Entertainment uses within the  
16 ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts. The degree of nonconformity shall be deemed to be  
17 increased if the new or modified use is less widely permitted by the use districts of the City  
18 than the nonconforming use existing immediately prior thereto. For purposes of this Section,  
19 intensification of a Formula Retail use as defined in Section 178(c) is determined to be a  
20 change or modification that increases the degree of nonconformity of the use.

21 (b) Except as limited in this ~~S~~ subsection, a nonconforming use may be reduced in size,  
22 extent or intensity, or changed to a use that is more widely permitted by the use districts of the  
23 City than the existing use, subject to the other applicable provisions of this Code. Except as  
24 otherwise provided herein, the new use shall still be classified as a nonconforming use.

25 \* \* \* \*



1	<i>RSD</i>	<i>Residential Service District (Defined in Sec. 815)</i>
2	<i>SLR</i>	<i>Service/Light Industrial/Residential District (Defined in Sec. 816)</i>
3	<i>SLI</i>	<i>Service/Light Industrial District (Defined in Sec. 817)</i>
4	<i>SSO</i>	<i>Service/Secondary Office District (Defined in Sec. 818)</i>

5 \* \* \* \*

<b><i>Eastern Neighborhoods Mixed Use Districts</i></b> <b><i>(Also see Sec. 802.4)</i></b>		
8	<i>CMUO</i>	<i>Central SoMa Mixed Use – Office District (Defined in Sec. 848)</i>
9	SPD	South Park District (Defined in Sec. 814)
10	* * * *	

11 \* \* \* \*

12 In addition to the classes of use districts in the above table, the following terms shall  
13 apply:

14 "R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3,  
15 RM-4, RTO, RTO-M, RC-1, RC-2, RC-3 or RC-4 District;

16 "M District" shall mean any M-1 or M-2 District;

17 "PDR District" shall mean any PDR-1-B, PDR-1-D, PDR-1-G or PDR-2 District;

18 "RH District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 District;

19 "RM District" shall mean any RM-1, RM-2, RM-3, or RM-4 District;

20 "RTO District" shall mean any RTO or RTO-M District;

21 "C-3 District" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S District. For the purposes  
22 of Section 128 and Article 11 of this Code, the term "C-3 District" shall also include the South  
23 of Market Extended Preservation District designated on Section Map SU03 of the Zoning  
24 Map;

1 "NCT District" shall mean any district listed in Section 702.1(b), including any NCT-1,  
2 NCT-2, NCT-3, and any Neighborhood Commercial Transit District identified by street or area  
3 name; and

4 "Mixed Use District" shall mean all Chinatown Mixed use, ~~South of Market Mixed Use~~,  
5 Eastern Neighborhood Mixed use, and Downtown Residential Districts.

6 \* \* \* \*

7 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

8 (a) **Purpose and Findings.** This Section 206.~~34~~ describes the 100 Percent Affordable  
9 Housing Bonus Program, or "100 Percent Affordable Housing Program". In addition to the  
10 purposes described in Section 206.1, the purpose of the 100 Percent Affordable Housing  
11 Program is to facilitate the construction and development of projects in which all of the  
12 residential units are affordable to Low and Very-Low Income Households. Projects pursuing a  
13 development bonus under this 100 Percent Affordable Program would exceed the City's  
14 shared Proposition K housing goals that 50% of new housing constructed or rehabilitated in  
15 the City by 2020 be within the reach of working middle class San Franciscans, and at least  
16 33% affordable for low and moderate income households.

17 \* \* \* \*

18 (b) **Applicability.** A 100 Percent Affordable Housing Bonus Project under this Section  
19 206.~~34~~ shall be a Housing Project that:

20 \* \* \* \*

21 (3) is not seeking and receiving a density or development bonus under the  
22 provisions of California Government Code Sections 65915 et seq., Planning Code Sections  
23 207, 124(f), 304, ~~803.8~~ or any other state or local program that provides development  
24 bonuses;

25 \* \* \* \*

1           **SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.**

2           (a) The dwelling unit density in the Chinatown Mixed Use District shall be at a density  
3 ratio not exceeding the amount set forth in the specific district tables in Article 8.

4           (b) ~~Except as indicated in Paragraph (c) below, the dwelling unit density in the South of~~  
5 ~~Market Mixed Use Districts shall be as specified in the specific district tables in Article 8.~~

6           (c) ~~There shall be no density limit for single room occupancy (SRO) units in any South of~~  
7 ~~Market Mixed Use District.~~

8           (d) ~~There shall be no density limit for any residential use, as defined by Section~~  
9 ~~890.88 in any DTR district.~~

10          (e) There shall be no density limits for any residential use, as defined by Section  
11 890.88, in the Eastern Neighborhoods Mixed Use Districts.

12           \* \* \* \*

13           **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING OR HOMELESS**  
14 **SHELTERS.**

15           ~~Except for Single Room Occupancy Units in the South of Market Mixed Use Districts, t~~The  
16 density limitations for Group Housing or Homeless Shelters, as described in Sections 102,  
17 790.88(b) and (c) and 890.88(b) and (c) of this Code, shall be as follows:

18           (a) For Group Housing, the maximum number of Bedrooms on each Lot shall be as  
19 specified in the Zoning Control Table for the District in which the Lot is located, except that in  
20 RTO, RTO-M, RCD, UMU, MUG, WMUG, MUR, MUO, CMUO, WMUO, RED, RED-MX, SPD,  
21 DTR, and all NCT Districts the density of Group Housing shall not be limited by lot area, and  
22 except that for Lots in NC Districts, the group housing density shall not exceed the number of  
23 Bedrooms permitted in the nearest R District provided that the maximum density not be less  
24 than the amount permitted by the ratio specified for the NC District in which the lot is located.  
25 For Homeless Shelters, the maximum number of beds on each lot shall be regulated

1 *perpursuant to* the requirements of the Standards of Care for City Shelters contained in  
2 Administrative Code, Chapter 20, Article XIII, in addition to the applicable requirements of the  
3 Building Code and Fire Code.

4 \* \* \* \*

5 **SEC. 211.2. CONDITIONAL USES, P DISTRICTS.**

6 The following uses shall require Conditional Use authorization from the Planning  
7 Commission, as provided in Section 303 of this Code, unless otherwise permitted under  
8 Section 211.1 of this Code:

9 \* \* \* \*

10 (b) For P Districts located within the right-of-way of any State or federal  
11 highway:

12 (1) Parking lot or garage uses when: (A) adjacent to any Eastern  
13 Neighborhoods Mixed Use Districts, ~~or the South of Market Mixed Use District,~~ or (B) within the  
14 Market and Octavia Plan Area.

15 \* \* \* \*

16 **SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**

17 (a) **Purpose.** The Life Science and Medical Special Use District is intended to support  
18 uses that benefit from proximity to the University of California, San Francisco (UCSF) campus  
19 at Mission Bay. These uses include medical office and life science (biotechnology) uses.

20 (b) **Geography.** The boundaries of the Life Science and Medical Special Use District  
21 are shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders  
22 Mariposa St. on the north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east.  
23 Within this area, the Dogpatch Historic District is generally excluded.

24 (c) **Controls.** All provisions of the Planning Code currently applicable shall continue to  
25 apply, except as otherwise provided in this Section:

1           (1) **Medical Services.** Medical services, including medical offices and clinics,  
2 as defined in Section 890.114, are a principally permitted use and are exempted from use size  
3 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
4 controls (Sec. 803.9(~~hf~~)). For the purposes of this Section, a medical service use may be  
5 affiliated with a hospital or medical center as defined in 890.44.

6           (2) **Life Science Offices.** Office uses that contain Life Science facilities, as  
7 defined in Section 890.53, are a principally permitted use and are exempted from use size  
8 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
9 controls (Sec. 219.1 and 803.9(~~hf~~)).

10           (3) **Life Science Laboratories.** Laboratories that engage in life science  
11 research and development, as defined in Section 890.52, are a principally permitted use and  
12 are exempted from use size limitation, PDR replacement requirements (Sec. 230), and  
13 vertical (floor-by-floor) zoning controls (Sec. 219.1 and 803.9(~~hf~~)).

14           \* \* \* \*

15           **SEC. 249.40. POTRERO CENTER MIXED-USE SPECIAL USE DISTRICT.**

16           (a) **Purpose.** The Potrero Center Mixed-Use Special Use District is intended to  
17 facilitate the continued operation of the shopping center located at 2300 16th Street, which is  
18 characterized by large formula retail sales and services, while providing an appropriate  
19 regulatory scheme for a potential phased mixed-use redevelopment of the shopping center in  
20 the future.

21           (b) **Geography.** The boundaries of the Potrero Center Mixed-Use Special Use District  
22 shall consist of Assessor's Block 3930A, Lot 002 as designated on the Zoning Map of the City  
23 and County of San Francisco and generally bound by Bryant Street to the west, 16th Street to  
24 the south, Potrero Avenue to the east, and Assessor's Blocks 3931A, 3921A and 3922A to the  
25 north.

1 (c) **Controls.** All provisions of the Planning Code shall continue to apply, except for  
2 the following:

3 (1) **Floor Area Ratio.** The maximum floor area ratio (FAR) set forth in Section  
4 124 shall not apply to Retail Sales and Services uses or to Gym uses. The maximum FAR for  
5 Retail Sales and Service uses and Gym uses shall not exceed 3.0:1.

6 (2) **Use Size Limitations for Retail Sales and Services and Gyms.** The use  
7 size limitations and ratio requirements applicable to Retail Sales and Service uses and Gym  
8 uses of Sections 121.6(a), 803.9(*ig*), 843.45 and 843.51 shall not apply. Retail Sales and  
9 Service uses and Gym uses are principally permitted, and the replacement of one such use or  
10 tenant by another such use or tenant in an existing store or gym, regardless of its size, is  
11 permitted. Newly constructed space for Retail Sales and Service uses or Gym uses larger  
12 than 25,000 gross square feet per use or the expansion of an existing Retail Sales and  
13 Services use or Gym use by more than 25,000 new gross square feet per use shall require  
14 conditional use authorization pursuant to the provisions of Section 303.

15 \* \* \* \*

16 **SEC. 249.45. VISITACION VALLEY/SCHLAGE LOCK SPECIAL USE DISTRICT.**

17 A Special Use District entitled the "Visitacion Valley/Schlage Lock Special Use District"  
18 is hereby established for a portion of the Visitacion Valley neighborhood and the Schlage Lock  
19 site within the City and County of San Francisco, the boundaries of which are designated on  
20 Sectional Map SU10 of the Zoning Maps of the City and County of San Francisco, and which  
21 includes properties generally fronting Bayshore Boulevard between Tunnel Avenue in the  
22 north and the San Francisco/San Mateo County line in the south, and properties fronting  
23 Leland Avenue between Bayshore Boulevard and Cora Street. The following provisions shall  
24 apply within the Special Use District:

25 \* \* \* \*

1 (e) **Controls in Zone 1.** Development in Zone 1 of the Special Use District shall be  
2 regulated by the controls contained in this Section 249.45(e) and the Design for Development.  
3 Where not explicitly superseded by definitions and controls established in this Section  
4 249.45(e) or the Design for Development, the definitions and controls in this Planning Code  
5 shall apply except where those controls conflict with the Development Agreement. The  
6 following shall apply only in Zone 1 of the Special Use District:

7 \* \* \* \*

8 (2) **Use Requirements.**

9 \* \* \* \*

10 (C) **Prohibited Uses.** The following uses shall be prohibited within this Special  
11 Use District:

12 (i) Auto repair services;

13 (ii) Office, except in existing buildings or as an accessory use to other  
14 permitted uses. The floor controls set forth in Section 803.9(~~hf~~) for the MUG zoning  
15 designation shall not apply to office use in the Old Office Building or to the existing building  
16 located on Assessor's Block and Lot No. 5100-007;

17 \* \* \* \*

18 **SEC. 249.78. CENTRAL SOMA SPECIAL USE DISTRICT.**

19 (a) **Purpose.** *In order to implement the goals, objectives, and policies of the Central SoMa*  
20 *Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board of Supervisors in File No.*  
21 *180185), the Central SoMa Special Use District (SUD) is hereby established.*

22 (b) **Geography.** *The SUD is within the South of Market (SoMa) neighborhood, and its*  
23 *boundaries generally run from 2nd Street to the east to 6th Street to the west, and from Townsend*  
24 *Street to the south to an irregular border that generally follows Folsom, Howard, and Stevenson Streets*  
25 *to the north, as more specifically shown on Sectional Maps 1SU and 8SU of the Zoning Map.*

1                    (c) Land Use Controls.

2                    (1) Active Uses. The controls of Section 145.1 and 145.4 shall apply, except as  
3 specified below:

4                    (A) Active uses, as defined in Section 145.1, are required along any outdoor  
5 publicly-accessible open space;

6                    (B) An office use, as defined in Section 890.70, is not an “active use” on the  
7 ground floor;

8                    (C) POPOS, as defined in Section 138, is an “active use” on the ground floor;

9                    (D) Hotels and Production, Distribution, and Repair uses, both as defined in  
10 Section 102, shall be considered “Active commercial uses,” as defined in Section 145.4(c).

11                    (E) Active uses shall be required within the first 10 feet of building depth if  
12 any of the following conditions apply:

13                    (i) The use is a Micro-Retail use located on a Narrow Street as  
14 defined in Section 261.1(b)(1); or

15                    (ii) The use is along a Narrow Street provided there is a doorway  
16 provided every 25 feet along the street frontage, at minimum.

17                    (EF) Notwithstanding the PDR exemption found in Section 145.1(c)(6), PDR  
18 uses shall meet the following transparency and fenestration requirements contained in  
19 that Section:

20                    (i) Building facades greater than 50 linear feet shall be required to  
21 be fenestrated with transparent windows and doorways for no less than 30% of  
22 the street frontage at the ground level and allow visibility into the building. The  
23 use of dark or mirrored glass shall not count towards the required transparent  
24 area.

1 (ii) Building facades up to 50 linear feet are not required to be  
2 transparent.

3 (2) **Nighttime Entertainment.** Nighttime Entertainment uses are principally permitted,  
4 regardless of the underlying zoning district, in the area bounded by 4th Street, 6th Street, Bryant Street,  
5 and Townsend Street.

6 (3) **Hotels.** Hotels in the CMUO-DistrictCentral SoMa SUD shall not benot  
7 subject to the land use ratio requirements of Section 803.9(g).

8 (4) **Retail.**

9 (A) **Formula Retail.** Formula Retail Uses, as defined in Section 303.1,  
10 that are also Bar, Restaurant or Limited Restaurant Uses, as defined in Section 102, shall not  
11 be permitted.

12 (B) **Micro-Retail.** “Micro-Retail” shall mean a Retail Use, other than a  
13 Formula Retail Use, measuring no less than 100 gross square feet and no greater than 1,000  
14 gross square feet.

15 (Ai) **Applicability.** Micro-Retail controls shall apply to new non-  
16 residential development projects on lots of 20,000 square feet or more.

17 (Bii) **Controls.**

18 (i)a. **Amount.** Applicable development projects are required to  
19 have at least one Micro-Retail unit for every 20,000 square feet of lot area, rounded to the nearest unit.

20 (ii)b. **Location and Design.** All Micro-Retail units shall be on  
21 the ground floor, independently and directly accessed from a public right-of-way or publicly-accessible  
22 open space, and designed to be accessed and operated independently from other spaces or uses on the  
23 subject property.

24 (iii)c. **Type.** Formula Retail uses, as defined in Section 303.1, are  
25 not permitted as Micro-Retail.

1                                    (5) PDR and Community Building Space Requirements.

2                                    (A) For purposes of this subsection, "Community Building Space" shall  
3 mean space provided for a Social Service, Institutional Community, Grocery Store,  
4 Community Facility, or Public Facility Use or for a Legacy Business.

5                                    (B) In addition to the requirements of Section 202.8, the following shall apply  
6 to any newly constructed project that contains at least 50,000 gross square feet of office shall provide  
7 one of the following:

8                                    (A) The project shall provide a(i) An amount of PDR space for PDR  
9 Uses or Community Building Space, or a combination thereof, that is the greater of the following:

10                                    (i)a. the square footage of PDR space required by the controls of  
11 Section 202.8, or

12                                    (ii)b. on-site dedication of space for PDR Uses or Community  
13 Building Space, or a combination thereof, that is equivalent to 40 percent of the lot area, in which  
14 case for purposes of this S-section 249.78(b)(5), the following areas are exempted from the  
15 calculation of the lot area: land dedicated to a building whose housing units consist entirely of  
16 Affordable Housing Units as defined in Section 401; publicly accessible open space and mid-block  
17 alleys that are fully open to the sky except for obstructions permitted pursuant to Section 136 or under  
18 a cantilevered portion of the building for up to 10% of space pursuant to Section 138(d)(2);  
19 any portion of the lot or lots containing a building dedicated primarily to residential use; and  
20 ground floor space dedicated to a Child Care Facility are exempted from calculation of the lot  
21 area. For purposes of this subsection, "on-site" means anywhere on the subject project lot or  
22 lots.

23                                    (B)(ii) In the alternative, the project sponsor may provide either of  
24 the following:

1 \_\_\_\_\_ (i) Establishment off-site, through new construction, addition, or change  
2 of use, of a minimum of 150 percent of gross square feet of the on-site PDR requirement for PDR  
3 Uses or for Community Building Space. Such off-site PDR space shall be located within the area  
4 bounded by Market Street, the Embarcadero, Second Street, King Street, Division Street, and South  
5 Van Ness Avenue; or

6 (ii) Preservation of existing PDR uses off-site, at a minimum of 200  
7 percent of the on-site requirement, for the life of the project that is subject to the requirements of this  
8 subsection (6) or for 55 years, whichever is less. This off-site PDR shall be located on one or more  
9 lots in the area bounded by Market Street, the Embarcadero, Second Street, King Street, Division  
10 Street, and South Van Ness Avenue. The PDR space preserved off-site shall not include any space  
11 already required to be preserved pursuant to this Section or Section 202.8.

12 (C) The PDR and Community Building Space requirements of this subsection  
13 may be reduced by 25 percent for any project subject to any contract or agreement meeting the  
14 requirements of California Civil Code Section 1954.28(d), including but not limited to a development  
15 agreement approved by the City under California Government Code Section 65864 et seq. if, pursuant  
16 to the terms of such agreement, the required replacement space is rented, leased, or sold at 50 percent  
17 below market rate for PDR space for a period of not less than 55 years or the life of the project,  
18 whichever is less. Such restrictions on the rent, lease, or sale price shall be recorded on the subject  
19 property as a Notice of Special Restrictions.

20 (D) Any project that meets the requirements of this Section 249.78 subsection  
21 249.78(c)(5) and the PDR replacement requirements of Section 202.8 shall not be subject to the  
22 Conditional Use Authorization required by Section 202.8.

23 (E) Any development application submitted to the Planning Department  
24 for a project that is subject to the PDR and Community Building Space requirements of this  
25

1 Section 249.78 or the PDR replacement requirements of Section 202.8 shall include the  
2 following materials:

3 (i) Documentation demonstrating that the applicant has provided  
4 written notification to all existing PDR tenants that the applicant intends to develop the  
5 property pursuant to this Section 249.78.

6 (ii) Documentation demonstrating that the applicant has provided  
7 all existing PDR tenants with information regarding the Central SoMa PDR Relocation Fund  
8 described in the Central SoMa Implementation Program Document, and PDR Sector  
9 Assistance for Displaced Businesses available from the Office of Economic and Workforce  
10 Development (OEWD) or its successor agency.

11 **(6) Use on Large Development Sites.**

12 (A) **Applicability.** South of Harrison Street on sites larger than 40,000 square  
13 feet that entail new construction or an addition of 100,000 square feet or more.

14 (B) **Requirement.** At least two-thirds of the Gross Floor Area of all building  
15 area below 160 feet in height shall be non-residential.

16 **(7) Single Room Occupancy.** Single Room Occupancy units that are Dwelling  
17 Units are Not Permitted in the Central SoMa SUD except in buildings that consist of 100%  
18 affordable units. For the purposes of this subsection (7), "affordable units" shall mean units  
19 rented, leased or sold at rates or prices affordable to a household whose income is no greater  
20 than 80% of the median income for households in San Francisco ("Lower Income  
21 Households"), as determined by Title 25 of the California Code of Regulations Sections 6928  
22 and 6932 and implemented by the Mayor's Office of Housing and Community Development.

23 **(8) Group Housing.** Group Housing uses are Not Permitted in the Central  
24 SoMa SUD except Group Housing uses that are also defined as Student Housing, Senior  
25 Housing, or Residential Care Facility, are designated for persons with disabilities, are

1 designated for Transition Age Youth as defined by the Mayor's Office of Housing &  
2 Community Development, or are contained in buildings that consist of 100% affordable units.  
3 For the purposes of this subsection (8), "affordable units" shall mean units rented, leased or  
4 sold at rates or prices affordable to a household whose income is no greater than 80% of the  
5 median income for households in San Francisco ("Lower Income Households"), as  
6 determined by Title 25 of the California Code of Regulations Sections 6928 and 6932 and  
7 implemented by the Mayor's Office of Housing and Community Development.

8 *(d) Urban Design and Density Controls.*

9 (1) **Prevailing Building Height and Density.** In order to ensure adequate  
10 provision of infrastructure and services in an area transitioning from industrial uses to more  
11 intensive residential and commercial uses through adoption of the Central SoMa Plan,  
12 Prevailing Building Height and Density Limits are herein established.

13 (A) **Applicability.** The controls of this subsection (d)(1) shall apply to  
14 any project that is subject to Section 434(b).

15 (B) **Controls.** Notwithstanding the height limit indicated on the Zoning  
16 Map and the Floor Area Ratio controls of subsection (3) below, the following height and Floor  
17 Area Ratio controls shall apply:

18 (i) For all projects on lots where the Zoning Map indicates a height  
19 limit of 85 feet or greater, the height of the project shall be limited to 85 feet in height and the  
20 project lot or lots shall be limited to a maximum Floor Area Ratio of 4.0:1.

21 (ii) For projects on lots where the Zoning Map indicates a height  
22 limit of less than 85 feet, the project lot or lots shall be limited a maximum Floor Area Ratio of  
23 3.0:1.

24 (C) **Height and Density Bonus for Participation in CFD.** A project  
25 may exceed the Prevailing Building Height and Density Limits of subsection (B) up to the

1 maximum height and density otherwise permitted in this Code and the Zoning Map in cases  
2 where the project sponsor elects to develop a project subject to Section 434.

3 (42) **Design of Buildings.** New construction shall comply with the “Central SoMa  
4 Guide to Urban Design” as adopted and periodically amended by the Planning Commission.

5 (23) **Floor Area Ratio.** There shall be no maximum Floor Area Ratio limit for lots  
6 within the CMUO, MUR, MUG, and WMUO Districts in this SUD.

7 (34) **Living and Solar Roofs and Living Walls** and Renewable Energy.

8 (A) **Definitions.** For the purpose of this subsection, all terms shall be as defined  
9 in Sections 102 and 149.

10 (B) **Applicability.** Any development that meets all of the following criteria:

11 (i) The development lot is 5,000 square feet or larger; and

12 (ii) The building constitutes a Large Development Project or Small  
13 Development Project under the Stormwater Management Ordinance (Public Works Code Secs. 147-  
14 147.6); and

15 (iii) The building height is 160 feet or less.

16 (C) **Requirements.**

17 (i) Notwithstanding the requirements of Section 149, at least fifty  
18 percent of the roof area shall be covered by one or more Living Roofs.

19 (ii) Residential projects subject to this subsection (d)(34) shall comply  
20 with Green Building Code Section 4.201.2, which sets forth requirements for solar photovoltaic systems  
21 and/or solar thermal systems.

22 (iii) Non-residential projects shall comply with Green Building Code  
23 Section 5.201.1.2, which sets forth requirements for solar photovoltaic systems and/or solar thermal  
24 systems.



1                    (A) Definitions. For the purpose of this subsection, “greenhouse-gas  
2 free” shall mean energy resources qualifying as renewable pursuant to California Public  
3 Resources Code Chapter 8.6, Section 25741(a) and from hydroelectric facilities of 30  
4 megawatts or greater.

5                    (B) Applicability. This subsection shall apply to any newly constructed  
6 commercial or residential building or major renovation to an existing building, as defined by  
7 San Francisco Green Building Code Section 202.

8                    (C) Requirements.

9                    (i) All projects shall commit, as a condition of approval, to fulfilling  
10 all on-site electricity demands through any combination of on-site generation of 100%  
11 greenhouse gas-free electricity and purchase of electricity from 100% greenhouse gas-free  
12 sources for a period of not less than 25 years from issuance of entitlement.

13                    (ii) The Planning Department, after consulting with the Public  
14 Utilities Commission, Department of Building Inspection, and the Department of the  
15 Environment, shall adopt rules and regulations to implement this subsection.

16                    (56) Lot Coverage. *For residential uses, the rear yard requirements of Section 134 of*  
17 *this Code shall not apply. Lot coverage is limited to 80 percent at all residential levels, except that on*  
18 *levels in which all residential units face onto a public right-of-way, 100 percent lot coverage may*  
19 *occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in*  
20 *yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for*  
21 *adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open*  
22 *space.*

23                    (567) Lot Merger Restrictions.

24                    (A) Applicability. *Lots that meet both of the following criteria shall be subject*  
25 *to the lot merger restrictions of this Section:*

1 (i) Lots containing one or more buildings with California Historic  
2 Resources Status Code 1, 2, 3, 4, 5, or 6L, as identified in a survey adopted by the Historic  
3 Preservation Commission; and

4 (ii) Lots with any single street frontage under 200 feet in length.

5 (B) Control. Any lot to which this subsection is applicable shall not merge with  
6 an adjacent lot in such a way that any existing street frontage of under 200 feet is increased to 200 feet  
7 in length or longer.

8 (C) Exemptions.

9 (i) The street frontages of lots abutting the north side of Perry Street and  
10 the street frontages along Harrison Street on Block 3763 in lots 099 and 100 are exempt from  
11 this control.

12 (ii) On blocks of less than 200 feet in length between streets or alleys, an  
13 applicable lot may merge with an adjacent non-applicable lot if the non-applicable lot is a corner lot.

14 (678) Open Space. A project whose housing units consist entirely of Affordable  
15 Housing Units, as defined in Section 401, shall provide at least 36 square feet of usable Open Space, as  
16 set forth in Section 135, per unit unless the project is located directly adjacent to a publicly-owned park  
17 in which case such project shall not be required to provide usable Open Space.

18 (789) Wind.

19 (A) Applicability. This subsection shall apply to new buildings above 85 feet in  
20 Height and additions to existing buildings that result in a building above 85 feet in Height.

21 (B) Definitions.

22 “Comfort Level” means ground-level equivalent wind speeds of 11 miles  
23 per hour in areas of substantial pedestrian use and seven miles per hour in public seating areas  
24 between 7:00 a.m. and 6:00 p.m. when occurring for more than 15 percent of the time year round.

1 “Equivalent Wind Speed” means an hourly mean wind speed adjusted to  
2 incorporate the effects of gustiness or turbulence on pedestrians.

3 “Nine-Hour Hazard Criterion” means a ground-level equivalent wind  
4 speed of 26 miles per hour for more than nine hours per year per test location.

5 “One-Hour Hazard Criterion” means a ground-level equivalent wind  
6 speed of 26 miles per hour for more than one hour per year per test location.

7 “Substantial Increase” means an increase in wind speeds of more than  
8 six miles per hour for more than 15 percent of the time year round.

9 **(C) Controls for Wind Comfort.**

10 (i) Projects may not result in wind speeds that exceed the Comfort Level  
11 at any location.

12 (ii) Projects may not cause a Substantial Increase in wind speed at any  
13 location where the existing or resulting wind speed exceeds the Comfort Level.

14 (iii) Pursuant to Section 329, the Planning Commission may grant an  
15 exception to the standards of subsections (i) and (ii) above as applied to a project if it finds that the  
16 project meets the following criteria:

17 (aa) It has undertaken all feasible measures to reduce wind  
18 speeds through such means as building sculpting and appurtenances, permanent wind baffling  
19 measures, and landscaping; and

20 (bb) Reducing wind speeds further would substantially detract  
21 from the building design or unduly restrict the square footage of the project.

22 **(D) Controls for Hazardous Winds.**

23 (i) Projects shall not result in net new locations with an exceedance of  
24 the One-Hour Hazard Criterion, except as allowed by the Planning Commission based on criteria  
25 described in subsection (ii) below.

1 (ii) Pursuant to Section 329, the Planning Commission may grant an  
2 exception to the standard of subsection (i) above as applied to a proposed project if it finds that the  
3 proposed project meets all of the following criteria:

4 (aa) The project with mitigations wind reduction measures  
5 does not result in net new locations with an exceedance of the Nine-Hour Hazard Criterion;

6 (bb) The project has undertaken all feasible measures to reduce  
7 hazardous wind speeds, such as building sculpting and appurtenances, permanent wind baffling  
8 measures, and landscaping; and

9 (cc) Meeting the requirements of subsection (i) would detract  
10 from the building design or unduly restrict the square footage of the project.

11 (iii) No exception shall be granted and no building or addition shall be  
12 permitted for any project that causes net new locations with an exceedance in the Nine-Hour Hazard  
13 Criterion.

14 (E) Guidelines. Procedures and methodologies for implementing this  
15 subsection shall be issued by the Department.

16 (8910) Ground PDR Floor Heights. PDR space provided at the ground floor that  
17 is subject to the requirements of Section 202.8 or 249.78(c)(5) shall have a minimum floor-to-floor  
18 height of 17 feet, as measured from grade.

19 (91011) Dwelling Unit Exposure. The requirements of Section 140 shall  
20 apply, except that the required windows (as defined by Section 504 of the San Francisco  
21 Housing Code) of at least one room that meets the 120-square-foot minimum superficial floor  
22 area requirement of Section 503 of the Housing Code shall face on an open area as follows:

23 (A) For units constructed above 85 feet in height, the required windows  
24 shall face directly on an open area that is no less than 15 feet by 15 feet;

1                   (B) 10% of units constructed at or below 85 feet may face directly onto  
2 an open area that is no less than 15 feet by 15 feet; and

3                   (C) Where required windows are built on an open area, pursuant to  
4 140(a)(2), the requirements to increase the horizontal dimension at each subsequent floor do  
5 not apply.

6                   **(e) Community Development Controls.**

7                   (1) Affordable Housing Funds. Affordable Housing Fees for projects within the  
8 Central SoMa Special Use District shall be deposited in the Central SoMa Affordable Housing Fund  
9 and shall be expended within a limited geographic area, as specified in Administrative Code Section  
10 10.100-46.

11                   **(2) Land Dedication.**

12                   (A) Residential projects in this SUD may opt to fulfill the Inclusionary Housing  
13 requirement of Section 415 through the Land Dedication alternative contained in Section 419.6.

14                   (B) Non-Residential projects in this Special Use District may opt to fulfill their  
15 Jobs-Housing Linkage Fee requirement of Section 413 through the Land Dedication alternative  
16 contained in Section 413.7.

17  
18                   **(3) TDR Requirements for Large Development Sites.**

19                   (A) Applicability. This control applies to projects that:

20                   (i) Are located in Central SoMa Development Fee Tier C, as defined in  
21 Section 423.2;

22                   (ii) Contain new construction, or addition, of 50,000 non-residential  
23 gross square feet or greater; and

24                   (iii) Have a Floor Area Ratio of 3:1 or greater.

25                   **(B) Requirement.**

1 (i) A project subject to this subsection (43) will be considered a  
2 “Development Lot,” pursuant to Section 128.1;

3 (ii) To exceed a Floor Area Ratio of 3:1, a Development Lot shall  
4 acquire one Unit of TDR from a Transfer Lot, as defined in Sections 128 and 128.1, per square foot  
5 of development up to a Floor Area Ratio of 4.25:1. Above 4.25:1, the acquisition of additional TDR is  
6 not required.

7 **(4) Onsite Childcare Facilities.** Prior to issuance of a building or site permit  
8 for a development project subject to the requirements of Section 414.4, the sponsor of an  
9 Office or Hotel project on a Key Site, as defined in Section 329(e), shall elect its choice of the  
10 options described in subsection (A), (B) and (E) of Section 414.4(c)(1) to fulfill any  
11 requirements imposed pursuant to Section 414.4 as a condition of approval. The Planning  
12 Commission shall review the project for compliance with Section 414.4. In addition, the  
13 following process shall apply; and shall notify the Department of its choice, except that

14 (A) The Commission may grant an exception to the provisions of Section  
15 414.5(A), 414.6(A), or 414.9(A) if it finds that one or all of the following apply:

16 (i) The space is being provided to the proposed child-care  
17 provider at a below-market rate rent and/or at a significantly reduced cost.

18 (ii) The proposed child-care provider provides services consistent  
19 with the goals and expenditures of the Child Care Capital Fund in Section 414.14, which may  
20 include activities including, but not limited to, providing care affordable to households of low  
21 and moderate income, or providing care that fulfills unmet needs for child care by age group  
22 and/or neighborhood, as determined through a needs assessment conducted by the Director  
23 of the Office of Early Care & Education, or its successor.

24 (B) If the Commission determines that none of these options described  
25 in subsection (A), (B), and (E) of Section 414.4(c)(1) is feasible, the sponsor may elect any of

1 the other options in subsection 414.4(c)(1). Feasibility may be determined by, among other  
2 things, the sufficiency of the existing supply of child care facilities in the Central SoMa SUD,  
3 the inability to provide suitable space that would meet childcare licensing requirements, a  
4 determination by the Commission that the site is not a suitable location for child care  
5 provision, and financial feasibility.

6 (f) **Effect of Litigation.** In the event that any person or entity files a lawsuit in any  
7 court challenging any new development requirement imposed as part of the Central SoMa  
8 Plan that generates revenue to fund the Central SoMa Public Benefits Program, then upon the  
9 service of such lawsuit upon the City and County of San Francisco, the City will not approve  
10 any application or grant any entitlement for development of any non-residential use in the  
11 Central SoMa SUD that could not be approved but for the adoption of this ordinance and that  
12 has not yet received a first construction document, unless and until 12 months have passed or  
13 legislation is enacted to address the challenged development requirement, whichever is  
14 sooner. Unless and until 12 months have passed or legislation is enacted to address the  
15 challenged development requirement, whichever is sooner, the City shall deny any complete  
16 permit application on or before the date the Permit Streamlining Act requires approval or  
17 disapproval of the project, based on the uncertainty of the validity of the challenged  
18 development requirement.

19 (g) **Non-Severability.** If any new development requirement imposed as part of the  
20 Central SoMa Plan that generates revenue to fund the Public Benefits Program contained in  
21 the Central SoMa Implementation Program; or any subsection, sentence, clause, phrase, or  
22 word thereof; becomes unenforceable as a result of a final decision of a court of competent  
23 jurisdiction, the City will not approve any application or grant any entitlement for any non-  
24 residential development in the Central SoMa SUD that has not yet received a first construction  
25 document.

1           **SEC. 260. HEIGHT LIMITS: MEASUREMENT.**

2           \* \* \* \*

3           (b) **Exemptions.** In addition to other height exceptions permitted by this Code, the  
4 features listed in this subsection (b) shall be exempt from the height limits established by this  
5 Code, in an amount up to but not exceeding that which is specified.

6           (1) The following features shall be exempt; provided the limitations indicated for  
7 each are observed; provided further that the sum of the horizontal areas of all features listed  
8 in this subsection (b)(1) shall not exceed 20 percent of the horizontal area of the roof above  
9 which they are situated, or, in C-3 Districts, and in the Rincon Hill Downtown Residential  
10 District, where the top of the building has been separated into a number of stepped elements  
11 to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and  
12 provided further that in any R, RC-3, or RC-4 District the sum of the horizontal areas of all  
13 such features located within the first 10 feet of depth of the building, as measured from the  
14 front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such  
15 first 10 feet of depth.

16           As an alternative, the sum of the horizontal areas of all features listed in this  
17 subsection (b)(1) may be equal to but not exceed 20 percent of the horizontal area permitted  
18 for buildings and structures under any bulk limitations in Section 270 of this Code applicable  
19 to the subject property.

20           Any such sum of 20 percent heretofore described may be increased to 30  
21 percent by unroofed screening designed either to obscure the features listed under (A) and  
22 (B) below or to provide a more balanced and graceful silhouette for the top of the building or  
23 structure.

24           \* \* \* \*

1 (E) In any C-3 District ~~and the CMUO District, and any MUR or MUG District~~  
2 within the Central SoMa Special Use District, enclosed space related to the recreational use  
3 of the roof, not to exceed 16 feet in height.

4 (F) Rooftop enclosures and screening for features listed in subsections (b)(1)(A)  
5 and (B) above that add additional building volume in any C-3 District except as otherwise  
6 allowed in the S-2 Bulk district according to subsection (M) below; ~~or the Eastern~~  
7 ~~Neighborhoods Mixed Use Districts, or South of Market Mixed Use District.~~ The rooftop  
8 enclosure or screen creating the added volume:

9 (i) shall not be subject to the percentage coverage limitations  
10 otherwise applicable to this Section 260(b) but shall meet the requirements of Section 141;

11 (ii) shall not exceed 20 feet in height, measured as provided in  
12 subsection (a) above;

13 (iii) may have a volume, measured in cubic feet, not to exceed  
14 three-fourths of the horizontal area of all upper tower roof areas multiplied by the maximum  
15 permitted height of the enclosure or screen;

16 (iv) shall not be permitted within the setbacks required by  
17 Sections 132.1, 132.2, and 132.3;

18 (v) shall not be permitted within any setback required to meet the  
19 sun access plane requirements of Section 146; and

20 (vi) shall not be permitted within any setback required by Section  
21 261.1.

22 \* \* \* \*

23 (L) ~~[Reserved.]~~ In the Central SoMa Special Use District, additional building  
24 volume used to enclose or screen from view the features listed in subsections (b)(1)(A) and (b)(1)(B)  
25 above. The rooftop form created by the added volume shall not be subject to the percentage coverage

1 limitations otherwise applicable to the building, but shall meet the requirements of Section 141; shall  
2 not exceed 10 percent of the total height of any building taller than 200 feet; shall have a horizontal  
3 area not more than 100 percent of the total area of the highest occupied floor; and shall contain no  
4 space for human occupancy. The features described in subsection (b)(1)(B) shall not be limited to 16  
5 feet for buildings taller than 200 feet, but shall be limited by the permissible height of any additional  
6 rooftop volume allowed by this subsection (L).

7 \* \* \* \*

8 (2) The following features shall be exempt, without regard to their horizontal  
9 area, provided the limitations indicated for each are observed:

10 \* \* \* \*

11 (O) ~~Additional building height, up to a height of five feet above the otherwise~~  
12 ~~applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work~~  
13 ~~units located within a South of Market District.~~

14 (P) Enclosed recreational facilities up to a height of 10 feet above the  
15 otherwise applicable height limit when located within a 65-U Height and Bulk District and *either*  
16 an MUO-~~or~~ SSØ District, and only then when authorized by the Planning Commission as a  
17 Conditional Use pursuant to Section 303 of this Code, provided that the project is designed in  
18 such a way as to reduce the apparent mass of the structure above a base 50-foot building  
19 height.

20 (QP) Historic Signs and Vintage Signs permitted pursuant to Article 6 of  
21 this Code.

22 (RQ) In the Eastern Neighborhoods Mixed Use Districts, enclosed utility  
23 sheds of not more than 100 square feet, exclusively for the storage of landscaping and  
24 gardening equipment for adjacent rooftop landscaping, with a maximum height of 8 feet above  
25 the otherwise applicable height limit.



1 west orientation or are otherwise named herein: Elm, Redwood, Ash, Birch, Ivy, Linden,  
2 Hickory, Lily, Rose, Laussat, Germania, Clinton Park, Brosnan, Hidalgo, and Alert Streets.

3 (4) "North-South Narrow Streets" shall mean all Narrow Streets, except those created  
4 pursuant to Section 270.2, that are oriented at 45 degrees or less from a true north-south orientation.

5 (c) **Applicability.** The controls in this Section shall apply in all RTO, NC, NCT, and  
6 Eastern Neighborhoods Mixed Use, and South of Market Mixed Use Districts. Notwithstanding the  
7 foregoing, in the CS Bulk District these controls shall only apply on certain frontages as described in  
8 Section 270(h).

9 (d) **Controls.**

10 (1) **General Requirement.** Except as described below, all sSubject fFrontages  
11 shall have upper stories set back at least 10 feet at the property line above a height equivalent  
12 to 1.25 times the width of the abutting nNarrow sStreet.

13 (2) **Southern Side of East-West Narrow Streets and, within the Central SoMa**  
14 **Special Use District, all North-South Narrow Streets.** All sSubject fFrontages on the southerly  
15 side of an East-West Narrow Street and, within the Central SoMa Special Use District, all Subject  
16 Frontages on a North-South Narrow Street shall have upper stories which are set back at the  
17 property line such that they avoid penetration of a sun access plane defined by an angle of 45  
18 degrees extending from the most directly opposite northerly property line (as illustrated in  
19 Figure 261.1A.) No part or feature of a building, including but not limited to any feature listed  
20 in Sections 260(b), may penetrate the required setback plane.

21 (3) **Northern Side of all Narrow Streets with the Central SoMa Special Use District.**  
22 **Subject Frontages in a 65- or 85- foot Height district are required to meet Apparent Mass Reduction**  
23 **requirements, as defined in Section 270(h), as follows:**

24 (A) **All Subject Frontages in a 65-foot Height district are required to have an**  
25 **Apparent Mass Reduction of fifty percent, as measured utilizing a Base Height of 35 feet.**

1 (B) All Subject Frontages in a 85-foot Height district are required to have an  
2 Apparent Mass Reduction of seventy percent, as measured utilizing a Base Height of 35 feet.

3 (34) **Mid-block Passages.** Subject ~~f~~Frontages abutting a mid-block passage  
4 provided ~~per~~pursuant to the requirements of Section 270.2 shall have upper story setbacks as  
5 follows:

6 \* \* \* \*

7 **SEC. 263. HEIGHT LIMITS: SPECIAL EXCEPTIONS.**

8 In the height and bulk districts indicated in the following Sections, buildings and  
9 structures exceeding the prescribed height limits may be approved by the Planning  
10 Commission according to the procedures for conditional use approval in Section 303 of this  
11 Code unless otherwise specified herein; provided, however, that such Any exceptions  
12 granted may be permitted only in the areas specified and only to the extent stated in each  
13 Section.

14 ~~**SEC. 263.11. SPECIAL HEIGHT EXCEPTIONS: SOUTH OF MARKET RSD 40-X/85-B**~~  
15 ~~**HEIGHT DISTRICT.**~~

16 ~~(a) **General.** In the 40-X/85-B Height and Bulk District, as designated on Sectional Map No.~~  
17 ~~HT01 of the Zoning Map, located within the boundaries of the South of Market RSD District, height~~  
18 ~~exceptions above the 40-foot base height to a maximum of 85 feet may be approved in accordance with~~  
19 ~~the Conditional Use procedures and criteria provided in Sections 303 of this Code, and the criteria and~~  
20 ~~conditions set forth below.~~

21 ~~(b) **Reduction of Shadows on Certain Public, Publicly Accessible, or Publicly Financed or**~~  
22 ~~**Subsidized Private Open Space.**~~

23 ~~(1) New buildings or additions subject to this Section shall be shaped to reduce~~  
24 ~~substantial shadow impacts on public plazas, parks or other nearby publicly accessible or publicly~~  
25

1 *financed private open spaces. The criteria set forth in Section 147 of this Code shall be used to assess*  
2 *the shadow impacts of new building development over 40 feet in height.*

3 *(2) To the extent that height above 40 feet on lots 14, 16, 18, 19, 20, 20A, 21, 22, 24, 25,*  
4 *26, 28, 29, 30, 31, 34, 91 and 92 of Assessor's Block 3733 and on lots 14, 15, 17, 18, 19, 23, 24, 26, 27,*  
5 *28, 32, 33, 36 and 95 of Assessor's Block 3752 would create adverse impact on light and air to*  
6 *adjacent residential uses and/or sunlight access to residential open spaces, such additional height shall*  
7 *not be permitted.*

8 *(e) **Reduction of Ground Level Wind Currents.** New buildings or additions subject to this*  
9 *Section shall be shaped, or other wind baffling measures shall be adopted, so that the development will*  
10 *not cause ground level wind currents to exceed, more than 10 percent of the time year round, between*  
11 *7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial*  
12 *pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing*  
13 *ambient wind speeds exceed the comfort level, the building or addition shall be designed to reduce the*  
14 *ambient wind speeds to meet the requirements.*

15 *If it is shown that a building or addition cannot be shaped or wind baffling measures cannot be*  
16 *adopted to meet the foregoing requirements without creating an unattractive and ungainly building*  
17 *form and without unduly restricting the development potential of the building site in question, and/or it*  
18 *is concluded that, because of the limited amount by which the comfort level is exceeded, the limited*  
19 *location in which the comfort level is exceeded, the limited time during which the comfort level is*  
20 *exceeded, or the addition is insubstantial, an exception may be granted as part of the conditional use*  
21 *process, allowing the building or addition to add to the amount of time that the comfort level is*  
22 *exceeded by the least practical amount.*

23 *No exception shall be allowed and no building or addition shall be permitted that causes*  
24 *equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the*  
25 *year.*

1           For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly mean  
2 wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

3           ~~(d) **Construction of Live/Work Units Above the 40-Foot Base Height Limit.** Live/work units~~  
4 ~~may be relied upon to qualify for a height exception under this Section only if:~~

5                     ~~(1) Each non-residential use within each individual live/work unit is limited to an~~  
6 ~~activity permitted within the district or conditional within the district and specifically approved as a~~  
7 ~~conditional use;~~

8                     ~~(2) Each live/work unit is sufficiently insulated for noise attenuation between units to~~  
9 ~~insure that noise shall not exceed the acceptable decibel levels established for residential use as~~  
10 ~~specified in the San Francisco Noise Control Ordinance; and~~

11                    ~~(3) The project satisfies the open-space, parking and freight loading provisions of this~~  
12 ~~Code without administrative exceptions.~~

13           ~~(e) **Affordability.** In determining whether to allow a height exception under this Section the~~  
14 ~~Planning Commission shall, in addition to the criteria set forth in Section 303(c) of this Code, consider~~  
15 ~~the extent to which the project seeking the exception will include residential and live/work units~~  
16 ~~affordable to low-income and moderate-income households. The City Planning Commission may~~  
17 ~~impose conditions on the approval of additional height pursuant to this Subsection to assure housing~~  
18 ~~affordability and the enforceability and enforcement of housing affordability and use provisions, which~~  
19 ~~may include, but need not be limited to, a requirement that a minimum stated percentage of the total~~  
20 ~~number of units approved pursuant to this Section remain affordable to households whose incomes are~~  
21 ~~not greater than a stated percentage of a defined median income for a period of not less than a stated~~  
22 ~~number of years.~~

23                    ~~(1) The property owner shall submit an annual report to the City, along with a fee~~  
24 ~~whose amount shall be determined periodically by the City Planning Commission, to cover costs of the~~  
25 ~~enforcement of the affordability of designated units. The fee shall not exceed the amount of those costs.~~

1 *The report shall state rents, annual household income, number of adults and children living in each*  
2 *designated unit, and such other information as the City may require.*

3 \* \* \* \*

4 **SEC. 263.32. SPECIAL HEIGHT EXCEPTIONS: PERMITTED BUILDING HEIGHTS IN**  
5 **THE CENTRAL SOMA SPECIAL USE DISTRICT.**

6 *(a) Purpose. The provision of affordable housing, public open space, and recreational*  
7 *amenities are encouraged in the Central SoMa Special Use District to achieve the policy objectives of*  
8 *the Central SoMa Plan. To facilitate the creation of these amenities, additional height may be allowed,*  
9 *as long as it does not result in a net increase in development potential for the primary project as set*  
10 *forth in subsection (c), below.*

11 *(b) Applicability. This Section shall apply to any project that:*

12 *(1) Provides housing units consisting entirely of on-site or off-site Affordable Housing*  
13 *Units as defined in Section 401;*

14 *(2) Dedicates land pursuant to Sec. 249.78(e) for housing consisting entirely of*  
15 *Affordable Housing Units as defined in Section 401, which land the City/MOHCD deems*  
16 *suitable for such use, taking into consideration size, configuration, physical characteristics,*  
17 *physical and environmental constraints, access, location, adjacent use, and other relevant*  
18 *planning criteria; or*

19 *(3) Provides land for publicly-owned parks or publicly-owned recreational amenities,*  
20 *which land the City/Director of Planning or their designee deems suitable for such use, taking into*  
21 *consideration size, configuration, physical characteristics, physical and environmental constraints,*  
22 *access, location, adjacent use, and other relevant planning criteria.*

23 *(c) Controls. An additional 25 feet of height above the otherwise applicable height limit is*  
24 *permitted for applicable development projects subject to this Section 263.32 without requiring*  
25

1 conditional use authorization by the Planning Commission subject only if it meets the following  
2 conditions:

3 (1) The project provides housing units consisting entirely of on-site or off-site  
4 Affordable Housing Units pursuant to subsection 263.32(b)(1); or

5 (2) The project provides land for housing, publicly-owned parks, or publicly-  
6 owned recreational amenities pursuant to subsections 263.32(b)(2) or (3). *The development*  
7 *capacity of the primary project receiving a special height exception pursuant to this subsection*  
8 *263.32(c)(2) shall not be increased due to the provision of the additional height as compared to*  
9 *greater than the development capacity achievable without the special height exception.*

10 ~~(2) For purposes of this section, the development capacity of the primary~~  
11 ~~project shall be calculated as the Gross Floor Area of development proposed on the site, less:~~

12 ~~————— (A) Any Gross Floor Area constructed in the project providing housing~~  
13 ~~units consisting entirely of Affordable Housing Units, as defined in Section 401;~~

14 ~~————— (B) Any Gross Floor Area of potential development of land dedicated to~~  
15 ~~the City for affordable housing pursuant to Section 249.78(e)(2), as determined by the~~  
16 ~~Planning Department;~~

17 ~~————— (C) Any Gross Floor Area of potential development of land dedicated to~~  
18 ~~the City for publicly owned parks or publicly owned recreation centers, as determined by the~~  
19 ~~Planning Department; and~~

20 ~~————— (D) Any Gross Floor Area constructed as a publicly owned recreation~~  
21 ~~center.~~

22 (2) *The additional height shall not cause any new or substantially increased significant*  
23 *impacts that cannot be mitigated to less than significant levels related to wind and shadow that would*  
24 *not have occurred without the additional height, as determined by the Environmental Review Officer.*

1                   (3) A project using a special height exception pursuant to this Section 263.32  
2 shall be subject to Sections 132.4 and 270(h), based on the otherwise applicable Height limit  
3 for the lot.

4                   (4) A project utilizing using a special height exemption exception pursuant to this  
5 Section 263.32 may add 25 feet above the otherwise applicable Height limit for purposes of calculating  
6 its Apparent Mass Reduction pursuant to Section 270(h).

7                   **SEC. 263.33. SPECIAL HEIGHT EXCEPTIONS: VASSAR AND HARRISON STREETS.**

8                   (a) Purpose. To facilitate the provision of increased affordable housing and a large hotel  
9 proximate to the Moscone Convention Center.

10                   (b) Applicability. Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099, 100, 101,  
11 and 105.

12                   (c) Controls.

13                   (1) The applicable lots shall have a base Hheight limit of 130 feet, except as specified  
14 below.

15                   (2) For development on Assessor's Block No. 3763, Lot 105, if a project sponsor  
16 elects one of the following options, the Height limit shall be 200 feet:

17                                     (A) development of the site for a hotel use, or

18                                     (B) development of the site for a residential or combined residential and  
19 hotel use, with election of the On-Site Affordable Housing Alternative, or with the voluntary  
20 provision of 110% or more of the requirement set forth in Section 415.5 for the subject lotthe  
21 Height limit shall be 200 feet for a project that includes a hotel and/or residential uses,  
22 provided that a residential projectof not less than 400 guest rooms.

23                   (3) For development on Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099,  
24 100, and 101, if the project sponsor elects to provide 110% or more of the requirement set forth

1 in Section 415, the Height limit shall be 350 feet for a project that includes affordable housing in  
2 an amount that is equal to or greater than 110% of the requirement set forth in Section 415.

3 (4) Conditional use authorization by the Planning Commission shall not be  
4 required for use of this special height exception.

5  
6 **SEC. 263.34. SPECIAL HEIGHT AND SETBACK EXCEPTIONS: FOURTH AND**  
7 **HARRISON STREETS**

8 (a) Purpose. To facilitate the provision of affordable housing or other public benefits.

9 (b) Applicability. Assessor's Block No. 3762, Lots 106, 108, 109, 112, 116, and 117.

10 (c) Controls.

11 (1) Lots 108, 109, 117, and portions of Lot 116 shall have a base height limit of 85 feet,  
12 as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of San  
13 Francisco.

14 (2) Lots 106, 113 and portions of Lots 112 and 116 shall have a base height limit of  
15 130 feet, as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of  
16 San Francisco.

17 (3) The Height limit shall be 160 feet ~~f~~or a project that dedicates land for the  
18 provision of affordable housing, pursuant to Section ~~419.5(a)(2)(A) and (C) through (J)~~  
19 ~~249.78(e)(2)~~ for housing consisting entirely of affordable housing units as defined in Section  
20 401:

21 (A) The height limit shall be 160 feet; and

22 (B) Notwithstanding Sections 145.1(c)(4) and 249.78(d)(10), non-  
23 residential and PDR uses on the ground floor shall have a minimum floor to floor height of 14  
24 feet, measured from the ground floor slab; and

1 (B) Notwithstanding Sections 145.1(c)(4) and 249.78(d)(10), non-  
2 residential and PDR uses on the ground floor shall have a minimum floor-to-floor height of 14  
3 feet, measured from the ground floor slab; and

4 (C) Notwithstanding the Apparent Mass Reduction controls in Section  
5 270(h)(2), on Lots 106, 108, 109, 112, 116, and 117, the following Apparent Mass Reduction  
6 controls shall apply:

7 (i) on the building frontage on Harrison Street, the Apparent Mass  
8 Reduction requirement is 50%; and

9 (ii) on the building frontage on Fourth Street, there is no Apparent  
10 Mass Reduction Requirement.

11 (4) Conditional use authorization by the Planning Commission shall not be  
12 required for use of this special heightthe exceptions in this Section 263.34.

13  
14 **SEC. 270. BULK LIMITS: MEASUREMENT.**

15 (a) The limits upon the bulk of buildings and structures shall be as stated in this  
16 Section and in Sections 271 and 272. The terms "height," "plan dimensions," "length" and  
17 "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the  
18 maximum plan dimensions shall be as specified in the following table, at all horizontal cross-  
19 sections above the height indicated.

20 **TABLE 270**

21 **BULK LIMITS**

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)	
		Length	Diagonal Dimension

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23  
24  
25

1 \* \* \* \*

2 CS

*This table not applicable. But see Section 270(h).*

3 \* \* \* \*

4 (h) CS Bulk District. *In the CS Bulk District, the bulk limits contained in this subsection*  
5 *270(h) shall apply.*

6 (1) Definitions. *For purposes of this subsection, the definitions of Section 102 and the*  
7 *following definitions apply unless otherwise specified in this Section:*

8 Apparent Mass Reduction. *The percentage of the Skyplane that does not include*  
9 *the Projected Building Mass from the subject lot. For purposes of calculating Apparent Mass*  
10 *Reduction, any portion of the Projected Building Mass that projects above the Height limit shall be*  
11 *added to the projection within the Skyplane.*

12 Base Height. *The lowest Height from which the Skyplane is measured.*

13 Lower Tower. *The lower two-thirds of the Tower Portion of a Tower, rounded*  
14 *to the nearest floor.*

15 Major Street. *2nd Street, 3rd Street, 4th Street, 5th Street, 6th Street, Mission*  
16 *Street, Howard Street, Folsom Street, Harrison Street, Bryant Street, Brannan Street, and Townsend*  
17 *Street.*

18 Mid-Block Passage. *Any passage created pursuant to Section 270.2.*

19 Narrow Street. *A right-of-way with a width of 40 feet or less and more than 60*  
20 *feet from an intersection with a street wider than 40 feet.*

21 Projected Building Mass. *The portion of the subject building that projects into*  
22 *the Skyplane as viewed from the most directly opposite property line. This volume includes all parts*  
23 *and features of a building, including but not limited to any feature listed in Section 260(b).*

24 Skyplane.

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(i) A plane along each street-facing property line of the subject lot

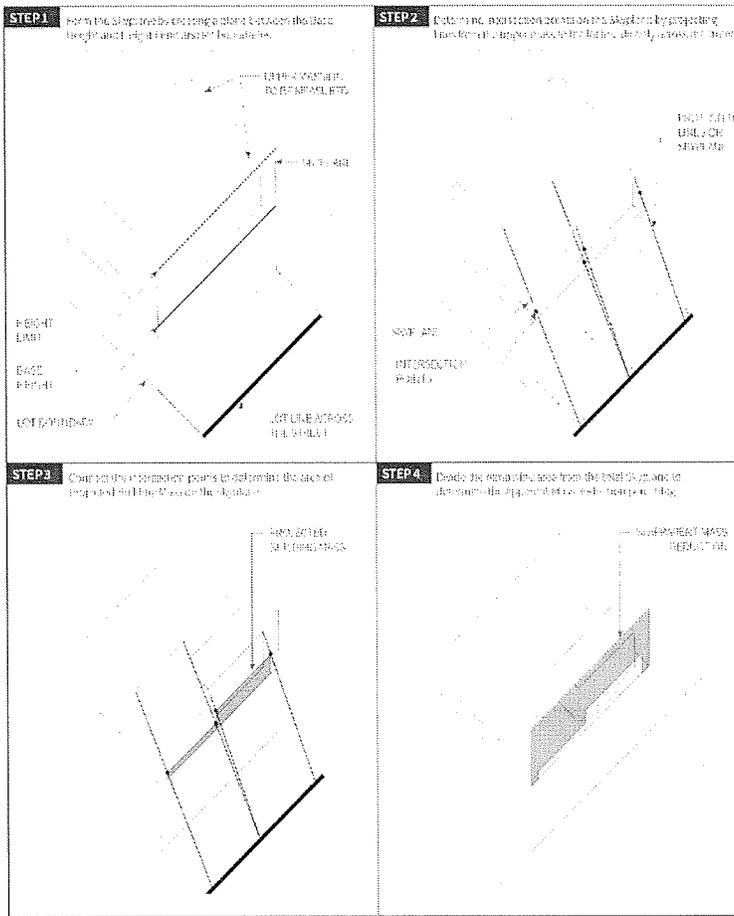
extending:

(aa) Vertically from the Base Height up to the Height limit for the

subject lot; and

(bb) Horizontally for the length of the street-facing property line.

(ii) The figure below illustrates how a skyline is to be measured:



**Tower.** Any building taller than 160 feet in Height.

**Tower Portion.** The portion of a Tower above 85 feet in Height.

**Upper Tower.** The upper one-third of the Tower Portion of a Tower, rounded to the nearest floor.

(2) **Apparent Mass Reduction.** Projects in the CS Bulk District are subject to the Apparent Mass Reduction controls of Table 270(h), as well as the setback requirements of Section 132.4.

<u><b>Table 270(h)</b></u>				
<u><b>Apparent Mass Reduction</b></u>				
<u><b>Building</b></u>	<u><b>Side of the Street</b></u>	<u><b>Height</b></u>	<u><b>Base</b></u>	<u><b>Apparent Mass Reduction</b></u>
<u><b>Frontage</b></u>		<u><b>District</b></u>	<u><b>Height*</b></u>	
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>67%</u>
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>80%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>50%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>70%</u>
<u>Major Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>85 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160</u>

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				<i>feet for purposes of this calculation.</i>
<u>Narrow Street</u>	<u>Southeast and southwest</u>	<u>160 feet and less</u>	<u>35 feet</u>	<u>The controls of Section 261.1(d)(2) shall apply.**</u>
<u>Narrow Street</u>	<u>Northeast and northwest</u>	<u>135 feet and 160 feet</u>	<u>35 feet</u>	<u>85%</u>
<u>Narrow Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>35 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 85% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u>
<u>Mid- Block Passage</u>	<u>All</u>	<u>All</u>	<u>None</u>	<u>The controls of Section 261.1(d)(3) shall apply.**</u>
<u>Perry Street</u>	<u>Northwest</u>	<u>All</u>	<u>35 feet</u> <u>None</u>	<u>The controls of Section 261.1(d)(1) shall apply.**</u>
<u>Stillman Street</u>	<u>Southeast</u>	<u>All</u>	<u>35 feet</u>	<u>Between 2nd and 3rd Streets: the controls of Section 261.1 shall apply.</u> <u>Between 3rd and 4th Streets: the controls of Section 261.1 shall not apply, and for the first 60</u>

				<u>feet from an intersection, 0% apparent mass reduction is required; elsewhere, 85% apparent mass reduction is required.</u>
<u>Other Street</u>	<u>All</u>	<u>All</u>	<u>Width of the abutting street</u>	<u>Same as the Apparent Mass Reduction for projects along Major Streets in the same height district and on the same side of the street.</u>

\* For projects that are required to provide PDR pursuant to Sections 202.8 and 249.78(c)(5), if such PDR is provided on the ground floor or above, add 3 vertical feet to the Base Height.

\*\* For projects that are required to provide PDR pursuant to Sections 202.8 and 249.78(c)(5), if such PDR is provided on the ground floor or above, add 3 vertical feet to the height where upper story setback is required pursuant to Section 261.1.

**(3) Bulk Controls for Buildings Towers.**

**(A) Maximum Floor Area for the Tower Portion.**

(i) For residential and hotel uses, the maximum Gross Floor Area of any floor is 12,000 gross square feet.

(ii) For all other uses, the maximum Gross Floor Area of any floor is 17,000 gross square feet and the average Gross Floor Area for all floors in the Tower Portion shall not exceed 15,000 gross square feet.

1 (B) Maximum Plan Dimensions for the Tower Portion.

2 (i) The maximum length shall be 150 feet.

3 (ii) The maximum diagonal shall be 190 feet.

4 (iii) For buildings with a Height of 250 feet or more, the average Gross  
5 Floor Area of the Upper Tower shall not exceed 85 percent of the average Gross Floor Area of the  
6 Lower Tower, and the average diagonal of the Upper Tower shall not exceed 92.5 percent of the  
7 average diagonal of the Lower Tower.

8 (4) Exceptions. Except as specifically described in this subsection (h) and in Section  
9 329(e), no exceptions to the controls in the CS Bulk District shall be permitted. The procedures for  
10 granting special exceptions to bulk limits described in Section 272 shall not apply.

11 \* \* \* \*

12 **SEC. 270.2. SPECIAL BULK AND OPEN SPACE REQUIREMENT: MID-BLOCK**  
13 **ALLEYS IN LARGE LOT DEVELOPMENT IN THE EASTERN NEIGHBORHOODS MIXED**  
14 **USE DISTRICTS, SOUTH OF MARKET NEIGHBORHOOD COMMERCIAL TRANSIT**  
15 **DISTRICT, FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT,**  
16 **REGIONAL COMMERCIAL DISTRICT, ~~SOUTH OF MARKET MIXED USE DISTRICT, C-3~~**  
17 **DISTRICT, AND DTR DISTRICT.**

18 \* \* \* \*

19 (c) **Applicability.** This Section 270.2 applies to all new construction on parcels that  
20 have one or more street or alley frontages of over 200 linear feet on a block face longer than  
21 400 feet between intersections, and are in the C-3 Districts, if located south of Market Street,  
22 or in the ~~South of Market Mixed Use Districts,~~ South of Market Neighborhood Commercial  
23 Transit District, Folsom Street Neighborhood Commercial Transit District, Regional  
24 Commercial District, Eastern Neighborhoods Mixed Use Districts, or DTR Districts, except for  
25 parcels in the RH DTR District, which are subject to Section 827.

1 \* \* \* \*

2 **SEC. 303.1. FORMULA RETAIL USES.**

3 \* \* \* \*

4 (b) **Definition.** A Formula Retail use is hereby defined as a type of retail sales or  
5 service activity or retail sales or service establishment that has eleven or more other retail  
6 sales establishments in operation, or with local land use or permit entitlements already  
7 approved, located anywhere in the world. In addition to the eleven establishments either in  
8 operation or with local land use or permit entitlements approved for operation, the business  
9 maintains two or more of the following features: a standardized array of merchandise, a  
10 standardized facade, a standardized decor and color scheme, uniform apparel, standardized  
11 signage, a trademark or a servicemark.

12 \* \* \* \*

13 (e) **Conditional Use Authorization Required.** A Conditional Use Authorization shall  
14 be required for a Formula Retail use in the following zoning districts unless explicitly  
15 exempted:

16 \* \* \* \*

17 (12) The C-3-G District with frontage on Market Street, between 6th Street and  
18 the intersection of Market Street, 12th Street and Franklin Street; *and*

19 (13) The Central SoMa Mixed-Use Office Special Use District as defined in Section  
20 848, except for those uses not permitted pursuant to subsection (f) below.

21 (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in the  
22 following zoning districts:

23 \* \* \* \*

24 (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are  
25 also Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and 790.91; *and*

1                    (10) Central SoMa ~~Mixed Use Office~~ Special Use District does not permit Formula  
2 Retail Uses that are also Bar, Restaurant, or Limited Restaurant Uses as defined in Section 102.

3                    \* \* \* \*

4                    **SEC. 304. PLANNED UNIT DEVELOPMENTS.**

5                    In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, or the DTR  
6 Districts, ~~or the South of Market Mixed Use Districts~~, the Planning Commission may authorize as  
7 conditional uses, in accordance with the provisions of Section 303, Planned Unit  
8 Developments subject to the further requirements and procedures of this Section. After review  
9 of any proposed development, the Planning Commission may authorize such development as  
10 submitted or may modify, alter, adjust or amend the plan before authorization, and in  
11 authorizing it may prescribe other conditions as provided in Section 303(d). The development  
12 as authorized shall be subject to all conditions so imposed and shall be excepted from other  
13 provisions of this Code only to the extent specified in the authorization.

14                    \* \* \* \*

15                    **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.**

16                    In addition to those specified in Sections 302 through 306 of this Code, the Zoning  
17 Administrator shall have the following powers and duties in administration and enforcement of  
18 this Code. The duties described in this Section shall be performed under the general  
19 supervision of the Director of Planning, who shall be kept informed of the actions of the  
20 Zoning Administrator.

21                    \* \* \* \*

22                    **(g) Exceptions from Certain Specific Code Standards through Administrative**  
23 **Review in the Chinatown Mixed Use Districts ~~and the South of Market Mixed Use Districts.~~**

24                    The Zoning Administrator may allow complete or partial relief from rear yard, open space and  
25 wind and shadow standards as authorized in the applicable sections of this Code, when

1 modification of the standard would result in a project better fulfilling the criteria set forth in the  
2 applicable section. The procedures and fee for such review shall be the same as those which  
3 are applicable to Variances, as set forth in Sections 306.1 through 306.5 and 308.2.

4 (h) **Exceptions from Certain Specific Code Standards through Administrative**  
5 **Review.** The Zoning Administrator may allow complete or partial relief from certain standards  
6 specifically identified below, in Section 161, or elsewhere in this Code when modification of  
7 the standard would result in a project fulfilling the criteria set forth below and in the applicable  
8 section.

9 (1) **Applicability.**

10 \* \* \* \*

11 (E) **Better Roofs; Living Roof Alternative.** For projects subject to  
12 Section 149 *and 249.78(d)(3)*, the Zoning Administrator may waive portions of the applicable  
13 requirements as provided in Section 149(e) *and 249.78(d)(3)(D)*, *respectively*.

14 \* \* \* \*

15 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS**  
16 **MIXED USE DISTRICTS.**

17 (a) **Purpose.** The purpose of this Section is to ensure that all large projects proposed  
18 in the Eastern Neighborhoods Mixed Use Districts are reviewed by the Planning Commission,  
19 in an effort to achieve the objectives and policies of the General Plan, the applicable Design  
20 Guidelines, and the purposes of this Code.

21 (b) **Applicability.** This Section applies to all projects in the Eastern Neighborhoods  
22 Mixed Use *Districts*, except projects in the Western SoMa Special Use District; *that are* subject  
23 to Section 823(c) ~~(1211)~~, that meet at least one of the following criteria:

24 (1) **Outside the Central SoMa Special Use District.**

1 (A) The project includes the construction of a new building greater than  
2 75 feet in height (excluding any exceptions permitted ~~per~~pursuant to Section 260(b)), or  
3 includes a vertical addition to an existing building with a height of 75 feet or less resulting in a  
4 total building height greater than 75 feet; or

5 (B) The project involves a net addition or new construction of more than  
6 25,000 gross square feet.

7 (2) Within the Central SoMa Special Use District.

8 (A) The project includes the construction of a new building greater than 85 feet  
9 in height (excluding any exceptions permitted pursuant to Section 260(b)), or includes a vertical  
10 addition to an existing building with a height of 85 feet or less resulting in a total building height  
11 greater than 85 feet; or

12 (B) The project involves a net addition or new construction of more than 50,000  
13 gross square feet.

14 \* \* \* \*

15 (d) **Exceptions.** As a component of the review process under this Section 329,  
16 projects may seek specific exceptions to the provisions of this Code as provided for below:

17 \* \* \* \*

18 (4) Exception from satisfaction of loading requirements of Section 152.1 as  
19 specified therein. In the Central SoMa SUD, the Commission may consider the project's  
20 Driveway and Loading Operations Plan (DLOP) pursuant to Section 155(u) in making its  
21 determination.

22 \* \* \* \*

23 (12) Where not specified elsewhere in this ~~S~~subsection (d), ~~modification of~~  
24 exceptions to other Code requirements which ~~that~~ could otherwise be modified as a Planned  
25 Unit Development (as set forth in Section 304), irrespective of the zoning district in which the

1 property is located, except that such exceptions shall not be permitted for projects in the Central  
2 SoMa Special Use District.

3 (13) For development located within the Central SoMa SUD:

4 (A) Exception to the building separation requirements pursuant to  
5 Section 132.4(d)(3)(B).

6 (B) Exception to the freight loading requirements, pursuant to Sections  
7 152.1, 154, and 155.

8 (C) Exception to Dwelling Unit Exposure requirements pursuant to  
9 Sections 140 and 249.78(d)(911).

10 (D) Exception to the Controls for Wind Comfort pursuant to Section  
11 249.78(d)(79).

12 (E) Exception to the lot coverage limits of Section 249.78(d)(46) for  
13 conversions of existing non-residential structures to residential use.

14 (e) Exceptions for Key Sites in Central SoMa.

15 (1) Purpose. The Central SoMa Plan Area contains a number of large, underutilized  
16 development sites. By providing greater flexibility in the development of these sites, the City has an  
17 opportunity to achieve key objectives of the Central SoMa Plan and to locate important public assets  
18 that would otherwise be difficult to locate in a highly developed neighborhood like SoMa.

19 (2) Applicability. The controls discussed below apply to the following lots, as identified  
20 in the Key Site Guidelines adopted by the Central SoMa Area Plan (Ordinance No. \_\_\_\_\_, on file  
21 with the Clerk of the Board of Supervisors in File No. 180184):

22 (A) The southwest corner of the intersection of 5th Street and Howard Street,  
23 consisting of Block 3732, Lots 003, 004, 005, 099, 100, 145A, 146, and 149, as well as any other  
24 parcels included as part of the same development application for one of these lots;

1 (B) The southeast corner of the intersection of 4th Street and Harrison Street,  
2 consisting of Block 3762, Lots 106, 108, 109, 112, 116, and 117;

3 (C) The southwest corner of the intersection of 2nd Street and Harrison Street,  
4 consisting of Block 3763, Lots 001, 078, 079, 080, 080A, 081, 099, 100, 101, 105, 112, and 113.

5 (D) The northeast corner of the intersection of 4th Street and Brannan Street,  
6 consisting of Block 3776, Lot 025;

7 (E) The northeast corner of the intersection of 5th Street and Brannan Street,  
8 consisting of Block 3777, Lots 045, 050, 051, and 052;

9 (F) The southern half of the block north of Brannan Street between 5th Street  
10 and 6th Street, consisting of Block 3778, Lots 001B, 002B, 004, 005, 047, and 048;

11 (G) The southeast corner of the intersection of 5th and Brannan Streets,  
12 consisting of Block 3786, Lots 036 and 037; and

13 (H) The northeast corner of the intersection of 4th and Townsend Streets,  
14 consisting of Block 3787, Lots 026, 028, 050, 161, 162, 163, and 164.

15 (3) **Controls.** Pursuant to this Section 329(e) and the Key Site Guidelines adopted as  
16 part of the Central SoMa Area Plan, the Planning Commission may grant exceptions to the provisions  
17 of this Code as set forth in subsection (d) above and may also grant the exceptions listed below  
18 for projects that provide qualified amenities in excess of what is required by the Code.

19 (A) **Qualified Amenities.** Qualified additional amenities that may be provided  
20 by these Key Sites include: affordable housing beyond what is required under Section 415 et seq.; land  
21 dedication pursuant to Section 413.7 by non-residential projects for construction of affordable  
22 housing in partial or full satisfaction of the Jobs-Housing linkage Fee, or in excess of that  
23 required to satisfy the Jobs-Housing linkage Fee, provided that if the land dedication is in  
24 partial satisfaction of that Fee, the balance of the Fee shall be paid with the land value  
25 calculated as set forth in Section 413.7 pursuant to Section 413.7; land dedication pursuant to

1 Section 413.7 by residential projects for construction of affordable housing in partial or full  
2 satisfaction of the Alternatives to the Inclusionary Housing Fee, or in excess of that required to  
3 satisfy the Alternatives to the Inclusionary Housing Fee Component, pursuant to Section  
4 419.65, to the extent permitted by state law, provided that if the land dedication is in partial  
5 satisfaction of that Fee, the balance of the Fee shall be paid with the land value calculated as  
6 set forth in Section 413.7; PDR at a greater amount and/or lower rent than is otherwise required  
7 under Sections 202.8 or 249.78(c)(5); public parks, recreation centers, or plazas; and improved  
8 pedestrian networks.

9 *(B) Exceptions. Upon consideration of qualified amenities in excess of*  
10 *what is required by the Code, the Planning Commission may grant one or more exceptions to the*  
11 *following requirements: the streetwall and setback controls established in Section 132.4; the*  
12 *building separation controls in Section 132.4, including but not limited to the controls in*  
13 *subsection 132.4(d)(3)(B); protected street frontages in Section 155(f); the setback requirements*  
14 *in Section 261.1; bulk controls established in Section 270(h); and the lot merger restrictions*  
15 *established in Section 249.78(d)(57); the PDR requirements established in Section*  
16 *249.78(c)(5); the requirement that POPOS be open to the sky established in Section*  
17 *138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6).*

18 In addition to these exceptions, the Planning Commission may grant one or more of the  
19 following exceptions:

20 (i) On the Key Site identified in Section 329(e)(2)(B), the ground  
21 floor non-residential height required by Sections 145.1 and 249.78(d)(810) may be reduced to  
22 14 feet. In addition, the apparent mass reduction controls in Table 270(h) may be reduced as  
23 follows: (A) on the building frontage on Harrison Street, a reduction in the apparent mass  
24 reduction requirement to 50%; (B) on the building frontage on Fourth Street, elimination of the  
25 apparent mass reduction requirement.

1 (ii) On the Key Site identified in Section 329(e)(2)(C), exception to  
2 the lot coverage limits in Section 249.78(d)(46), the micro-retail requirement in 249.78(c)(4),  
3 the active use requirement in Section 145.1, and the ground floor commercial use  
4 requirements in Section 145.4. In addition, the site may be permitted to seek a Conditional  
5 Use Authorization to establish a Formula Retail Limited Restaurant, pursuant to Section  
6 303.1. In addition, any indoor POPOS on the site may be deemed to satisfy the requirements  
7 of Sections 135(h) and 135.3.

8 (iii) On the Key Site identified in Section 329(e)(2)(D), exception to  
9 the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.

10 (iv) On the Key Site identified in Section 329(e)(2)(E), exception to  
11 the lot coverage limits in Section 249.78(d)(46), the requirement that POPOS be open to the  
12 sky in Section 138, the street frontage requirements in Section 145.1, and the protected  
13 pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r).

14 (iv) On the Key Site identified in Section 329(e)(2)(G), exception to  
15 the PDR space requirements of Section 249.78(c)(5).

16 (vi) On the Key Site identified in Section 329(e)(2)(H), exception to  
17 the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of  
18 Section 155(r) and to the protected pedestrian-, cycling-, and transit-oriented street frontage  
19 requirements of Section 155(r), the street frontage requirements in Section 145.1, the required  
20 ground floor commercial uses in Section 145.4, and the requirement that at least two-thirds of  
21 the Gross Floor Area of all building area below 160 feet be non-residential in Section  
22 249.78(c)(6), and the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open  
23 to the sky. In addition, the usable open space requirement pursuant to Section 135 may be  
24 reduced to 60 square feet of usable open space required for each dwelling unit if not publicly  
25 accessible.

1 (vii) On the Key Site identified in Section 329(e)(2)(F), the Planning  
2 Commission may grant one or more of the following exceptions, if an agreement to such an  
3 exception is contained in any development agreement approved by the City pursuant to  
4 California Government Code Section 65864 et seq., and subject to any requirements  
5 contained in said development agreement:

6 a. Exception to the off-street parking controls of Section  
7 151.1 to allow additional accessory PDR parking solely to serve the tenants and customers of  
8 the site.

9 b. Exception to the requirement that POPOS be open to the  
10 sky in Section 138(d)(2)(E)(i), to allow a cumulative maximum of 20% of the POPOS to be  
11 covered by any combination of (a) an inhabitable portion of a building, which portion of the  
12 POPOS shall have a minimum clearance height of 20' and maximum depth from face of  
13 overhead building of 15', or (b) an inhabitable portion of a building, which portion of the  
14 POPOS shall have a minimum clearance height of 50' and minimum horizontal dimension in  
15 all directions of 20'.

16 c. Exception to the transparency and fenestration  
17 requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.

18 d. Exception to the protected street frontage requirements  
19 of Section 155(r) on 5th Street between Brannan and Bryant Streets.

20 (4) *Determination.* In granting such exceptions, the Planning Commission shall  
21 determine that the provision of the proposed amenities and exceptions would meet the following  
22 criteria:

23 (A) *The amenities and exceptions would, on balance, be in conformity with and*  
24 *support the implementation of the Goals, Objectives, and Policies of the Central SoMa Plan,*



1 public park on an approximately 40,000 square-foot portion of Block 3777 as called for in the  
2 Central SoMa Plan, and in doing so may be eligible for a waiver against all or a portion of fees  
3 otherwise applicable to such development as set forth in this subsection 406(e). As part of  
4 the approval process for such a project, the Planning Commission may waive all or a portion  
5 of the Eastern Neighborhoods Infrastructure Impact Fee, the Central SoMa Infrastructure  
6 Impact Fee, the Transit Impact Development Fee, and the Transit Sustainability Fee, and may  
7 specify how such waiver would be distributed among the aforementioned fees, provided such  
8 total amount does not exceed the value of the park, which shall be calculated based on actual  
9 costs to acquire the land.

10 **SEC. 411A.3. APPLICATION OF TSF.**

11 \* \* \* \*

12 (d) **Application of the TSF to Projects in the Approval Process at the Effective**  
13 **Date of Section 411A.** The TSF shall apply to Development Projects that are in the approval  
14 process at the effective date of Section 411A, except as modified below:

15 (1) Projects that have a Development Application approved before the effective  
16 date of this Section shall not be subject to the TSF, but shall be subject to the TIDF at the rate  
17 applicable *perpursuant to* Planning Code Sections 411.3 (e) and 409, as well as any other  
18 applicable fees.

19 (2) Projects that have filed a Development Application or environmental review  
20 application on or before July 21, 2015, and have not received approval of any such  
21 application, shall be subject to the TSF as follows, *except as described in subsection (3) below*:

22 (A) Residential Uses subject to the TSF shall pay 50% of the applicable  
23 residential TSF rate, as well as any other applicable fees.

1 (B) The Non-residential or PDR portion of any project shall be subject to  
2 the TSF but pay the applicable TIDF rate ~~per~~pursuant to Planning Code Sections 411.3(e) and  
3 409, as well as any other applicable fees.

4 (3) Projects that have not filed a Development Application or environmental  
5 review application before July 22, 2015, and file the first such application on or after July 22,  
6 2015, and have not received approval of any such application, as well as projects within the  
7 Central SoMa Special Use District that have a Central SoMa Development Fee Tier of A, B, or C, as  
8 defined in Section 423.2, regardless of the date filed of any Development Application, shall be subject  
9 to the TSF as follows:

10 (A) Residential Uses subject to the TSF shall pay 100% of the applicable  
11 residential TSF rate, as well as any other applicable fees.

12 (B) The Non-residential or PDR portion of any project shall pay 100% of  
13 the applicable Non-residential or PDR TSF rate, as well as any other applicable fees.

14 \* \* \* \*

15 **SEC. 413.7. COMPLIANCE BY LAND DEDICATION WITHIN THE CENTRAL SOMA**  
16 **SPECIAL USE DISTRICT.**

17 (a) Controls. Within the Central SoMa Special Use District, projects may satisfy all or a  
18 portion of the requirements of Section 413.5, 413.6 and 413.8 via dedication of land with equivalent  
19 or greater value than the fee owed pursuant to Section 413 et seq. Projects may receive a  
20 credit against such requirements up to the value of the land donated, calculated pursuant to  
21 subsection (b) below.

22 **(b) Requirements.**

23 (1) The value of the dedicated land shall be determined by the appraisal Director of  
24 Property pursuant to Chapter 23 of the Administrative Code, but shall not exceed the actual  
25 cost of acquisition by the project sponsor of the dedicated land in an arm's length transaction.

1 Prior to issuance by DBI of the first site or building permit for a development project subject to Section  
2 413.1 et seq. the sponsor shall submit to the Department, with a copy to MOHCD and the Director of  
3 Property, the appraisal reports required by Chapter 23 of the Administrative Code of the fair  
4 market valuedocumentation sufficient to substantiate the actual cost of acquisition by the  
5 sponsor in an arm's length transaction of any land to be dedicated by the sponsor to the City and  
6 County of San Francisco, and any additional information that would impact the value of the land.

7 (2) Projects are subject to the requirements of Section 419.5(a)(2)(A) and (C) through  
8 (J).

9 \* \* \* \*

10 **SEC. 413.10. CITYWIDE AFFORDABLE HOUSING FUND.**

11 All monies contributed pursuant to Sections 413.6 or 413.8 or assessed pursuant to  
12 Section 413.9 shall be deposited in the Citywide Affordable Housing Fund ("Fund"),  
13 established in Administrative Code Section 10.100-49. The receipts in the Fund collected  
14 under Section 413et seq. shall be used solely to increase the supply of housing affordable to  
15 qualifying households subject to the conditions of this Section. The fees collected under this  
16 Section may not be used, by way of loan or otherwise, to pay any administrative, general  
17 overhead, or similar expense of any entity. The Mayor's Office of Housing and Community  
18 Development ("MOHCD") shall develop procedures such that, for all projects funded by the  
19 Citywide Affordable Housing Fund, MOHCD requires the project sponsor or its successor in  
20 interest to give preference in occupying units as provided for in Administrative Code Chapter  
21 47.

22 Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the Jobs-Housing Linkage  
23 Program and collected within the Central SoMa Special Use District shall be paid into the Citywide  
24 Affordable Housing Fund, but the funds shall be separately accounted for. Such funds shall be

1 expended within the area bounded by Market Street, the Embarcadero, King Street, Division Street,  
2 and South Van Ness Avenue.

3 \* \* \* \*

4  
5 **SEC. 414.4. IMPOSITION OF CHILD CARE REQUIREMENT.**

6  
7 (a) **Determination of Requirements.** The Department shall determine the applicability  
8 of Section 414.1et seq. to any development project requiring a first construction document  
9 and, if Section 414.1 is applicable, the number of gross square feet of each type of space  
10 subject to its requirements, and shall impose these requirements as a condition of approval  
11 for issuance of the first construction document for the development project to mitigate the  
12 impact on the availability of child-care facilities which will be caused by the employees  
13 attracted to the proposed development project. The project sponsor shall supply any  
14 information necessary to assist the Department in this determination.

15 (b) **Department Notice to Development Fee Collection Unit at DBI.** After the  
16 Department has made its final determination of the net addition of gross square feet of each  
17 type of space subject to Section 414.1et seq., it shall immediately notify the Development Fee  
18 Collection Unit at DBI of its determination in addition to the other information required by  
19 Section 402(b) of this Article.

20 (c) **Sponsor's Choice to Fulfill Requirements.**

21 (1) Except as otherwise specified in this subsection, Pprior to issuance of a  
22 building or site permit for a development project subject to the requirements of Section  
23 414.1et seq., the sponsor shall elect one of the six options listed below to fulfill any  
24 requirements imposed as a condition of approval and notify the Department of ~~their~~its choice  
25 of the following:

1 (4A) Provide a child-care facility on the premises of the development  
2 project for the life of the project pursuant to Section 414.5; or

3 (2B) In conjunction with the sponsors or one or more other development  
4 projects subject to Section 414.1et seq. located within ½ mile of one another, provide a single  
5 child-care facility on the premises of one of their development projects for the life of the  
6 project as set forth in Section 414.6; or

7 (3C) Either singly or in conjunction with the sponsors or one or more  
8 other development projects subject to Section 414.1et seq. located within ½ mile of one  
9 another, provide a single child-care facility to be located within one mile of the development  
10 project(s) pursuant to Section 414.7; or

11 (4D) Pay an in-lieu fee to the Development Fee Collection Unit at DBI  
12 pursuant to Section 414.8; or

13 (5E) Combine payment of an in-lieu fee to the Child Care Capital Fund  
14 with construction of a child-care facility on the premises or providing child-care facilities near  
15 the premises, either singly or in conjunction with other sponsors pursuant to Section 414.9; or

16 (6F) Enter into an arrangement pursuant to which a nonprofit  
17 organization shall provide a child-care facility at a site within the City pursuant to Section  
18 414.10.

19 (2) In the Central SoMa SUD, an Office or Hotel project that is a Key Site, as  
20 defined in Section 329, shall satisfy this Section 414.4 by the means specified in Section  
21 249.78.

22 \* \* \* \*

23  
24 **SEC. 414.5. COMPLIANCE BY PROVIDING AN ON-SITE CHILD-CARE FACILITY.**  
25

1 The sponsor of a development subject to Section 414.1 et seq. may elect to provide a  
2 child-care facility on the premises of the development project for the life of the project to meet  
3 the requirements of Section 414.1 et seq. The sponsor shall, prior to the issuance of the first  
4 certificate of occupancy by DBI for the development project, provide proof to the Department  
5 that:

6 \* \* \* \*

7  
8 **SEC. 414.7. COMPLIANCE IN CONJUNCTION WITH THE SPONSORS OF OTHER**  
9 **DEVELOPMENT PROJECTS TO PROVIDE A CHILD-CARE FACILITY WITHIN ONE MILE**  
10 **OF THE DEVELOPMENT PROJECTS.**

11 Except as specified in Section 249.78, tThe sponsor of a development project subject  
12 to Section 414.1 et seq., either singly or in conjunction with the sponsors of one or more other  
13 development projects subject to Section 414.1 et seq. located within ½ mile of one another,  
14 may elect to provide a single child-care facility to be located within one mile of the  
15 development project(s) to meet the requirements of Section 414.1 et seq. Subject to the  
16 discretion of the Department, the child-care facility shall be located so that it is reasonably  
17 accessible to public transportation or transportation provided by the sponsor(s). The  
18 sponsor(s) shall, prior to the issuance of the first certificate of occupancy by DBI for any  
19 development project complying with this part, provide proof to the Department that:

20 \* \* \* \*

21  
22 **SEC. 414.8. COMPLIANCE BY PAYMENT OF AN IN-LIEU FEE.**

23 (a) Except as specified in Section 249.78 tThe sponsor of a development project  
24 subject to Section 414.1 et seq. may elect to pay a fee in lieu of providing a child-care facility.  
25 The fee shall be computed as follows:

1 \* \* \* \*

2  
3 **SEC. 415.3. APPLICATION.**

4 \* \* \* \*

5 (b) Except as provided in subsection (3) below, any development project that has  
6 submitted a complete Environmental Evaluation application prior to January 12, 2016 shall  
7 comply with the Affordable Housing Fee requirements, the on-site affordable housing  
8 requirements or the off-site affordable housing requirements, and all other provisions of  
9 Section 415.1 *et seq.*, as applicable, in effect on January 12, 2016. For development projects  
10 that have submitted a complete Environmental Evaluation application on or after January 1,  
11 2013, the requirements set forth in Planning Code Sections 415.5, 415.6, and 415.7 shall  
12 apply to certain development projects consisting of 25 dwelling units or more during a limited  
13 period of time as follows.

14 \* \* \* \*

15 (3) During the limited period of time in which the provisions of Section 415.3(b)  
16 apply, the following provisions shall apply:

17 (A) For any housing development that is located in an area with a  
18 specific affordable housing requirement set forth in an Area Plan or a Special Use District, or  
19 in any other section of the Code such as Section 419, with the exception of the UMU Zoning  
20 District or in the South of Market Youth and Family Zoning District, the higher of the affordable  
21 housing requirement set forth in such Area Plan or Special Use District or in Section 415.3(b)  
22 shall apply:

23 (B) Development projects that are within the Central SoMa Special Use  
24 District; that are designated as Central SoMa Development Tier A, B, or C, as defined in Section  
25 423.2; and that submitted a complete Environmental Evaluation application prior to January 12, 2016

1 shall be subject to the affordable housing requirements set forth in Sections 415.5, 415.6, and 415.7  
2 that apply to projects that submitted a complete Environmental Evaluation Application on or after  
3 January 13, 2016 and before December 31, 2017; and

4 (C) Any affordable housing impact fee paid pursuant to an Area Plan or  
5 Special Use District shall be counted as part of the calculation of the inclusionary housing  
6 requirements contained in Planning Code Sections 415.1 *et seq.*

7 \* \* \* \*

8 **SEC. 415.5. AFFORDABLE HOUSING FEE.**

9 \* \* \* \*

10 (f) **Use of Fees.** All monies contributed pursuant to the Inclusionary Affordable  
11 Housing Program shall be deposited in the Citywide Affordable Housing Fund ("the Fund"),  
12 established in Administrative Code Section 10.100-49, except as specified below. The Mayor's  
13 Office of Housing and Community Development ("MOHCD") shall use the funds collected  
14 under this Section 415.5 in the following manner:

15 \* \* \* \*

16 (2) **"Small Sites Funds."**

17 (A) **Designation of Funds.** MOHCD shall designate and separately  
18 account for 10% of all fees that it receives under Section 415.1 *et seq.* that are deposited into  
19 the Citywide Affordable Housing Fund, established in Administrative Code Section 10.100-49,  
20 excluding fees that are geographically targeted such as those referred to in Sections  
21 249.78(e)(1), 415.5(b)(1), and 827(b)(1), to support acquisition and rehabilitation of Small Sites  
22 ("Small Sites Funds"). MOHCD shall continue to divert 10% of all fees for this purpose until  
23 the Small Sites Funds reach a total of \$15 million, at which point, MOHCD will stop  
24 designating funds for this purpose. At such time as designated Small Sites Funds are  
25 expended and dip below \$15 million, MOHCD shall start designating funds again for this

1 purpose, such that at no time the Small Sites Funds shall exceed \$15 million. When the total  
2 amount of fees paid to the City under Section 415.1 *et seq.* totals less than \$10 million over  
3 the preceding 12-month period, MOHCD is authorized to temporarily divert funds from the  
4 Small Sites Fund for other purposes. MOHCD ~~must~~shall keep track of the diverted funds,  
5 however, such that when the amount of fees paid to the City under Section 415.1 *et seq.*  
6 meets or exceeds \$10 million over the preceding 12-month period, MOHCD shall commit all of  
7 the previously diverted funds and 10% of any new funds, subject to the cap above, to the  
8 Small Sites Fund.

9 \* \* \* \*

10 (4) Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the  
11 Inclusionary Affordable Housing Program and collected within the Central SoMa Special Use District  
12 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
13 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
14 Street, Division Street, and South Van Ness Avenue.

15 \* \* \* \*

16 **SEC. 415.7. OFF-SITE AFFORDABLE HOUSING ALTERNATIVE.**

17 \* \* \* \*

18 **(c) Location of off-site housing:**

19 (1) Except as specified in subsection (ii) below, the off-site units shall be located  
20 within one mile of the principal project;

21 (2) Projects within the Central SoMa SUD must be located within the area bounded by  
22 Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.

23 \* \* \* \*

24 **SEC. 417.5. USE OF FUNDS.**

1 The Eastern Neighborhoods Area Plan Alternate Affordable Housing Fee shall be paid  
2 into the Citywide Affordable Housing Fund, but the funds shall be separately accounted for.  
3 MOH shall expend the funds according to the following priorities: First, to increase the supply  
4 of housing affordable to qualifying households in the Eastern Neighborhoods Project Areas;  
5 second, to increase the supply of housing affordable to qualifying households within 1 mile of  
6 the boundaries of the Eastern Neighborhoods Project Areas; third, to increase the supply of  
7 housing affordable to qualifying households in the City and County of San Francisco. The  
8 funds may also be used for monitoring and administrative expenses subject to the process  
9 described in Section 415.5(e). All monies contributed pursuant to the Eastern Neighborhoods Area  
10 Plan Alternate Affordable Housing Fee and collected within the Central SoMa Special Use District  
11 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
12 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
13 Street, Division Street, and South Van Ness Avenue.

14 \* \* \* \*

15 **SEC. 418.7. SOMA COMMUNITY STABILIZATION FUND.**

16 (a) **Purpose.** There is hereby established a separate fund set aside for a special  
17 purpose entitled the SOMA Community Stabilization Fund ("Fund"), and within the Fund an  
18 account related to the Community Facilities District defined in Section 434 called the SoMa  
19 Community Facilities District Account ("Community Facilities District Account"). The Fund and  
20 the Community Facilities District Account shall be held and maintained by the Controller. All  
21 monies collected by DBI pursuant to Section 419.3418.3 shall be deposited in the Fund a  
22 special fund, to be maintained by the Controller. The Controller may direct certain proceeds of  
23 the Community Facilities District special tax, as defined in Section 434, collected pursuant to  
24 Section 434, to be deposited into the Community Facilities District Account. Proceeds of  
25 bonds issued for the Community Facilities District shall not be deposited into the Community

1 Facilities District Account. The receipts in the Fund and the Community Facilities District  
2 Account are hereby appropriated in accordance with law to be used solely to address the  
3 effects of destabilization on residents and businesses in SOMA subject to the conditions of  
4 this Section.

5 (b) **Use of Funds.**

6 (1) All monies deposited in the Fund shall be used to address the impacts of  
7 destabilization on residents and businesses in SOMA including assistance for: affordable  
8 housing and community asset building, small business rental assistance, development of new  
9 affordable homes for rental units for low income households, rental subsidies for low income  
10 households, down payment assistance for home ownership for low income households,  
11 eviction prevention, employment development and capacity building for SOMA residents, job  
12 growth and job placement, small business assistance, leadership development, community  
13 cohesion, civic participation, cultural preservation, and community based programs and  
14 economic development. Monies in the Community Facilities District Account may be used for  
15 the purposes specified in this subsection (b) that are authorized uses of Community Facilities  
16 District revenues under the proceedings for the Community Facilities District and that are  
17 described in the Central SoMa Implementation Program Document.

18 (2) Monies from the Fund may be appropriated by MOHCD without additional  
19 approval by the Board of Supervisors to the Planning Commission or other City department or  
20 office to commission economic analyses for the purpose of revising the fee, to complete a  
21 nexus study to demonstrate the relationship between residential development and the need  
22 for stabilization assistance if this is deemed necessary, provided these expenses do not  
23 exceed a total of \$100,000. The receipts in the Fund may be used to pay the expenses of  
24 MOHCD in connection with administering the Fund and monitoring the use of the Funds.  
25 Before expending funds on administration, MOCHD must obtain the approval of the Board of

1 Supervisors by Resolution. Monies in the Community Facilities District Account may not be  
2 used for the purposes described in this subsection.

3 (3) ~~Receipts in the Fund shall also be used to reimburse the Department for~~  
4 ~~conducting a study as follows. Within 60 days of the effective date of Section 418.1et seq. the~~  
5 ~~Department shall commence a study on the impact, in nature and amount, of market rate~~  
6 ~~housing development on the production of permanently affordable housing and recommend~~  
7 ~~the range of possible fees to be paid by market rate housing developers to mitigate such~~  
8 ~~impact should one be found. The Department shall make timely progress reports on the~~  
9 ~~conduct of this study and shall submit the completed report along with recommendations for~~  
10 ~~legislation to the Land Use & Economic Development Committee of the Board of Supervisors.~~  
11 ~~This study is meant to accomplish the same purposes as the study authorized by the Board of~~  
12 ~~Supervisors in Planning Code Section 415.8(e) and thus supersedes 415.8(e)4.~~

13 (c) **Reporting.** The Controller's Office shall file a report with the Board of Supervisors  
14 in even-numbered years, which report shall set forth the amount of money collected in the  
15 Fund. The Fund shall be administered and expended by MOHCD, but all expenditures shall  
16 first be approved by the Board of Supervisors through the legislative process. In approving  
17 expenditures from the Fund, MOHCD and the Board of Supervisors shall accept any  
18 comments from the Community Advisory Committee, the public, and any relevant City  
19 departments or offices. With respect to the Community Facilities District Account, the  
20 Controller's Office also shall comply with the reporting requirements set forth in the Special  
21 Tax Financing Law and Government Code Section 50075 et seq. ~~Before approving any~~  
22 ~~expenditures, the Board of Supervisors shall determine the relative impact from the~~  
23 ~~development in the Rincon Hill Plan Area on the areas described in Section 418.7(b) and shall~~  
24 ~~insure that the expenditures are consistent with mitigating the impacts from the development.~~

1 (d) Oversight. There shall be a SOMA Community Stabilization Fund Community  
2 Advisory Committee to advise MOHCD and the Board of Supervisors on the administration of  
3 the Fund.

4 (1) The Community Advisory Committee shall be composed of seven members  
5 appointed as follows:

6 (A) One member representing low-income families who lives with his or  
7 her family in SOMA, appointed by the Board of Supervisors.

8 (B) One member who has expertise in employment development and/or  
9 represents labor, appointed by the Board of Supervisors.

10 (C) One member who is a senior or disabled resident of SOMA,  
11 appointed by the Board of Supervisors.

12 (D) One member with affordable housing expertise and familiarity with  
13 the SOMA neighborhood, appointed by the Board of Supervisors

14 (E) One member who represents a community based organization in  
15 SOMA, appointed by the Board of Supervisors.

16 (F) One member who provides direct services to SOMA families,  
17 appointed by the Board of Supervisors.

18 (G) One member who has small business expertise and a familiarity with  
19 the SOMA neighborhood, appointed by the Board of Supervisors.

20 (2) The Community Advisory Committee shall comply with all applicable public  
21 records and meetings laws and shall be subject to the Conflict of Interest provisions of the  
22 City's Charter and Administrative Code. The initial meeting of the Advisory Committee shall be  
23 called within 30 days from the day the Board of Supervisors completes its initial appointments.  
24 MOHCD shall provide administrative support to the Committee. The Committee shall develop  
25 annual recommendations to MOHCD on the Expenditure Plan.

1 (3) The members of the Community Advisory Committee shall be appointed for  
2 a term of two years; provided, however, that the members first appointed shall by lot at the  
3 first meeting, classify their terms so that three shall serve for a term of one year and four shall  
4 serve for a term of two years. At the initial meeting of the Committee and yearly thereafter, the  
5 Committee members shall select such officer or officers as deemed necessary by the  
6 Committee. The Committee shall promulgate such rules or regulations as are necessary for  
7 the conduct of its business under this Section. In the event a vacancy occurs, a successor  
8 shall be appointed to fill the vacancy consistent with the process and requirements to appoint  
9 the previous appointee. When a vacancy occurs for an reason other than the expiration of a  
10 term of office, the appointee to fill such vacancy shall hold office for the unexpired term of his  
11 or her predecessor. Any appointee who misses four meetings within a twelve-month period,  
12 without the approval of the Committee, shall be deemed to have resigned from the  
13 Committee.

14 ~~(e) Within 90 days of the effective date of Section 418.1 et seq., the Director of MOCDD~~  
15 ~~shall propose rules, regulations and a schedule for administrative support governing the Fund~~  
16 ~~to the Board of Supervisors for its approval.~~

17 **SEC. 419. HOUSING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT**  
18 **PROJECTS IN THE UMU ZONING DISTRICTS OF THE EASTERN NEIGHBORHOODS**  
19 **AND THE LAND DEDICATION ALTERNATIVE IN THE UMU DISTRICT, MISSION NCT**  
20 **DISTRICT, AND CENTRAL SOMA SPECIAL USE DISTRICT.**

21 Sections 419.1 through 419.6, hereafter referred to as Section 419.1 et seq., set forth  
22 the housing requirements for residential development projects in the UMU Zoning Districts of  
23 the Eastern Neighborhoods and the Land Dedication Alternative in the UMU District, Mission  
24 NCT District, and Central SoMa Special Use District. The effective date of these requirements  
25

1 shall be either December 19, 2008, which is the date that the requirements originally became  
2 effective, or the date a subsequent modification, if any, became effective.

3 \* \* \* \*

4 **SEC. 419.6. LAND DEDICATION ALTERNATIVE IN THE MISSION NCT DISTRICT**  
5 **AND CENTRAL SOMA SPECIAL USE DISTRICT.**

6 *(a) Mission NCT District.* The Land Dedication alternative is available for any project  
7 within the Mission NCT District under the same terms and conditions as provided for in  
8 Section 419.5(a)(2)(A)-(J).

9 *(b) Central SoMa Special Use District.* *The Land Dedication alternative is available for*  
10 *projects within the Central SoMa Special Use District under the same terms and conditions as provided*  
11 *for in Section 419.5(a)(2), except that in lieu of the Land Dedication Alternative requirements of*  
12 *Table 419.5, projects may satisfy the requirements of Section 415.5 by dedicating land for affordable*  
13 *housing if the dedicated site will result in a total amount of dedicated Gross Floor Area that is equal to*  
14 *or greater than 45% of the potential Gross Floor Area that could be provided on the principal site, as*  
15 *determined by the Planning Department. Any dedicated land shall be within the area bounded by*  
16 *Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.*

17 \* \* \* \*

18 **SEC. 423.1. PURPOSE AND FINDINGS SUPPORTING EASTERN**  
19 **NEIGHBORHOODS IMPACT FEES AND COMMUNITY IMPROVEMENTS FUND.**

20 (a) **Purpose.** The Board takes legislative notice of the purpose of the Eastern  
21 Neighborhoods Area Plan as articulated in the Eastern Neighborhoods Area Plan of the San  
22 Francisco General Plan. San Francisco's Housing Element establishes the Eastern  
23 Neighborhoods as a target area for development of new housing to meet San Francisco's  
24 identified housing targets. The release of some of the area's formerly industrial lands, no  
25 longer needed to meet current industrial or PDR needs, offer an opportunity to achieve higher

1 affordability, and meet a greater range of need. The Mission, Showplace Square - Potrero Hill,  
2 Central SoMa, East SoMa, Western SoMa and Central Waterfront Area Plans of the General  
3 Plan (Eastern Neighborhoods Plans) thereby call for creation of new zoning intended  
4 specifically to meet San Francisco's housing needs, through higher affordability requirements  
5 and through greater flexibility in the way those requirements can be met, as described in  
6 Section 419. To support this new housing, other land uses, including PDR businesses, retail,  
7 office and other workplace uses will also grow in the Eastern Neighborhoods.

8 This new development will have an extraordinary impact on the Plan Area's already  
9 deficient neighborhood infrastructure. New development will generate needs for a significant  
10 amount of public open space and recreational facilities; transit and transportation, including  
11 streetscape and public realm improvements; community facilities and services, including child  
12 care; and other amenities, as described in the Eastern Neighborhoods Community  
13 Improvements Program, on file with the Clerk of the Board in File No. 081155.

14 A key policy goal of the Eastern Neighborhoods Plans is to provide a significant  
15 amount of new housing affordable to low, moderate and middle income families and  
16 individuals, along with "complete neighborhoods" that provide appropriate amenities for these  
17 new residents. The Plans obligate all new development within the Eastern Neighborhoods to  
18 contribute towards these goals, by providing a contribution towards affordable housing needs  
19 and by paying an Eastern Neighborhoods Impact Fee.

20 \* \* \* \*

21 **SEC. 423.2. DEFINITIONS.**

22 ~~(a)~~ In addition to the definitions set forth in Section 401 of this Article, the following  
23 definitions shall govern interpretation of Section 423.1 *et seq.*

24 (a) **Eastern Neighborhoods Base Height.** The Height limit immediately prior to the adoption  
25 of the following:

1                   (1) The Eastern Neighborhoods Plan (Ordinance No. 298-08, on file with the Clerk of  
2 the Board of Supervisors in File No. 081153), regardless of subsequent changes in the Height limit, for  
3 parcels within the East SoMa Plan Area at the time of plan adoption;

4                   (2) The Western SoMa Area Plan (Ordinance No. 41-13, on file with the Clerk of the  
5 Board of Supervisors in File No. 130001), regardless of subsequent changes in the Height limit, for  
6 parcels within the Western SoMa Area Plan at the time of plan adoption; or

7                   (3) Ordinance No. 13-14 (on file with the Clerk of the Board of Supervisors in File No.  
8 131161), regardless of subsequent changes in the Height limit, for parcels added to the East SoMa  
9 Plan Area by Ordinance No. 13-14.

10                   **(b) Central SoMa Base Height.**

11                   (1) For all parcels except those described in subsection (2) below, the Height limit  
12 established by the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board  
13 of Supervisors in File No. 180184), regardless of subsequent changes in the Height limit.

14                   (2) **Exception for Narrow Sites.** Projects on parcels in the CS Bulk District, as defined  
15 in Section 270, with a Height limit greater than 85 feet and with no street or alley frontage greater than  
16 100 feet shall be considered for the purposes of Section 423 et seq. to have a Height limit of 85 feet  
17 regardless of the parcel's actual Height limit.

18                   **(c) Eastern Neighborhoods Fee Tiers.**

19                   **(1) Tier 1.**

20                   (A) All development on sites ~~which~~that received a height increase of eight  
21 feet or less, received no height increase, or received a reduction in height, as measured from  
22 the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file with the Clerk~~  
23 of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan (on file with the  
24 Clerk of the Board of Supervisors in File No. 130001);

25                   (B) The residential portion of all 100% affordable housing projects;

1 (C) The residential portion of all projects within the Urban Mixed Use  
2 (UMU) district; and

3 (D) All changes of use within existing structures.

4 (2) **Tier 2.** All additions to existing structures or new construction on other sites  
5 not listed in subsection (1) above ~~which~~that received a height increase of nine to 28 feet, as  
6 measured from the Eastern Neighborhoods Base Heightpart of the Eastern Neighborhoods Plan (on file  
7 with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan  
8 (on file with the Clerk of the Board of Supervisors in File No. 130001);

9 *For the purposes of this Section, increase in heights in the WMUG District in*  
10 *Assessor's Blocks 3733 and 3752 shall be measured by the base height (as defined in Section 263.11)*  
11 *prior to the effective date of the Western SoMa Plan (Ordinance No. Ord. 42-13);*

12 (3) **Tier 3.** All additions to existing structures or new construction on other sites  
13 not listed in subsection (1) above ~~which~~that received a height increase of 29 feet or more, as  
14 measured from the Eastern Neighborhoods Base Heightpart of the Eastern Neighborhoods Plan (on file  
15 with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan  
16 (on file with the Clerk of the Board of Supervisors in File No. 130001).

17 *For purposes of this Section, increase in heights in the MUR District shall be*  
18 *measured by the base height (as defined in Section 263.11) prior to the effective date of the Eastern*  
19 *Neighborhoods (Ordinance No. 298-08).*

20 (d) Central SoMa Fee Tiers. For all applicable projects, the following Fee Tiers apply:

21 (1) Tier A.

22 (A) All development on sites rezoned from SALI or SLI to either CMUO, MUG,  
23 MUR, or WMUO with a Height limit at or below 45 feet, pursuant to the adoption of the Central SoMa  
24 Area Plan (on file with the Clerk of the Board of Supervisors in File No. 180184).

1 (B) All development on all other sites that received a Height increase of 15 feet  
2 to 45 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
3 of Supervisors in File No. 180184).

4 (2) Tier B.

5 (A) All development on sites rezoned from SALI or SLI to either CMUO, MUG,  
6 MUR, or WMUO with a Height limit of between 46 and 85 feet, pursuant to the adoption of the Central  
7 SoMa Area Plan (on file with the Clerk of the Board of Supervisors in File No. 180184).

8 (B) All development on all other sites that received a Height increase of 46 feet  
9 to 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
10 of Supervisors in File No. 180184).

11 (3) Tier C.

12 (A) For All development on sites rezoned from SALI or SLI to either CMUO,  
13 MUG, MUR, or WMUO with a Height limit above 85 feet, pursuant to the adoption of the Central  
14 SoMa Area Plan (on file with the Clerk of the Board of Supervisors in File No. 180184).

15 (B) All development on all other sites that received a Height increase of more  
16 than 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the  
17 Board of Supervisors in File No. 180184).

18 **SEC. 423.3. APPLICATION OF EASTERN NEIGHBORHOODS INFRASTRUCTURE**  
19 **IMPACT FEE.**

20 \* \* \* \*

21 **(d) Option for In-Kind Provision of Community Improvements and Fee Credits.**

22 Project sponsors may propose to directly provide community improvements to the City. In  
23 such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor  
24 and issue a fee waiver for the Eastern Neighborhoods Infrastructure Impact Fee from the  
25 Planning Commission, subject to the following rules and requirements:

1 (1) **Approval Criteria.** The City shall not enter into an In-Kind Agreement  
2 unless the proposed in-kind improvements meet an identified community need as analyzed in  
3 the Eastern Neighborhoods Community Improvements Program and where they substitute for  
4 improvements that could be provided by the Eastern Neighborhoods *Community Improvements*  
5 *Public Benefits* Fund (as described in Section 423.5). The City may reject in-kind improvements  
6 if they are not consistent with the priorities identified in the Eastern Neighborhoods Area Plans  
7 (Central Waterfront, East SoMa, Western SoMa, Mission, and Showplace Square/Potrero  
8 Hill), by the Interagency Plan Implementation Committee (see Section 36 of the Administrative  
9 Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
10 processes related to Eastern Neighborhoods Citizens community improvements  
11 programming. No physical improvement or provision of space otherwise required by the  
12 Planning Code or any other City Code shall be eligible for consideration as part of this In-Kind  
13 Improvements Agreement.

14 \* \* \* \*

15 (f) **Waiver or Reduction of Fees.** Development projects may be eligible for a waiver  
16 or reduction of impact fees, *pursuant to* Section 406 of this Article. Additionally, *project*  
17 *sponsors with a development project located within an applicable San Francisco Redevelopment*  
18 *Project Area may reduce their required contribution to the Eastern Neighborhoods Public Benefits*  
19 *Fund by half of any total sum that they would otherwise be required to pay under this Section, if the*  
20 *sponsor*

21 *(1) has filed its first application, including an environmental evaluation*  
22 *application or any other Planning Department or Building Department application before the effective*  
23 *date of Section 423.1 et seq. and*

24 *(2) provides the Zoning Administrator with written evidence, supported in*  
25 *writing by the San Francisco Redevelopment Agency, that demonstrates the annual tax increment*

1 *which could be generated by the proposed project would support a minimum future bonding capacity*  
2 *equal to \$10,000,000 or greater-office projects under 50,000 square feet, other non-residential*  
3 *projects, and residential projects in the Central SoMa Special Use District may reduce their required*  
4 *contribution to the Eastern Neighborhoods Community Improvements Fund as follows: for every gross*  
5 *square foot of PDR space required by Planning Code Section 202.8, the project may waive payment for*  
6 *four gross square feet of the Eastern Neighborhoods Infrastructure Impact Fee.*

7 \* \* \* \*

8 **SEC. 423.5. THE EASTERN NEIGHBORHOODS COMMUNITY IMPROVEMENTS**  
9 **FUND.**

10 \* \* \* \*

11 (b) **Use of Funds.** The Fund shall be administered by the Board of Supervisors.

12 (1) All monies deposited in the Fund or credited against Fund obligations shall  
13 be used to design, engineer, acquire, improve, and develop public open space and  
14 recreational facilities; transit, streetscape and public realm improvements; and child care  
15 facilities. Funds may be used for childcare facilities that are not publicly owned or publicly-  
16 accessible.

17 (A) Funds collected from all zoning districts in the Eastern  
18 Neighborhoods Program Area, excluding Designated Affordable Housing Zones shall be  
19 allocated to accounts by improvement type according to Table 423.5.

20 (B) Funds collected in Designated Affordable Housing Zones (*Mission*  
21 *NCT and MUR*, as defined in Section 401), shall be allocated to accounts by improvement type  
22 as described in Table 423.5A.

23 \* \* \* \*

24 (c) Funds shall be allocated to accounts by improvement type as described below:

1 (1) Funds collected from all zoning districts in the Eastern Neighborhoods  
2 Program Area, excluding Designated Affordable Housing Zones shall be allocated to accounts  
3 by improvement type according to Table 423.5. Funds collected from MUR Zoning Districts  
4 outside of the boundaries of either the East SoMa or Western SoMa Area Plans shall be  
5 allocated to accounts by improvement type according to Table 423.5.

6 (2) Funds collected in Designated Affordable Housing Zones, ~~(Mission NCT and~~  
7 ~~MUR Use Districts within the boundaries of either the East SoMa or Western SoMa Area Plans (as~~  
8 ~~defined in Section 401), shall be allocated to accounts by improvement type as described in~~  
9 ~~Table 423.5A. For funds allocated to affordable housing, MOH shall expend the funds as~~  
10 ~~follows:~~

11 (A) All funds collected from projects in the Mission NCT shall be  
12 expended on housing programs and projects within the Mission Area Plan boundaries.

13 ~~(B) All funds collected from projects in the MUR Use Districts within the~~  
14 ~~boundaries of either the East SoMa or Western SoMa Area Plans shall be expended on housing~~  
15 ~~programs and projects within the boundaries of 5th to 10th Streets/Howard to Harrison Streets.~~

16 \* \* \* \*

17 ~~**SEC. 425. ALTERNATIVE MEANS OF SATISFYING THE OPEN SPACE**~~  
18 ~~**REQUIREMENT IN THE SOUTH OF MARKET MIXED USE DISTRICTS.**~~

19 ~~(The effective date of these provisions shall be either April 6, 1990, the date that it originally~~  
20 ~~became effective, or the date a subsequent modification, if any, became effective.)~~

21 ~~If it is the judgment of the Zoning Administrator that an open space satisfying the requirements~~  
22 ~~and standards of subsections (b) and (c) of Section 135.3 of this Code cannot be created because of~~  
23 ~~constraints of the development site, or because the project cannot provide safe, convenient access to the~~  
24 ~~public, or because the square footage of open space is not sufficient to provide a usable open space, the~~  
25 ~~Zoning Administrator may (i) authorize, as an eligible type of open space, a pedestrian mall or~~

1 ~~walkway within a public right-of-way which is improved with paving, landscaping, and street furniture~~  
2 ~~appropriate for creating an attractive area for sitting and walking, or (ii) waive the requirement that~~  
3 ~~open space be provided upon payment to the Open Space Fund of a fee of \$.80 for each square foot of~~  
4 ~~open space otherwise required to be provided. These amounts shall be adjusted annually effective April~~  
5 ~~1st of each calendar year by the percentage of change in the Building Cost Index used by the San~~  
6 ~~Francisco Bureau of Building Inspection. This payment shall be paid in full to the City prior to the~~  
7 ~~issuance of any temporary or other certificate of occupancy for the subject property. Said fee shall be~~  
8 ~~used for the purpose of acquiring, designing, improving and/or maintaining park land, park facilities,~~  
9 ~~and other open space resources, which is expected to be used solely or in substantial part by persons~~  
10 ~~who live, work, shop or otherwise do business in the South of Market Base District, as that District is~~  
11 ~~defined in Section 820 of this Code and identified on Sectional Map 3SU of the Zoning Map of the City~~  
12 ~~and County of San Francisco. Said fee, and any interest accrued by such fee, shall be used for the~~  
13 ~~purpose stated herein unless it is demonstrated that it is no longer needed.~~

14           **SEC. 426. ALTERNATIVE MEANS OF SATISFYING THE NON-RESIDENTIAL**  
15 **OPEN SPACE REQUIREMENT IN THE EASTERN NEIGHBORHOODS MIXED USE**  
16 **DISTRICTS.**

17           (The effective date of these provisions shall be either December 19, 2008, the date that  
18 they originally became effective, or the date a subsequent modification, if any, became  
19 effective.)

20           In the Eastern Neighborhoods Mixed Use Districts, except for any parcels within the  
21 GMUOCentral SoMa Special Use District, the usable open space requirement of Section 135.3  
22 may be satisfied through payment of a fee of \$76 for each square foot of usable open space  
23 not provided ~~pursuant to that Variancee~~. In the GMUOCentral SoMa Special Use District, the  
24 usable open space requirement of Section 135.3 may be satisfied through payment of a fee of \$890 for  
25 each square foot of required usable open space not provided, and the POPOS requirement of

1 Section 138 may be satisfied through a payment of a fee of \$890 for each square foot of  
2 required open space not provided that meets the conditions of Sections 138 et seq. and  
3 329(e). Any square footage for which the Planning Commission grants an exception to design  
4 standards pursuant to Section 329(e) shall be considered as meeting the requirements of  
5 Sections 135, 135.3 and 138 for purposes of this Section 426. ~~This~~These fees shall be adjusted  
6 in accordance with Section 423.3 of this Article. ~~This~~These fees shall be paid into the Recreation  
7 and Open Space subset of the Eastern Neighborhoods Community Improvements~~Public Benefits~~  
8 Fund, as described in Section 423 of this Article. ~~Said fee shall be used for the purpose of~~  
9 ~~acquiring, designing, and improving park land, park facilities, and other open space resources, which~~  
10 ~~is expected to be used solely or in substantial part by persons who live, work, shop or otherwise do~~  
11 ~~business in the Eastern Neighborhoods Mixed Use districts.~~

12 **SEC. 427. PAYMENT IN CASES OF VARIANCE OR EXCEPTION FOR REQUIRED**  
13 **RESIDENTIAL OPEN SPACE.**

14 (a) **Eastern Neighborhoods Mixed Use Districts.** In the Eastern Neighborhoods  
15 Mixed Use Districts, except for the CMUOCentral SoMa Special Use District, ~~should a Variancee~~  
16 from usable open space requirements for residential uses be granted by the Zoning Administrator, any  
17 project that obtains a Variance pursuant to Section 305, or an exception ~~be granted for those projects~~  
18 subject pursuant to ~~the~~ Section 329 ~~process~~, to provide less usable open space than otherwise  
19 required by Section 135 shall pay a fee of \$327 ~~shall be required~~ for each square foot of usable  
20 open space not provided ~~pursuant to that Variancee~~. In the CMUOCentral SoMa Special Use  
21 District, any project that obtains a Variance pursuant to Section 305, an exception pursuant to Section  
22 329, or chooses the in-lieu option pursuant to Section 135(d)(5)(B)(ii) shall pay a fee of \$890 for each  
23 square foot of required useable open space not provided. ~~This~~These fees shall be adjusted in  
24 accordance with Section 423.3 of this Article. ~~This~~These fees shall be paid into the Recreation  
25 and Open Space subset of the Eastern Neighborhoods Community Improvements~~Public Benefits~~

1 Fund, as described in Section 423 of this Article. ~~Said fee shall be used for the purpose of~~  
2 ~~acquiring, designing, and improving park land, park facilities, and other open space resources, which~~  
3 ~~is expected to be used solely or in substantial part by persons who live, work, shop or otherwise do~~  
4 ~~business in the Eastern Neighborhoods Mixed Use Districts.~~

5 \* \* \* \*

6 **SEC. 429. ARTWORKS, OPTIONS TO MEET PUBLIC ART FEE REQUIREMENT,**  
7 **RECOGNITION OF ARCHITECT AND ARTISTS, AND REQUIREMENTS.**

8 (The effective date of these requirements shall be either September 17, 1985, the date  
9 that they originally became effective, or the date a subsequent modification, if any, became  
10 effective.)

11 \* \* \* \*

12 **SEC. 429.2. APPLICATION.**

13 This section shall apply to:

14 (a) all projects that involve construction of a new building or addition of floor area in  
15 excess of 25,000 square feet to an existing building in a C-3 District; and

16 (b) all non-residential projects that involve construction of a new building or addition of  
17 floor area in excess of 25,000 square feet and that have submitted their first complete  
18 Development Application on or after January 1, 2013 on the following parcels:

19 (1) all parcels in RH-DTR, TB-DTR, SB-DTR, ~~SLI, SLR, SSO, C-M,~~ UMU, WMUG,  
20 WMUO and SALI Districts;

21 (2) properties that are zoned MUG, CMUO, or MUO, ~~or MUR~~ or MUR and that  
22 are north of Division/Duboce/13th Streets; and

23 (3) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and  
24 7295 (Stonestown Galleria Mall).

1 For the purposes of this Section, a "Development Application" shall mean any  
2 application for a building permit, site permit, environmental review, Preliminary Project  
3 Assessment (PPA), Conditional Use, or Variance.

4 \* \* \* \*

5 **SEC. 432. CENTRAL SOMA COMMUNITY SERVICES FACILITIES FEE AND FUND.**

6 Sections 432.1 through 432.4 set forth the requirements and procedures for the Central SoMa  
7 Community Services Facilities Fee and Fund.

8 **SEC. 432.1. PURPOSE AND FINDINGS.**

9 (a) Purpose. New development in Central SoMa will increase the resident and employee  
10 populations, generating new demand for use of community service facilities, such as cultural facilities,  
11 health clinics, services for people with disabilities, and job training centers. New revenues to fund  
12 investments in community services are necessary to maintain the existing level of service. This fee will  
13 generate revenue that will be used to ensure an expansion in community service facilities in Central  
14 SoMa as new development occurs.

15 (b) Findings. In adopting the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
16 Clerk of the Board of Supervisors in File No. 180184), the Board of Supervisors reviewed the Central  
17 SoMa Community Facilities Nexus Study, prepared by Economic & Planning Systems and dated March  
18 2016. The Board of Supervisors reaffirms the findings and conclusions of this study as they relate to the  
19 impact of new development in Central SoMa on community services facilities, and hereby readopts the  
20 findings contained in the Central SoMa Community Facilities Nexus Study.

21 **SEC. 432.2. APPLICATION OF FEES.**

22 (a) Applicable Projects. The Central SoMa Community Services Facilities Fee is applicable to  
23 any development project in the Central SoMa Special Use District that:

24 (1) Is in any Central SoMa Fee Tier, pursuant to Section 423; and

25 (2) Includes new construction or an addition of space in excess of 800 gross square feet.

1 (b) **Fee Calculation.** For applicable projects, the Fee is as follows:

2 (1) For Residential uses, \$1.30 per gross square foot of net additional gross square feet,  
3 net replacement of gross square feet from PDR uses, or net change of use of gross square feet from  
4 PDR uses.

5 (2) For Non-residential uses,

6 (A) \$1.75 per gross square foot of net additional gross square feet, net  
7 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
8 uses.

9 (B) \$0.45 per gross square foot of net replacement of gross square feet from  
10 Residential uses or net change of use of gross square feet from Residential uses.

11 (c) **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project  
12 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
13 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
14 Central SoMa Community Services Facilities ~~Impact~~ Fee from the Planning Commission, subject to  
15 the following rules and requirements:

16 (1) **Approval Criteria.** The City shall not enter into an In-Kind Agreement unless the  
17 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
18 Community Improvements Program and substitute for improvements that could be provided by the  
19 Central SoMa Community Services Facilities Public Benefits Fund (as described in Section 432.4).  
20 The City may reject in-kind improvements if they are not consistent with the priorities identified in the  
21 Central SoMa Plan, by the Interagency Plan Implementation Committee (see Section 36 of the  
22 Administrative Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
23 processes related to Eastern Neighborhoods Citizens community improvements programming. No  
24 physical improvement or provision of space otherwise required by the Planning Code or any other City  
25 Code shall be eligible for consideration as part of this In-Kind Improvements Agreement.

1                   (2) Valuation, Content, Approval Process, and Administrative Costs. *The valuation,*  
2 *content, approval process, and administrative costs shall be undertaken pursuant to the requirements of*  
3 *Sections 423.3(d)(2) through 423.3(d)(5).*

4                   (d) Timing of Fee Payments. *The Fee is due and payable to the Development Fee Collection*  
5 *Unit at DBI at the time of and in no event later than issuance of the first construction document, with*  
6 *an option for the project sponsor to defer payment to prior to issuance of the first certificate of*  
7 *occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in*  
8 *accordance with Section 107A.13.3 of the San Francisco Building Code.*

9                   (e) Waiver or Reduction of Fees. *Development projects may be eligible for a waiver or*  
10 *reduction of impact fees, pursuant to Section 406.*

11                   **SEC. 432.3. IMPOSITION OF CENTRAL SOMA COMMUNITY SERVICES FACILITIES**  
12 **FEE.**

13                   (a) Determination of Requirements. *The Department shall determine the applicability of*  
14 *Section 432 et seq. to any development project requiring a first construction document and, if Section*  
15 *432 et seq. is applicable, the Department shall determine the amount of the Central SoMa Community*  
16 *Services Facilities Fees required and shall impose these requirements as a condition of approval for*  
17 *issuance of the first construction document for the development project. The project sponsor shall*  
18 *supply any information necessary to assist the Department in this determination.*

19                   (b) Department Notice to Development Fee Collection Unit at DBI. *Prior to the issuance of a*  
20 *building or site permit for a development project subject to the requirements of Section 432 et seq., the*  
21 *Department shall notify the Development Fee Collection Unit at DBI of its final determination of the*  
22 *amount of the Central SoMa Community Services Facilities Fees required, including any reductions*  
23 *calculated for an In-Kind Improvements Agreement, in addition to the other information required by*  
24 *Section 402(b) of this Article.*

1                    **(c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First**  
2 **Certificate of Occupancy.** The Development Fee Collection Unit at DBI shall provide notice in writing  
3 or electronically to the Department prior to issuing the first certificate of occupancy for any  
4 development project subject to Section 432 et seq. that has elected to fulfill all or part of its Central  
5 SoMa Community Services Facilities Fee requirement with an In-Kind Improvements Agreement. If the  
6 Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-  
7 Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy  
8 until the project complies with the requirements of Section 432 et seq., either through conformance with  
9 the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Community  
10 Services Facilities Fee that would otherwise have been required, plus a deferral surcharge as set forth  
11 in Section 107A.13.3.1 of the San Francisco Building Code.

12                    **(d) Process for Revisions of Determination of Requirements.** In the event that the Department  
13 or the Commission takes action affecting any development project subject to Section 432 et seq. and  
14 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
15 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
16 402(c) of this Article shall be followed.

17                    **SEC. 432.4. THE CENTRAL SOMA COMMUNITY SERVICES FACILITIES FUND.**

18                    (a) There is hereby established a separate fund set aside for a special purpose entitled the  
19 Central SoMa Community Services Facilities Fund ("Fund"). All monies collected by the Development  
20 Fee Collection Unit at DBI pursuant to Section 432.3(b) shall be deposited in a special fund  
21 maintained by the Controller. The receipts in the Fund are to be used solely to fund public  
22 infrastructure subject to the conditions of this Section.

23                    (b) Expenditures from the Fund shall be administered by the Mayor's Office of Housing and  
24 Community Development, or its successor. The Mayor's Office of Housing and Community

1 Development or its successor shall have the authority to prescribe rules and regulations governing the  
2 Fund.

3 (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
4 community services facilities, including cultural/arts facilities, social welfare facilities, and community  
5 health facilities, in the Central SoMa Special Use District as established in the Central SoMa Plan and  
6 the Central SoMa Plan Implementation Program Document and supported by the findings of the  
7 Central SoMa Community Facilities Nexus Study.

8 (2) Funds may be used for administration and accounting of fund assets, for additional  
9 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
10 Central SoMa Community Services Facilities Impact Fee against legal challenge, including the legal  
11 costs and attorney's fees incurred in the defense. Administration of this fund includes time and  
12 materials associated with reporting requirements, facilitating any necessary or required public  
13 meetings aside from Planning Commission hearings, and maintenance of the fund. Monies from the  
14 Fund may be used by the Planning Commission to commission economic analyses for the purpose of  
15 revising the fee, and/or to complete an updated nexus study to demonstrate the relationship between  
16 development and the need for public facilities and services if this is deemed necessary. Monies used for  
17 the purposes consistent with this subsection (2) shall not exceed five percent of the total fees collected.  
18 All interest earned on this account shall be credited to the Central SoMa Community Services Facilities  
19 Fund.

20 (3) The Mayor's Office of Housing and Community Development shall report annually  
21 to the Board of Supervisors on the current status of the fund, the amounts approved for disbursement,  
22 and the number and types of housing units or households assisted.

23 (4) All funds are justified and supported by the Central SoMa Community Facilities  
24 Nexus Study, adopted as part of the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
25 Clerk of the Board of Supervisors in File No. 180184). Implementation of the Fee and Fund are

1 monitored according to the Eastern Neighborhoods Plan Monitoring Program required by the  
2 Administrative Code Section 10E.

3 **SEC. 433. CENTRAL SOMA INFRASTRUCTURE IMPACT FEE AND FUND.**

4 Sections 433.1 through 433.4 set forth the requirements and procedures for the Central SoMa  
5 Infrastructure Impact Fee and Fund.

6 **SEC. 433.1. PURPOSE AND FINDINGS.**

7 (a) Purpose. New development in the Central SoMa Plan Area will increase the resident and  
8 employee populations, generating new demand for use of community-serving infrastructure such as  
9 transit, complete streets, and recreation and open space. New revenues to fund investments in this  
10 infrastructure are necessary to maintain the existing level of service. This fee will generate revenue that  
11 will be used to ensure an expansion in community-serving infrastructure in Central SoMa as new  
12 development occurs.

13 (b) Findings. The Board of Supervisors reviewed the San Francisco Citywide Nexus Analysis  
14 prepared by AECOM dated March 2014 ("Nexus Analysis"), the San Francisco Infrastructure Level of  
15 Service Analysis prepared by AECOM dated March 2014, and the Transportation Sustainability Fee  
16 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
17 150149 and 150790, and, pursuant to Section 401A, adopts the findings and conclusions of those  
18 studies and the general and specific findings in that Section, specifically including the Recreation and  
19 Open Space Findings, Pedestrian and Streetscape Findings, Bicycle Infrastructure Findings, and  
20 Transit Findings, and incorporates those by reference herein to support the imposition of the fees under  
21 this Section.

22 **SEC. 433.2. APPLICATION OF FEES.**

23 (a) Applicable Projects. The Central SoMa Infrastructure Impact Fee is applicable to any  
24 development project in the Central SoMa Special Use District that:

25 (1) Is in any Central SoMa Tier, pursuant to Section 423; and

1 (2) Includes new construction or an addition of space in excess of 800 gross square feet.

2 (b) Fee Calculation. For applicable projects, the Fee is as follows:

3 (1) For Residential uses in Central SoMa Fee Tier B:

4 (A) For Condominium uses, \$20.00 per gross square foot of net additional  
5 gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross  
6 square feet from PDR uses.

7 (B) For Rental uses, \$10.00 per gross square foot of net additional gross  
8 square feet, net replacement of gross square feet from PDR uses, or net change of use of  
9 gross square feet from PDR uses.

10 (2) For Non-residential uses in Central SoMa Fee Tiers ~~A and B~~ that are seeking an  
11 Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code  
12 Section 321, \$21.50 per gross square foot of net additional gross square feet, net replacement of gross  
13 square feet from PDR uses, or net change of use of gross square feet from PDR uses.

14 (3) For Non-residential uses in Central SoMa Fee Tiers ~~A and B~~ that are not seeking  
15 an Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning  
16 Code Section 321:

17 (A) \$41.50 per gross square foot of net additional gross square feet, net  
18 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
19 uses;

20 (B) \$21.50 per gross square foot of net replacement of gross square feet from  
21 Residential uses or net change of use of gross square feet from Residential uses.

22 (4) For Non-residential uses in Central SoMa Fee Tier C that are not seeking an Office  
23 Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code Section  
24 321, \$20.00 per gross square foot of net additional gross square feet, net replacement of gross square  
25 feet from PDR uses, or net change of use of gross square feet from PDR uses.

1           (c) Option for In-Kind Provision of Community Improvements and Fee Credits. Project  
2 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
3 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
4 Central SoMa Infrastructure Impact Fee from the Planning Commission, subject to the following rules  
5 and requirements:

6           (1) Approval Criteria. The City shall not enter into an In-Kind Agreement unless the  
7 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
8 Community Improvements Program and substitute for improvements that could be provided by the  
9 Central SoMa Infrastructure Public Benefits Fund (as described in Section 433.4). The City may reject  
10 in-kind improvements if they are not consistent with the priorities identified in the Central SoMa Plan,  
11 by the Interagency Plan Implementation Committee (see Section 36 of the Administrative Code), the  
12 Eastern Neighborhoods Citizens Advisory Committee, or other prioritization processes related to  
13 Eastern Neighborhoods Citizens community improvements programming. No physical improvement or  
14 provision of space otherwise required by the Planning Code or any other City Code shall be eligible for  
15 consideration as part of this In-Kind Improvements Agreement.

16           (2) Valuation, Content, Approval Process, and Administrative Costs. The valuation,  
17 content, approval process, and administrative costs shall be undertaken pursuant to the requirements of  
18 Sections 423.3(d)(2) through 423.3(d)(5).

19           (d) Timing of Fee Payments. The Fee is due and payable to the Development Fee Collection  
20 Unit at DBI at the time of and in no event later than issuance of the first construction document, with  
21 an option for the project sponsor to defer payment to prior to issuance of the first certificate of  
22 occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in  
23 accordance with Section 107A.13.3 of the San Francisco Building Code.

24           (e) Waiver or Reduction of Fees. Development projects may be eligible for a waiver or  
25 reduction of impact fees, pursuant to Section 406.

1                    **SEC. 433.3. IMPOSITION OF CENTRAL SOMA INFRASTRUCTURE IMPACT FEE.**

2                    **(a) Determination of Requirements.** *The Department shall determine the applicability of*  
3 *Section 433.2 et seq. to any development project requiring a first construction document and, if Section*  
4 *433.2 et seq. is applicable, the Department shall determine the amount of the Central SoMa*  
5 *Infrastructure Impact Fees required and shall impose these requirements as a condition of approval for*  
6 *issuance of the first construction document for the development project. The project sponsor shall*  
7 *supply any information necessary to assist the Department in this determination.*

8                    **(b) Department Notice to Development Fee Collection Unit at DBI.** *Prior to the issuance of a*  
9 *building or site permit for a development project subject to the requirements of Sections 433 et seq., the*  
10 *Department shall notify the Development Fee Collection Unit at DBI of its final determination of the*  
11 *amount of the Central SoMa Infrastructure Impact Fees required, including any reductions calculated*  
12 *for an In-Kind Improvements Agreement, in addition to the other information required by Section*  
13 *402(b) of this Article.*

14                    **(c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First**  
15 **Certificate of Occupancy.** *The Development Fee Collection Unit at DBI shall provide notice in writing*  
16 *or electronically to the Department prior to issuing the first certificate of occupancy for any*  
17 *development project subject to Section 433 et seq. that has elected to fulfill all or part of its Central*  
18 *SoMa Infrastructure Impact Fee requirement with an In-Kind Improvements Agreement. If the*  
19 *Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-*  
20 *Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy*  
21 *until the project complies with the requirements of Section 433 et seq., either through conformance with*  
22 *the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Infrastructure*  
23 *Impact Fees that would otherwise have been required, plus a deferral surcharge as set forth in Section*  
24 *107A.13.3.1 of the San Francisco Building Code.*

1 (d) **Process for Revisions of Determination of Requirements.** In the event that the Department  
2 or the Commission takes action affecting any development project subject to Section 433 et seq. and  
3 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
4 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
5 402(c) of this Article shall be followed.

6 **SEC. 433.4. THE CENTRAL SOMA INFRASTRUCTURE IMPACT FUND.**

7 (a) There is hereby established a separate fund set aside for a special purpose entitled the  
8 Central SoMa Infrastructure Impact Fund ("Fund"). All monies collected by the Development Fee  
9 Collection Unit at DBI pursuant to Section 433.3(b) shall be deposited in a special fund maintained by  
10 the Controller. The receipts in the Fund to be used solely to fund Public Benefits subject to the  
11 conditions of this Section.

12 (b) Expenditures from the Fund shall be recommended by the Interagency Plan Implementation  
13 Committee for allocation and administration by the Board of Supervisors.

14 (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
15 community public transit as established in the Central SoMa Plan and the Central SoMa Plan  
16 Implementation Program Document.

17 (2) Funds may be used for administration and accounting of fund assets, for additional  
18 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
19 Central SoMa Infrastructure Impact Fee against legal challenge, including the legal costs and  
20 attorney's fees incurred in the defense. Administration of this fund includes time and materials  
21 associated with reporting requirements, facilitating any necessary or required public meetings aside  
22 from Planning Commission hearings, and maintenance of the fund. Monies from the Fund may be used  
23 by the Planning Commission to commission economic analyses for the purpose of revising the fee,  
24 and/or to complete an updated nexus study to demonstrate the relationship between development and  
25 the need for public facilities and services if this is deemed necessary. Monies used for the purposes

1 consistent with this subsection (2) shall not exceed five percent of the total fees collected. All interest  
2 earned on this account shall be credited to the Central SoMa Infrastructure Impact Fund.

3 (3) All funds are justified and supported by the San Francisco Citywide Nexus Analysis  
4 prepared by AECOM dated March 2014 ("Nexus Analysis"), and the Transportation Sustainability Fee  
5 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
6 150149 and 150790. Implementation of the Fee and Fund are monitored according to the Eastern  
7 Neighborhoods Plan Monitoring Program required by Section 10E of the Administrative Code.

8  
9 **SEC. 434. CENTRAL SOMA COMMUNITY FACILITIES DISTRICT PROGRAM.**

10 (a) Purpose. New construction that increases the density of the South of Market  
11 neighborhood will require the City to invest in substantial new infrastructure and services. By  
12 increasing height limits, removing restrictive zoning, relieving density and floor area ratio  
13 limitations, and making other regulatory changes, the Central SoMa Plan substantially  
14 increases the development potential of properties in the area. This new development potential  
15 will create a significant demand for infrastructure, improvements, and services as described in  
16 the Central SoMa Implementation Program Document, including but not limited to transit  
17 investments, street and environmental improvements, and development and maintenance of  
18 parks and recreation centers. The Central SoMa Community Facilities District ("CFD" or  
19 "Special Tax District") shall be a special tax district formed pursuant to Administrative Code  
20 Chapter 43, Article X to address these needs created by projects that choose to exceed the  
21 Prevailing Height and Density Limits.

22 (b) Applicability. This Section 434 shall apply to a development on any lot in the  
23 Central SoMa Special Use District where all of the following apply:

24 (1) The project includes new construction or the net addition of more than  
25 4025,000 gross square feet, as determined by the Planning Director or their designee

1 pursuant to the Rate and Method of Apportionment for the Central SoMa Community Facilities  
2 District;

3 (2) The proposed project exceeds the applicable Prevailing Building Height and  
4 Density controls established in Section 249.78(d)(1)(B) a floor area ratio that was applicable to  
5 the subject lot for non-residential uses prior to the effective date of this Ordinance; and,

6 (3) The project includes

7 (A) new non-residential development on any lot that is either wholly or  
8 partially in Central SoMa Fee Tier B or C, as defined in Section 423.2; or

9 (B) new residential condominium development for which any units have  
10 been sold on any lot that is either wholly or partially in Central SoMa Fee Tier B or C, as  
11 defined in Section 423.2.

12 (c) **Requirement.** Except as specified herein, any applicable development project  
13 shall participate in the CFD to be established by the Board of Supervisors pursuant to Article  
14 X of Chapter 43 of the Administrative Code (the "Special Tax Financing Law") and  
15 successfully annex the lot or lots of the subject development into the CFD prior to the  
16 issuance of the first Certificate of Occupancy for the development. Any project lot or lots that  
17 contain areas that fall under more than one Central SoMa Fee Tier shall be wholly annexed  
18 into the CFD at the level of the highest applicable Fee Tier. Any project lot or lots that receive  
19 a condominium map pursuant to the Subdivision Code shall wholly annex the lot or lots of the  
20 subject development into the CFD prior to the sale of the first condominium on the site. For  
21 any lot to which the requirements of this Section 434 apply, the Zoning Administrator shall  
22 approve and order the recordation of a Notice in the Official Records of the Recorder of the  
23 City and County of San Francisco for the subject property prior to the first Certificate of  
24 Occupancy for the development, except that for condominium projects, the Zoning  
25 Administrator shall approve and order the recordation of such Notice prior to the sale of the

1 first condominium unit. This Notice shall state the requirements and provisions of subsections  
2 434(b)-(c) above.

3 (d) **Special Taxes.** The Board of Supervisors will be authorized to levy a special tax  
4 on properties that annex into the Community Facilities District to finance facilities and services  
5 described in the proceedings for the Community Facilities District and the Central SoMa  
6 Implementation Program Document submitted by the Planning Department on November 5,  
7 2018 in Board of Supervisors File No. 180184.

8 (e) Special tax revenues associated with the CFD should~~shall~~ be expended as  
9 described in the Central SoMa Plan Implementation Program in Document submitted by the  
10 Planning Department on November 5, 2018~~Commission's September 27, 2018 transmittal in~~  
11 Board of Supervisors File No. 180184, except that: (1) \$1520 million should~~shall~~ be allocated  
12 to restoration of the Old United States Mint, San Francisco Landmark No. 236, and \$16055  
13 million should~~shall~~ be allocated to regional transit capacity enhancement and expansion; and  
14 (2) if the Old United States Mint is developed with community-serving spaces that may be  
15 leased through a competitive process at below-market rates to organizations associated with  
16 Cultural Districts established under Chapter 107 of the Administrative Code, \$20 million  
17 should be allocated to restoration of the Old United States Mint, and \$155 million should be  
18 allocated to regional transit capacity enhancement and expansion.

19 **SEC. 603. EXEMPTED SIGNS.**

20 Nothing in this Article 6 shall apply to any of the following signs:

21 \* \* \* \*

22 (c) Two General Advertising Signs each not exceeding 24 square feet in area on either  
23 a transit shelter or associated advertising kiosk furnished by contract with the Municipal  
24 Transportation Agency or predecessor agency for the Municipal Railway in RTO, RTO-M, RM-  
25 2, RM-3, RM-4, RC, NC, C, M, PDR, Eastern Neighborhoods Mixed Use Districts, ~~and South of~~

1 ~~Market Mixed Use Districts~~, and in those P Districts where such Signs would not adversely  
2 affect the character, harmony, or visual integrity of the district as determined by the Planning  
3 Commission; eight General Advertising Signs each not exceeding 24 square feet in area on  
4 transit shelters located on publicly owned property on a high level Municipal Railway boarding  
5 platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs  
6 solely face the C-2 District; up to three double-sided General Advertising Signs each not  
7 exceeding 24 square feet in area on or adjacent to transit shelters on publicly owned high  
8 level Municipal Railway boarding platforms along The Embarcadero south of the Ferry  
9 Building, up to six double-sided panels at 2nd and King Streets, and up to four double-sided  
10 panels at 4th and King Streets; up to two double-sided panels not exceeding 24 square feet in  
11 area on each low-level boarding platform at the following E-Line stops: Folsom Street and The  
12 Embarcadero, Brannan Street and The Embarcadero, 2nd and King Streets, and 4th and King  
13 Streets; and a total of 71 double-sided General Advertising Signs each not exceeding 24  
14 square feet in area on or adjacent to transit shelters on 28 publicly owned high level Municipal  
15 Railway boarding platforms serving the Third Street Light Rail Line. Each advertising sign on a  
16 low-level or high-level boarding platform shall be designed and sited in such a manner as to  
17 minimize obstruction of public views from pedestrian walkways and/or public open space.

18 Notwithstanding the above, no Sign shall be placed on any transit shelter or associated  
19 advertising kiosk located on any sidewalk which shares a common boundary with any  
20 property under the jurisdiction of the Recreation and Park Commission, with the exception of  
21 Justin Herman Plaza; on any sidewalk on Zoo Road; on Skyline Boulevard between Sloat  
22 Boulevard and John Muir Drive; on John Muir Drive between Skyline Boulevard and Lake  
23 Merced Boulevard; or on Lake Merced Boulevard on the side of Harding Park Municipal Golf  
24 Course, or on any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced  
25

1 Boulevard; on any sidewalk on Legion of Honor Drive; or in the Civic Center Special Sign  
2 Districts as established in Section 608.3 of this Code.

3 The provisions of this subsection (c) shall be subject to the authority of the Port  
4 Commission under Sections 4.114 and B3.581 of the City Charter and under State law.

5 \* \* \* \*

6 **SEC. 608.1. NEAR R DISTRICTS.**

7 No general advertising sign, and no other sign exceeding 100 square feet in area, shall  
8 be located in an NC, C, M, PDR, or Eastern Neighborhoods Mixed Use District ~~or South of~~  
9 ~~Market Mixed Use District~~ within 100 feet of any R District in such a manner as to be primarily  
10 viewed from residentially zoned property or from any street or alley within an R District; any  
11 sign of which the face is located parallel to a street property line and lies for its entire width  
12 opposite an NC, C, M, PDR, or MUR, ~~or South of Market SLR~~ District shall be deemed prima  
13 facie not to be primarily so viewed. No sign of any size within 100 feet of any R District shall  
14 project beyond the street property line or building setback line of any street or alley leading off  
15 the main commercial frontage into the R District.

16 \* \* \* \*

17  
18 **SEC. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

19 \* \* \* \*

20 **Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**  
21 **ZONING CONTROL TABLE**

Zoning Category	§ References	District Controls
* * * *		
		Controls by Story

	1st	2nd	3rd+	
<b>Non-Residential Standards and Uses</b>				
<b>Institutional Use Category</b>				
<b>Institutional Uses*</b>				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	<u>DRC</u>	<u>DRC</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *

**SEC. 802.1. MIXED USE DISTRICTS.**

The following districts are established for the purpose of implementing the Residence Element, the Commerce and Industry Element, the Downtown Plan, the Chinatown Plan, the Rincon Hill Plan, the South of Market Plan, the East SoMa Plan, the Mission Plan, the Showplace Square/Potrero Hill Plan, ~~and~~ the Central Waterfront Plan, *the Western SoMa Area Plan, and the Central SoMa Plan*, all of which are parts of the General Plan. Description and Purpose Statements outline the main functions of each Mixed Use District in this Article, supplementing the statements of purpose contained in Section 101 of this Code.

Description and purpose statements applicable to each district are set forth in Sections 810 through ~~843~~848 of this Code. The boundaries of the various Mixed Use Districts are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of that Section. The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
* * * *	
<i>RSD – Residential/Service District</i>	§ 815
<i>SLR – Service/Light Industrial/Residential District</i>	§ 816
<i>SLI – Service/Light Industrial District</i>	§ 817
<i>SSO – Service/Secondary Office District</i>	§ 818
<i>CMUO - Central SoMa Mixed-Use Office District</i>	§ 848
* * * *	

\* \* \* \*

**SEC. 802.4. EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

Throughout the Planning Code, the term "Eastern Neighborhoods Mixed Use Districts" refers to the following districts: Residential Enclave District (RED), Residential Enclave- Mixed District (RED-MX), Mixed Use-General (MUG), Western SoMa Mixed Use-General (WMUG), Mixed Use-Office (MUO), Central SoMa Mixed-Use Office (CMUO), Western SoMa Mixed Use-Office (WMUO), Mixed Use- Residential (MUR), South Park District (SPD), Service/Arts/Light Industrial (SALI), and Urban Mixed Use (UMU).

**~~SEC. 802.5. SOUTH OF MARKET MIXED USE DISTRICTS.~~**

*Throughout the Planning Code, the term "South of Market Mixed Use Districts" refers to the following districts: Residential/Service District (RSD), Service/Light Industrial (SLI), Service/Light Industrial/Residential (SLR), and Service/Secondary Office (SSO).*

\* \* \* \*

**SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE DISTRICTS ~~AND SOUTH OF MARKET MIXED USE DISTRICTS.~~**

1 (a) **Use Categories.** A use is the specified purpose for which a property or building is  
2 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Eastern  
3 Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~ is generally set forth,  
4 summarized or cross-referenced in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of  
5 this Code for each district class.

6 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts ~~and South of~~  
7 ~~Market Mixed Use Districts~~ are either permitted, conditional, accessory, temporary or are not  
8 permitted.

9 (1) **Permitted Uses.** If there are two or more uses in a structure, any use not  
10 classified below under Section 803.3(b)(1)(C) of this Code as Accessory will be considered  
11 separately as an independent permitted, Conditional, temporary or not permitted use.

12 (A) **Principal Uses.** Principal uses are permitted as of right in an  
13 Eastern Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~, when so  
14 indicated in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code for the district.  
15 Additional requirements and conditions may be placed on particular uses as provided  
16 pursuant to Section 803.5 through 803.9 and other applicable provisions of this Code.

17 (B) **Conditional Uses.** Conditional uses are permitted in an Eastern  
18 Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~, when authorized by  
19 the Planning Commission; whether a use is conditional in a given district is generally indicated  
20 in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code. Conditional Uses are  
21 subject to the applicable provisions set forth in Sections 178, 179, ~~263.11~~, 303, 316, and 803.5  
22 through 803.9 of this Code.

23 \* \* \* \*

24 (C) **Accessory Uses.** Subject to the limitations set forth below and in  
25 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory

1 Uses for Uses Other Than Dwellings in R Districts), 204.4 (Dwelling Units Accessory to Other  
2 Uses), and 204.5(Parking and Loading as Accessory Uses) of this Code, an accessory use is  
3 a related minor use which is either necessary to the operation or enjoyment of a lawful  
4 Principal Use or Conditional Use, or is appropriate, incidental and subordinate to any such  
5 use, and shall be permitted as an Accessory Use in an Eastern Neighborhoods Mixed Use  
6 District ~~and South of Market Mixed Use District~~. In order to accommodate a Principal Use which  
7 is carried out by one business in multiple locations within the same general area, such  
8 Accessory Use need not be located in the same structure or lot as its Principal Use provided  
9 that (1) the Accessory Use is located within 1,000 feet of the Principal Use; and (2) the  
10 multiple locations existed on April 6, 1990. Accessory Uses to non-office uses (as defined in  
11 Section 890.70) may occupy space which is non-contiguous or on a different Story as the  
12 Principal Use so long as the Accessory Use is located in the same building as the Principal  
13 Use and complies with all other restrictions applicable to such Accessory Uses. Any use  
14 which does not qualify as an Accessory Use shall be classified as a Principal Use.

15 No use will be considered accessory to a Principal Use which involves or requires any  
16 of the following:

17 (i) The use of more than one-third of the total Occupied Floor Area  
18 which is occupied by both the accessory use and principal use to which it is accessory,  
19 combined, except in the case of accessory off-street parking or loading which shall be subject  
20 to the provisions of Sections 151, 156 and 303 of this Code;

21 (ii) A hotel, motel, inn, hostel, adult entertainment, massage  
22 establishment, large fast food restaurant, or movie theater use in a RED, RED-MX, SPD, ~~RSD~~,  
23 ~~SLR, SLL, SSO~~, DTR, MUG, WMUG, MUR, MUO, CMUO, WMUO, SALI or UMU District;

24 (iii) Any take-out food use, except for a take-out food use which  
25 occupies 100 square feet or less (including the area devoted to food preparation and service

1 and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery,  
2 retail grocery or specialty food store.

3 (iv) Any sign not conforming to the limitations of Section  
4 607.2(f)(3).

5 (v) Medical Cannabis Dispensaries as defined in 890.133.

6 (vi) Any nighttime entertainment use, as defined in Section 102;  
7 provided, however, that a Limited Live Performance Permit as set forth in Police Code Section  
8 1060et seq. is allowed in any District except for an RED, RED-MX, ~~RSD, SLR~~, MUR, or MUG  
9 District.

10 (vii) Cannabis Retail that does not meet the limitations set forth in  
11 204.3(a)(3).

12 (D) **Temporary Uses.** Temporary uses not otherwise permitted are  
13 permitted in Eastern Neighborhoods Mixed Use Districts ~~and South of Market Mixed Use Districts~~  
14 to the extent authorized by Sections 205 through 205.3 of this Code.

15 \* \* \* \*

16 **SEC. 803.4. USES PROHIBITED IN SOUTH OF MARKET AND EASTERN**  
17 **NEIGHBORHOODS MIXED USE DISTRICTS.**

18 (a) ~~Uses which are not specifically listed in this Article or Article 6 are not permitted in South~~  
19 ~~of Market Mixed Use Districts unless they qualify as a noneconforming use pursuant to Sections 180~~  
20 ~~through 186.1 of this Code or are determined by the Zoning Administrator to be permitted uses in~~  
21 ~~accordance with Section 307(a) of this Code. Uses not permitted in any South of Market District~~  
22 ~~include, but are not limited to, the following: Adult entertainment, bookstore or theater; amusement~~  
23 ~~game arcade or similar enterprise (except as permitted in the Service/Light Industrial District);~~  
24 ~~shooting gallery; general advertising signs, except in the South of Market General Advertising Special~~  
25 ~~Sign District; animal kennel, riding academy or livery stable; automobile, truck, van, recreational~~

1 ~~vehicle/trailer or camper sales, lease or rental; auto tow of inoperable vehicles; auto wrecking~~  
2 ~~operation; drive-up facility; hotel (except as permitted as a conditional use as provided in Planning~~  
3 ~~Code Section 818, Service/Secondary Office District), motel, hostel, inn, or bed and breakfast~~  
4 ~~establishment; heavy industry subject to Section 226(e) through (w) of this Code; junkyard; landing~~  
5 ~~field for aircraft; massage establishment subject to Section 218.1 of this Code; except in the~~  
6 ~~Residential/Service Mixed Use District when provided in conjunction with full-service spa services;~~  
7 ~~mortuary; movie theater and sports stadium or arena.~~

8 (b) No use, even though listed as a permitted use or otherwise allowed, shall be  
9 permitted in an ~~an~~ *South of Market District* or Eastern Neighborhood Mixed Use District ~~which~~*that*,  
10 by reason of its nature or manner of operation, creates conditions that are hazardous,  
11 noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas,  
12 vibration, glare, refuse, water-carried waste, or excessive noise.

13 \* \* \* \*

14 **SEC. 803.5. GOOD NEIGHBOR POLICIES GOVERNING USES IN MIXED USE**  
15 **DISTRICTS.**

16 (a) **Eating and Drinking Uses in Mixed Use Districts.** Within Mixed Use Districts,  
17 the Operating Conditions of Section 202.2(a) shall apply to all Eating and Drinking Uses.

18 (b) **Good Neighbor Policies for Nighttime Entertainment Activities in Eastern**  
19 **Neighborhoods Mixed Use Districts, ~~South of Market Mixed Use Districts~~ and Downtown**  
20 **Residential Districts.** Within Eastern Neighborhoods Mixed Use Districts, ~~South of Market~~  
21 ~~Mixed Use Districts,~~ and Downtown Residential Districts where nighttime entertainment  
22 activities, as defined by Section 102.17 of this Code, are permitted as a principal or  
23 conditional use shall not be allowed except on conditions which, in the judgment of the Zoning  
24 Administrator or City Planning Commission, as applicable, are reasonably calculated to insure  
25

1 that the quiet, safety and cleanliness of the premises and vicinity are maintained. Such  
2 conditions shall include, but not be limited to, the following:

3 \* \* \* \*

4 (c) **Good Neighbor Policies for Programs Serving Indigent Transient and**  
5 **Homeless Populations Within the Eastern Neighborhoods Mixed Use Districts**~~and South~~  
6 ~~of Market Mixed Use Districts~~. Within the Eastern Neighborhoods Mixed Use Districts~~and South~~  
7 ~~of Market Mixed Use Districts~~ where social services are allowed as a Conditional Use pursuant  
8 to Sections 813.21 through 843.21 (Social Services), some or all of the following conditions  
9 shall, when appropriate for specific cases, be placed upon any applicable City permits for the  
10 proposed establishment:

11 \* \* \* \*

12 **~~SEC. 803.8. HOUSING IN MIXED USE DISTRICTS.~~**

13 ~~(a) Low-Income Affordable Housing Within the Service/Light Industrial District. Dwelling~~  
14 ~~units and SRO units may be authorized in the SLI District as a conditional use pursuant to Sections~~  
15 ~~303, 316, 817.14, and 817.16 of this Code provided that such dwellings units shall be rented, leased or~~  
16 ~~sold at rates or prices affordable to a household whose income is no greater than 80 percent of the~~  
17 ~~median income for households in San Francisco ("lower income household"), as determined by Title 25~~  
18 ~~of the California Code of Regulations Section 6932 and implemented by the Mayor's Office of Housing.~~

19 ~~(1) "Affordable to a household" shall mean a purchase price that a lower income~~  
20 ~~household can afford to pay based on an annual payment for all housing costs of 33 percent of the~~  
21 ~~combined household annual net income, a 10-percent down payment, and available financing, or a rent~~  
22 ~~that a household can afford to pay, based on an annual payment for all housing costs of 30 percent of~~  
23 ~~the combined annual net income.~~

24 ~~(2) The size of the dwelling unit shall determine the size of the household in order to~~  
25 ~~calculate purchase price or rent affordable to a household, as follows:~~

1 ~~(A) For a one-bedroom unit, a household of two persons;~~

2 ~~(B) For a two-bedroom unit, a household of three persons;~~

3 ~~(C) For a three-bedroom unit, a household of four persons;~~

4 ~~(D) For a four-bedroom unit, a household of five persons.~~

5 ~~(3) No conditional use permit will be approved pursuant to this Subsection 803.8(b)~~  
6 ~~unless the applicant and City have agreed upon enforcement mechanisms for the provisions of this~~  
7 ~~Subsection which are acceptable to the City Attorney. Such enforcement mechanisms may include, but~~  
8 ~~not be limited to, a right of first refusal in favor of the City, or a promissory note and deed of trust.~~

9 ~~(4) The owner(s) of dwelling units authorized pursuant to this Subsection shall submit~~  
10 ~~an annual enforcement report to the City, along with a fee whose amount shall be determined~~  
11 ~~periodically by the Planning Commission to pay for the cost of enforcement of this Subsection. The fee~~  
12 ~~shall not exceed the amount of such costs. The annual report shall provide information regarding rents,~~  
13 ~~mortgage payments, sales price and other housing costs, annual household income, size of household in~~  
14 ~~each dwelling unit, and any other information the City may require to fulfill the intent of this~~  
15 ~~Subsection.~~

16 ~~**(b) Housing Requirement in the Residential/Service District.**~~

17 ~~(1) **Amount Required.** Nonresidential uses subject to Sections 815.26, 815.28, 815.30,~~  
18 ~~815.31 through 815.47, and 815.59 through 815.65, of this Code shall be permitted in new construction~~  
19 ~~in the Residential/Service District only if the ratio between the amount of occupied floor area for~~  
20 ~~residential use to the amount of occupied floor area of the above-referenced nonresidential use is three~~  
21 ~~to one or greater.~~

22 ~~**(2) Means of Satisfying the Housing Requirement.**~~

23 ~~(A) The residential space required pursuant to this Subsection may be satisfied~~  
24 ~~by payment of a one-time in-lieu fee equal to \$30 per square foot of residential space required by this~~  
25

1 ~~Subsection and not provided on-site payable to the City's Affordable Housing Fund administered by the~~  
2 ~~Mayor's Office of Housing; or~~

3 ~~(B) The residential space requirement may be satisfied by providing the~~  
4 ~~required residential space elsewhere within the South of Market Mixed Use District where housing is~~  
5 ~~permitted or conditional and is approved as a conditional use.~~

6 ~~(c) **Housing Requirement in the Mixed Use Residential (MUR) District.** In new~~  
7 ~~construction in the MUR District, three square feet of gross floor area for residential use is required~~  
8 ~~for every one gross square foot of permitted nonresidential use, subject to Section 841 of this Code.~~

9 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

10 ~~(a) **Preservation of Historic Buildings Within the South of Market Mixed Use Districts.** Within~~  
11 ~~the South of Market Mixed Use Districts, any use which is permitted as a principal or conditional use~~  
12 ~~within the SSO District, excluding nighttime entertainment use, may be permitted as a conditional use~~  
13 ~~in (a) a landmark building located outside a designated historic district, (b) a contributory building~~  
14 ~~which is proposed for conversion to office use of an aggregate gross square footage of 25,000 or more~~  
15 ~~per building and which is located outside the SSO District yet within a designated historic district, or~~  
16 ~~(c) a building designated as significant or contributory pursuant to Article 11 of this Code and located~~  
17 ~~within the Extended Preservation District. For all such buildings the following conditions shall apply:~~  
18 ~~(1) the provisions of Sections 316 through 318 of this Code must be met; (2) in addition to the~~  
19 ~~conditional use criteria set out in Sections 303(c)(6) and 316 through 316.8, it must be determined that~~  
20 ~~allowing the use will enhance the feasibility of preserving the landmark, significant or contributory~~  
21 ~~building; and (3) the landmark, significant or contributory building will be made to conform with the~~  
22 ~~San Francisco Building Code standards for seismic loads and forces which are in effect at the time of~~  
23 ~~the application for conversion of use.~~

24 ~~A contributory building which is in a designated historic district outside the SSO District may~~  
25 ~~be converted to any use which is a principal use within the SSO District provided that: (1) such use~~

1 ~~does not exceed an aggregate square footage of 25,000 per building; and (2) prior to the issuance of~~  
2 ~~any necessary permits the Zoning Administrator (a) determines that allowing the use will enhance the~~  
3 ~~feasibility of preserving the contributory building; and (b) the contributory building will be made to~~  
4 ~~conform with the San Francisco Building Code standards for seismic loads and forces which are in~~  
5 ~~effect at the time of the application for conversion of use.~~ **Housing Requirement in the Mixed Use-**  
6 **Residential (MUR) District.** *In new construction in the MUR District, three square feet of Gross Floor*  
7 *Area for Residential Use is required for every one gross square foot of permitted Non-Residential Use,*  
8 *subject to Section 841.*

9 (b) **Preservation of Historic Buildings within Certain Eastern Neighborhoods**  
10 **Mixed Use Districts.** The following controls are intended to support the economic viability of  
11 buildings of historic importance within Eastern Neighborhoods.

12 (1) This subsection applies only to buildings in SPD, MUG, MUO, CMUO, or  
13 MUR Districts that are designated landmark buildings or contributory buildings within a  
14 designated historic district *perpursuant to* Article 10 of the Planning Code, or buildings listed on  
15 or determined eligible for the California Register of Historical Resources by the State Office of  
16 Historic Preservation.

17 (A) All uses are principally permitted, provided that:

18 (i) The project does not contain any nighttime entertainment use.  
19 (ii) Prior to the issuance of any necessary permits, the Zoning  
20 Administrator, with the advice of the Historic Preservation Commission, determines that  
21 allowing the use will enhance the feasibility of preserving the building.

22 (iii) Residential uses meet the affordability requirements of the  
23 Residential Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.

1 (B) The Historic Preservation Commission shall review the proposed  
2 project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001))  
3 and any applicable provisions of the Planning Code.

4 \* \* \* \*

5 (d) ~~**Automated Bank Teller Machines Within South of Market Districts.** All automated bank  
6 teller machines (ATMs), whether freestanding structures or walk-up facilities associated with retail  
7 banking operations, shall have adequate lighting, waste collection facilities and parking resources.~~

8 ~~(e)~~ **Open Air Sales.** Flea markets, farmers markets, crafts fairs and all other open air  
9 sales of new or used merchandise except vehicles, within *South of Market Mixed Use and*  
10 *Eastern Neighborhoods Mixed Use Districts*, where permitted, shall be subject to the following  
11 requirements: (1) the sale of goods and the presence of booths or other accessory  
12 appurtenances shall be limited to weekend and/or holiday daytime hours; (2) sufficient  
13 numbers of publicly-accessible toilets and trash receptacles shall be provided on-site and  
14 adequately maintained; and (3) the site and vicinity shall be maintained free of trash and  
15 debris.

16 ~~(f)~~ **Legal and Government Office Uses in the Vicinity of the Hall of Justice.**

17 Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of  
18 Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the  
19 Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and  
20 other criminal justice activities and services directly related to the criminal justice functions of  
21 the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special  
22 Restriction placed on the property limiting office activities to uses permitted by this  
23 ~~S~~ubsection.

24 ~~(g)~~ **Work Space of Design Professionals.** ~~The work space of design professionals, as defined in~~  
25 ~~Section 890.28 of this Code, shall be permitted as a principal use within the SLR, RSD and SLI~~

1 ~~Districts provided that, as a condition of issuance of any necessary permits, the owner(s) of the~~  
2 ~~building shall agree to comply with the following provisions:~~

3 ~~(1) The occupied floor area devoted to this use per building is limited to the third story~~  
4 ~~or above;~~

5 ~~(2) The gross floor area devoted to this use per building does not exceed 3,000 square~~  
6 ~~feet per design professional establishment;~~

7 ~~(3) The space within the building subject to this provision has not been in residential~~  
8 ~~use within a legal dwelling unit at any time within a five-year period prior to application for conversion~~  
9 ~~under this Subsection; and~~

10 ~~(4) The owner(s) of the building comply with the following enforcement and monitoring~~  
11 ~~procedures;~~

12 ~~(i) The owner(s) of any building with work space devoted to design professional~~  
13 ~~use as authorized pursuant to this Subsection shall submit an annual enforcement report to the~~  
14 ~~Department of City Planning with a fee in an amount to be determined periodically by the City~~  
15 ~~Planning Commission to pay for the cost of enforcement of this Subsection. The fee shall not exceed the~~  
16 ~~amount of such costs. The report shall provide information regarding occupants of such space, the~~  
17 ~~amount of square footage of the space used by each design professional establishment, amount of~~  
18 ~~vacant space, compliance with all relevant City codes, and any other information the Zoning~~  
19 ~~Administrator may require to fulfill the intent of this Subsection;~~

20 ~~(ii) The owner(s) of any building containing work space of design professionals~~  
21 ~~authorized pursuant to this Subsection shall permit inspection of the premises by an authorized City~~  
22 ~~official to determine compliance with the limitations of this Subsection. The City shall provide~~  
23 ~~reasonable notice to owners prior to inspecting the premises;~~

24 ~~(iii) The owner(s) of any building containing work space of design professionals~~  
25 ~~authorized pursuant to this Subsection shall record a Notice of Special Restriction, approved by the~~

1 *City Planning Department prior to recordation, on the property setting forth the limitations required by*  
2 *this Subsection. The Department of City Planning shall keep a record available for public review of all*  
3 *space for design professionals authorized by this Subsection.*

4 **(hf) Vertical Controls for Office Uses.**

5 \* \* \* \*

6 **Table 803.9(hf)**

7 \* \* \* \*

8 **(ig) Retail Controls in the MUG, MUO, CMUO, and UMU Districts.** In the MUG,  
9 MUO, CMUO, and UMU District, up to 25,000 gross square feet of retail use (as defined in  
10 Section 890.104 of this Code) is permitted per lot. Above 25,000 gross square feet, three  
11 gross square feet of other uses permitted in that District are required for every one gross  
12 square foot of retail. In the UMU District, gyms, as defined in Sec. 218(d), are exempt from  
13 this requirement. In the CMUO District, Tourist Hotels, as defined in Sec. 890.46, are exempt from  
14 this requirement.

15 **SEC. 809. GUIDE TO UNDERSTANDING THE MIXED USE DISTRICT ZONING**  
16 **CONTROLS.**

17 Mixed Use District controls are set forth in the Zoning Control Tables in Sections 810  
18 through 818, and in Sections 825, 827 through 843 or referenced in Section 899 of this Code.

19 (a) The first column in the Zoning Control Table, titled "No." provides a category  
20 number for each zoning control category.

21 (b) The second column in the table, titled "Zoning Control Category," lists zoning  
22 control categories for the district in question.

23 (c) The third column, titled "§ References," contains numbers of other sections in the  
24 Planning Code and other City Codes, in which additional relevant provisions are contained.

1 (d) In the fourth column, the controls applicable to the various Mixed Use Districts are  
2 indicated either directly or by reference to other Code Sections which contain the controls.

3 The following symbols are used in this table:

4 P - Permitted as a principal use.

5 C - Permitted as a conditional use, subject to the provisions set forth in this Code.

6 - A blank space on the tables in Sections 810 through 812 indicates that the use  
7 or feature is not permitted within the Chinatown Mixed Use Districts. Unless a  
8 use or feature is permitted or required in the Chinatown Mixed Use Districts as  
9 set forth in the Zoning Control Tables or in those sections referenced in Section  
10 899 of this Code, such use or feature is prohibited, unless determined by the  
11 Zoning Administrator to be a permitted use.

12 NP - Not Permitted. ~~Section 803.4 lists certain uses not permitted in any South of Market~~  
13 ~~District. NP in the Article 8 control column of Tables 813 through 818 also indicates~~  
14 ~~that the use or feature is not permitted in the applicable South of Market District.~~

15 # - See specific provisions listed by section and zoning category number at the end  
16 of the table.

17 1st - 1st story and below, where applicable.

18 2nd - 2nd story, where applicable.

19 3rd+ - 3rd story and above, where applicable.

20 \* \* \* \*

### 21 **SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.**

22 Residential Enclave Districts (RED) encompass many of the clusters of low-scale,  
23 medium density, predominantly residential neighborhoods located along the narrow side  
24 streets of the South of Market area. Within these predominantly residential enclaves lie a  
25 number of vacant parcels, parking lots and other properties in open storage use. These

1 properties are undeveloped or underdeveloped and are viewed as opportunity sites for new,  
 2 moderate-income, in-fill housing.

3 \* \* \* \*

Table 813			
RED - RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave Controls
* * * *			
<b>USES</b>			
* * * *			
<b>Other Uses</b>			
* * * *			
813.66	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	NP
* * * *			

15 \* \* \* \*

17 **SEC. 814. SPD – SOUTH PARK DISTRICT.**

18 \* \* \* \*

Table 814			
SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *

1		§§ 102,	
2	814.23 Medical Cannabis Dispensary	202.2(e),	PC #
3		890.133	
4	* * * *	* * * *	* * * *

**~~SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.~~**

~~The Residential/Service Mixed Use District (RSD) runs along Harrison St. between 4th St. and 5th St. The RSD serves as a housing opportunity area within the South of Market Mixed Use Districts. The district controls are intended to facilitate the development of high-density, mid-rise housing, including residential hotels and live/work units, while also encouraging the expansion of retail, business service and commercial and cultural arts activities. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.~~

~~Residential hotels are subject to flexible standards for parking, rear yard/open space and density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged.~~

~~General office, hotels, nighttime entertainment, adult entertainment, massage establishment, movie theaters and heavy industrial uses are not permitted, except that massages services are authorized as a conditional use in the Residential/Service Mixed Use District when provided in conjunction with full-service spa services.~~

**Table 815**

**~~RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE~~**

<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Residential/Service Mixed Use District Controls</i>
------------	------------------------	---------------------	--

1  
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815.01	Height		Map, generally ranges from 40 to 85 feet See Sectional Zoning Map 1
815.02	Bulk	§ 270	See Sectional Zoning Map 1
815.03	Residential Density Limit	§§ 124(b), 207.5, 208	1:200 for dwellings in projects below 40 ft., above 40 ft. density to be determined as part of Conditional Use process; 1 bedroom for each 70 sq. ft. of lot area for group housing
815.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	Generally, 1.8 to 1 floor area ratio subject to § 803.5(j)
815.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit if private, 48 sq. ft. if common
815.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
815.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
815.09	Outdoor Activity Area	§ 890.71	P
815.10	Walk-Up Facility, except Automated Bank Teller Machine	§ 890.140	P
815.11	Automated Bank Teller Machine	§ 803.5(d)	P

1		§ 317	C for Removal of one or more
2	815.12 Residential Conversion or Merger		Residential Units or Unauthorized
3			Units.
4		§ 317	C for Removal of one or more
5	815.13 Residential Demolition		Residential Units or Unauthorized
6			Units.
7	<b>Residential Use</b>		
8	815.14 Dwelling Units	§ 102.7	P
9			
10	815.15 Group Housing	§ 890.88(b)	C
11	815.16 SRO Units	§ 890.88(e)	P
12			
13	815.16B Homeless Shelters	§§ 102, 890.88(d)	C
14	<b>Institutions</b>		
15	815.17 Hospital, Medical Centers	§ 890.44	NP
16			
17	815.18 Residential Care	§ 890.50(e)	C
18	815.19 Educational Services	§ 890.50(e)	P
19	815.20 Religious Facility	§ 890.50(d)	C
20			
21	815.21 Assembly and Social Service, except Open Recreation and	§ 890.50(a)	C
22	Horticulture		
23	815.22 Child Care	§ 102	P
24			
25	815.23 Medical Cannabis Dispensary	§ 890.133	P #

<b>Vehicle Parking</b>			
815.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	<i>P</i>
815.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	<i>C, pursuant to § 803.8(e)</i>
815.27	<i>Automobile Parking Lot, Community Commercial</i>	§ 890.9	<i>P</i>
815.28	<i>Automobile Parking Garage, Community Commercial</i>	§ 890.10	<i>C, pursuant to § 803.8(e)</i>
815.29	<i>Automobile Parking Lot, Public</i>	§ 890.11	<i>P</i>
815.30	<i>Automobile Parking Garage, Public</i>	§ 890.12	<i>C, pursuant to § 803.8(e)</i>
<b>Retail Sales and Services</b>			
815.31	<i>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited Restaurants, Restaurants, Cannabis Retail, and Personal Services</i>	§§ 102, 890.104	<i>P, pursuant to § 803.8(e)</i>
815.33	<i>Fringe Financial Service</i>	§§ 249.35, 890.113	<i>P #</i>
815.34	<i>Tobacco Paraphernalia Establishments</i>	§ 890.123	<i>C</i>

1		§ 890.60	
2	815.34A	Massage Establishment	Art. 29 Health C #
3		Code	
4	<b>Assembly, Recreation, Arts and Entertainment</b>		
5		§§ 102.17,	NP
6	815.37	Nighttime Entertainment	181(f),
7			803.5(b)
8	815.38	Meeting Hall, not falling within Category 815.21	§ 221(e) C, pursuant to § 803.8(e)
9			
10	815.39	Recreation Building, not falling within Category 815.21	§ 221(e) C, pursuant to § 803.8(e)
11			
12	815.40	Pool Hall, Card Club, not falling within Category 815.21	§§ 221(f), P, pursuant to § 803.8(e)
13			803.4
14	815.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), P, pursuant to § 803.8(e)
15			890.64
16			
17	<b>Home and Business Service</b>		
18	815.42	Trade Shop	§ 890.124 P, pursuant to § 803.8(e)
19	815.43	Catering Services	§ 890.25 P, pursuant to § 803.8(e)
20	815.45	Business Goods and Equipment Repair Service	§ 890.23 P, pursuant to § 803.8(e)
21			
22	815.46	Arts Activities, other than Theaters	§ 102.2 P, pursuant to § 803.8(e)
23	815.47	Business Services	§ 890.111 P, pursuant to § 803.8(e)
24			
25	<b>Office</b>		

1		<i>Office Uses in Landmark Buildings</i>	§ 803.9(a)	€
2	815.48	<i>or Contributory Buildings in</i>		
3		<i>Historic Districts</i>		
4		<i>Work Space of Design</i>	§§ 803.9(g),	<i>P, subject to § 803.9(g)</i>
5	815.49	<i>Professionals</i>	890.28	
6	815.50	<i>All Other Office Uses</i>	§ 890.70	<i>NP</i>
7	<b><i>Live/Work Units</i></b>			
8				
9		<i>Live/Work Units where the work</i>	§§ 102.2,	
10	815.51	<i>activity is an Arts</i>	102.13,	<i>P</i>
11		<i>Activity</i>	209.9(f) and	
12			(g), 233	
13		<i>Live/Work Units where all the</i>	§§ 102.13, 233	
14	815.52	<i>work activity is otherwise</i>		<i>P</i>
15		<i>permitted as a Principal Use</i>		
16		<i>Live/Work Units where the work</i>	§ 233	
17	815.53	<i>activity is otherwise permitted as a</i>		€
18		<i>Conditional Use</i>		
19		<i>Live/Work Units in Landmark</i>	§ 803.9(a)	
20	815.54	<i>Buildings or Contributory</i>		€
21		<i>Buildings in Historic Districts</i>		
22	815.55	<i>All other Live/Work Units</i>		<i>NP</i>
23	<b><i>Motor Vehicle Services</i></b>			
24				
25	815.57	<i>Vehicle Storage – Open Lot</i>	§ 890.131	<i>NP</i>

1	815.58	<del>Vehicle Storage – Enclosed Lot or Structure</del>	<del>§ 890.132</del>	<del>P</del>
2				
3	815.59	<del>Motor Vehicle Service Station, Automotive Wash</del>	<del>§§ 890.18, 890.20</del>	<del>P, pursuant to § 803.8(e)</del>
4				
5	815.60	<del>Motor Vehicle Repair</del>	<del>§ 890.15</del>	<del>P, pursuant to § 803.8(e)</del>
6				
7	815.61	<del>Motor Vehicle Tow Service</del>	<del>§ 890.19</del>	<del>C, § 803.8(e)</del>
8	815.62	<del>Non-Auto Vehicle Sales or Rental</del>	<del>§ 890.69</del>	<del>P, § 803.8(e)</del>
9	815.63	<del>Public Transportation Facilities</del>	<del>§ 890.80</del>	<del>C, pursuant to § 803.8(e)</del>
10	<b>Industrial</b>			
11	815.64	<del>Wholesale Sales</del>	<del>§ 890.54(b)</del>	<del>P, pursuant to § 803.8(e)</del>
12	815.65	<del>Light Manufacturing</del>	<del>§ 890.54(a)</del>	<del>P, pursuant to § 803.8(e)</del>
13	815.66	<del>Storage</del>	<del>§ 890.54(e)</del>	<del>P</del>
14				
15	815.67	<del>All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment</del>	<del>§ 225</del>	<del>P</del>
16				
17				
18				
19	<b>Other Uses</b>			
20	815.68	<del>Animal Services</del>	<del>§ 224</del>	<del>NP</del>
21	815.69	<del>Open Air Sales</del>	<del>§§ 803.9(e), 890.38</del>	<del>P</del>
22				
23	815.70	<del>Ambulance Service</del>	<del>§ 890.2</del>	<del>NP</del>
24				
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1	815.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
2	815.72	Public Use, except Public Transportation Facility	§ 890.80	C
3	815.74A	Industrial Agriculture	§ 102	NP
4	815.74B	Neighborhood Agriculture	§ 102	P
5	815.74C	Large-Scale Urban Agriculture	§ 102	C
6	815.75	Mortuary Establishment	§ 227(e)	NP
7	815.76	General Advertising Sign	§ 607.2(b) & (e)	NP
8	815.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility

**SPECIFIC PROVISIONS FOR RSD DISTRICTS**

<i>Article Code Section</i>	<i>Other Code Section</i>	<i>Zoning Controls</i>
§ 815 § 815.03	§ 207(e)(4)	<p><b>ACCESSORY DWELLING UNITS</b></p> <p><b>Boundaries:</b> Within the boundaries of the Residential/Service Mixed Use District.</p> <p><b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed</p>

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		<i>within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i>
§ 815.23 § 890.133		<i>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an RSD District.</i>
§ 815.33	§ 249.35 § 890.113	<i>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</i>
§ 815.34A	§ 890.60 Art. 29 Health Code	<b>MESSAGE ESTABLISHMENT</b> <b>Controls.</b> <i>Massage shall generally be subject to Conditional Use authorization. Only those businesses that can demonstrate to the satisfaction of the Planning Commission that massage services are provided in conjunction with full-service spa services are authorized to provide massage services.</i> <i>Certain exceptions to the Conditional Use authorization for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(e), the criteria described in Section 303(n) and 890.60(b).</i>



1	816.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
2				
3	816.03	Residential Density Limit	§§ 124, 207.5, 208	1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing
4				
5				
6	816.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
7				
8	816.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq. ft. per unit if private, 80 sq. ft. if common
9				
10				
11	816.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
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13				
14				
15				
16	816.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
17				
18	816.09	Outdoor Activity Area	§ 90.71	P
19				
20	816.10	Walk-up Facility, including Automated Bank Teller Machine	§§ 803.9(d), 890.140	P
21				
22	816.12	Residential Conversion or Merger	§ 317	C for Removal of one or more Residential Units or Unauthorized Units
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1	816.13	Residential Demolition	§ 317	C for Removal of one or more Residential
2				Units or Unauthorized Units
3	<b>Residential Use</b>			
4	816.14	Dwelling Units	§ 102.7	P
5	816.15	Group Housing	§ 890.88(b)	C
6	816.16	SRO Units	§ 890.88(e)	P
7	816.16B	Homeless Shelters	§§ 102, 890.88(d)	C
8	<b>Institutions</b>			
9	816.17	Hospital, Medical Centers	§ 890.44	NP
10	816.18	Residential Care	§ 890.50(e)	C
11	816.19	Educational Services	§ 890.50(e)	P
12	816.20	Religious Facility	§ 890.50(d)	P
13	816.21	Assembly and Social Service, except Open Recreation and Horticulture	§ 890.50(a)	C
14	816.22	Child Care	§ 102	P
15	816.23	Medical Cannabis Dispensary	§ 890.133	P #
16	<b>Vehicle Parking</b>			
17	816.25	Automobile Parking Lot, Community Residential	§ 890.7	P
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816.26	<i>Automobile Parking Garage, Community Residential</i>	<i>§ 890.8</i>	<i>P</i>
816.27	<i>Automobile Parking Lot, Community Commercial</i>	<i>§ 890.9</i>	<i>P</i>
816.28	<i>Automobile Parking Garage, Community Commercial</i>	<i>§ 890.10</i>	<i>P</i>
816.29	<i>Automobile Parking Lot, Public</i>	<i>§ 890.11</i>	<i>P</i>
816.30	<i>Automobile Parking Garage, Public</i>	<i>§ 890.12</i>	<i>€</i>
<b><i>Retail Sales and Services</i></b>			
816.31	<i>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited- Restaurants, Restaurants, Cannabis Retail, and Personal Services</i>	<i>§§ 102, 890.104</i>	<i>P</i>
816.33	<i>Fringe Financial Service</i>	<i>§§ 249.35, 890.113</i>	<i>P #</i>
816.34	<i>Tobacco Paraphernalia Establishments</i>	<i>§ 890.123</i>	<i>€</i>
<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			

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816.36	<i>Arts Activity, other than Theater</i>	§ 102.2	P
816.37	<i>Nighttime Entertainment</i>	§§ 102.17, 181(f), 803.5(b)	NP
816.38	<i>Meeting Hall, not falling within Category 816.21</i>	§ 221(e)	C
816.39	<i>Recreation Building, not falling within Category 816.21</i>	§ 221(e)	C
816.40	<i>Pool Hall, Card Club, not falling within Category 816.21</i>	§§ 221(f), 803.4	P
816.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	§§ 221(d), 890.64	P
<b>Home and Business Service</b>			
816.42	<i>Trade Shop</i>	§ 890.124	P
816.43	<i>Catering Service</i>	§ 890.25	P
816.45	<i>Business Goods and Equipment Repair Service</i>	§ 890.23	P
816.47	<i>Business Service</i>	§ 890.111	P
<b>Office</b>			

1		<i>Office Uses in Landmark</i>	§ 803.9(a)	€
2	816.48	<i>Buildings or Contributory</i>		
3		<i>Buildings in Historic Districts</i>		
4		<i>Work Space of Design</i>	§§ 803.9(g);	P, subject to § 803.9(g)
5	816.49	<i>Professionals</i>	890.28	
6	816.50	<i>All Other Office Uses</i>	§ 890.70	NP
7	<b>Live/Work Units</b>			
8		<i>Live/Work Units where the</i>	§§ 102.2, 102.13,	
9	816.51	<i>work activity is an Arts</i>	209.9(f) and (g);	P
10		<i>Activity</i>	233	
11		<i>Live/Work Units where all the</i>	§§ 102.13, 233	
12	816.52	<i>work activity is otherwise</i>		P
13		<i>permitted as a Principal Use</i>		
14		<i>Live/Work Units where the</i>	§ 233	
15	816.53	<i>work activity is otherwise</i>		€
16		<i>permitted as a Conditional</i>		
17		<i>Use</i>		
18		<i>Live/Work Units in Landmark</i>	§ 803.9(a)	
19	816.54	<i>Buildings or Contributory</i>		€
20		<i>Buildings in Historic Districts</i>		
21	816.55	<i>All Other Live/Work Units</i>		NP
22	<b>Motor Vehicle Services</b>			
23	816.57	<i>Vehicle Storage – Open Lot</i>	§ 890.131	NP

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816.58	<i>Vehicle Storage – Enclosed Lot or Structure</i>	§ 890.132	P
816.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	§§ 890.18, 890.20	P
816.60	<i>Motor Vehicle Repair</i>	§ 890.15	P
816.61	<i>Automobile Tow Service</i>	§ 890.19	C
816.62	<i>Non-Auto Vehicle Sales or Rental</i>	§ 890.69	P
816.63	<i>Public Transportation Facilities</i>	§ 890.80	P
<b>Industrial</b>			
816.64	<i>Wholesale Sales</i>	§ 890.54(b)	P
816.65	<i>Light Manufacturing</i>	§ 890.54(a)	P
816.66	<i>Storage</i>	§ 890.54(e)	P
816.67	<i>All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment</i>	§ 225	P
<b>Other Uses</b>			
816.68	<i>Animal Services</i>	§ 224	NP
816.69	<i>Open Air Sales</i>	§§ 803.9(e), 890.38	P

1	816.70	Ambulance Service	§ 890.2	NP
2	816.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
3	816.72	Public Use, except Public Transportation Facility	§ 890.80	C
4	816.74A	Industrial Agriculture	§ 102	NP
5	816.74B	Neighborhood Agriculture	§ 102	P
6	816.74C	Large-Scale Urban Agriculture	§ 102	C
7	816.75	Mortuary Establishment	§ 227(e)	NP
8	816.76	General Advertising Sign	§ 607.2(b) & (e)	P in South of Market General Advertising Special Sign District, Otherwise NP
9	816.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro-WTS Facility

**SPECIFIC PROVISIONS FOR SLR DISTRICTS**

<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
<i>Section</i>	<i>Section</i>	
§ 816	§ 207 (e)(4)	<b>ACCESSORY DWELLING UNITS</b>
§ 816.03		<b>Boundaries:</b> Within the boundaries of the SLR Mixed Use District. <b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be

		constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.
<p>§ 816.23</p> <p>§ 890.133</p>		<del>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLR District.</del>
<p>§ 816.33</p>	<p>§ 249.35</p> <p>§ 890.113</p>	<del>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</del>

***SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.***

*The Service/Light Industrial (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts uses, light industrial activities and small design professional office firms. Existing group housing and dwelling units are protected from demolition or conversion to nonresidential use and development of group housing and low-income affordable dwelling units are permitted as a conditional use. General office, hotels, movie theaters, nighttime entertainment and adult entertainment uses are not permitted. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(e)(4) of this Code.*

1 **Table 817**

2 **SLI—SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Light Industrial District Controls
817.01	Height		As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 30 to 65 feet; See Zoning Sectional Maps 1 and 7
817.02	Bulk	§ 270	See Zoning Sectional Maps 1 and 7
817.03	Residential Density Limit	§ 208	1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing
817.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
817.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit
817.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
817.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
817.09	Outdoor Activity Area	§ 890.71	P

1 2	817.10	<i>Walk-Up Facility, including Automated Bank Teller Machine</i>	§§ 803.9(d), 890.140	P
3 4 5	817.12	<i>Residential Conversion or Merger</i>	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
6 7 8	817.13	<i>Residential Demolition</i>	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
9	<b>Residential Use</b>			
10 11 12	817.14	<i>Dwelling Units</i>	§§ 102.7, 803.8(b)	C, if low-income pursuant to § 803.8(b); otherwise NP
13	817.15	<i>Group Housing</i>	§ 890.88(b)	€
14 15	817.16	<i>SRO Units</i>	§§ 803.8(b), 890.88(e)	C, if low-income pursuant to § 803.8(b); otherwise NP
16 17	817.16B	<i>Homeless Shelters</i>	§§ 102, 890.88(d)	€
18	<b>Institutions</b>			
19	817.17	<i>Hospital, Medical Centers</i>	§ 890.44	NP
20	817.18	<i>Residential Care</i>	§ 890.50(e)	€
21	817.19	<i>Educational Services</i>	§ 890.50(e)	P
22	817.20	<i>Religious Facility</i>	§ 890.50(d)	P
23 24 25	817.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	€

1	817.22	Child Care	§ 102	P
2	817.23	Medical Cannabis Dispensary	§ 890.133	P #
3	<b>Vehicle Parking</b>			
4				
5	817.25	Automobile Parking Lot, Community Residential	§ 890.7	P
6				
7	817.26	Automobile Parking Garage, Community Residential	§ 890.8	P
8				
9	817.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
10				
11	817.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
12				
13	817.29	Automobile Parking Lot, Public	§ 890.11	P
14	817.30	Automobile Parking Garage, Public	§ 890.12	C
15	<b>Retail Sales and Services</b>			
16				
17	817.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Cannabis Retail, Restaurants, and Personal Services	§§ 102, 890.104	P
18				
19				
20				
21	817.32	Financial Services	§ 890.110	P if gross floor area is up to 4,000 sq. ft. C if gross floor area is equal to or exceeds 4,000 sq. ft. and only then if the location is:
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			<del>(a) within a height district of 65 ft. or greater;</del> <del>(b) on the ground story or below, and</del> <del>(c) was not used within the 12 months prior to the filing of any planning or building application as</del> <del>(1) a residential use as defined in § 817.14 through § 817.16;</del> <del>(2) a neighborhood-serving retail use as defined in § 817.31, or</del> <del>(3) an industrial use as defined in §§ 817.64, 817.65;</del> <del>otherwise NP</del>
817.33	<i>Fringe Financial Service</i>	§§ 249.35, 890.113	P #
817.34	<i>Tobacco Paraphernalia Establishments</i>	§ 890.123	C
<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			
817.37	<i>Nighttime Entertainment</i>	§§ 102.17, 803.5(b)	NP

1	817.38	Meeting Hall	§ 221(e)	€
2	817.39	Recreation Building	§ 221(e)	€
3	817.40	Pool Hall, Card Club, not falling within Category 817.21	§§ 221(f), 803.4	P
4	817.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
5	817.42	Amusement Game Arcade	§ 890.4	P
6	<b>Home and Business Service</b>			
7	817.42	Trade Shop	§ 890.124	P
8	817.43	Catering Service	§ 890.25	P
9	817.45	Business Goods and Equipment Repair Service	§ 890.23	P
10	817.46	Arts Activities, other than Theaters	§ 102.2	P
11	817.47	Business Services	§ 890.111	P
12	<b>Office</b>			
13	817.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9(a)	€
14	817.49	Work Space of Design Professionals	§§ 803.9(g), 890.28	P, subject to § 803.9(g)
15	817.50	Office Uses Related to the Hall of Justice	§§ 803.9(f), 822	P in Special Use District,
16	817.51	All Other Office Uses	§ 890.70	pursuant to § 803.9(f)
17	<b>Live/Work Units</b>			

1			
2	817.51	<i>Live/Work Units where the work activity is an Arts Activity</i>	<del>§§ 102.2, 102.13, 209.9(f) and (g), 233</del> P
3			
4	817.52	<i>Live/Work Units where all the work activity is otherwise permitted as a Principal Use</i>	<del>§§ 102.13, 233</del> P
5			
6	817.53	<i>Live/Work Units where the work activity is otherwise permitted as a Conditional Use</i>	<del>§ 233</del> C
7			
8	817.54	<i>Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts</i>	<del>§ 803.9(a)</del> C
9			
10	817.55	<i>All Other Live/Work Units</i>	NP
11			
12	<b><i>Automotive Services</i></b>		
13	817.57	<i>Vehicle Storage – Open Lot</i>	<del>§ 890.131</del> P
14	817.58	<i>Vehicle Storage – Enclosed Lot or Structure</i>	<del>§ 890.132</del> P
15			
16	817.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	<del>§§ 890.18, 890.20</del> P
17	817.60	<i>Motor Vehicle Repair</i>	<del>§ 890.15</del> P
18			
19	817.61	<i>Motor Vehicle Tow Service</i>	<del>§ 890.19</del> C
20	817.62	<i>Non-Auto Vehicle Sale or Rental</i>	<del>§ 890.69</del> P
21	817.63	<i>Public Transportation Facilities</i>	<del>§ 890.80</del> P
22	<b><i>Industrial</i></b>		
23	817.64	<i>Wholesale Sales</i>	<del>§ 890.54(b)</del> P
24	817.65	<i>Light Manufacturing</i>	<del>§ 890.54(a)</del> P
25			

1	817.66	Storage	§ 890.54(e)	P
2		All Other Wholesaling, Storage, Distribution	§ 225	
3	817.67	and Open Air Handling of Materials and		P
4		Equipment		
5	<b>Other Uses</b>			
6	817.68	Animal Services	§ 224	P
7				
8	817.69	Open Air Sales	§§ 803.9(e), 890.38	P
9				
10	817.70	Ambulance Service	§ 890.2	P
11				
12	817.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
13				
14	817.72	Public Use, except Public Transportation Facility	§ 890.80	P
15	817.74A	Industrial Agriculture	§ 102	P
16	817.74B	Neighborhood Agriculture	§ 102	P
17				
18	817.74C	Large-Scale Urban Agriculture	§ 102	C
19	817.75	Mortuary Establishment	§ 227(e)	NP
20	817.76	General Advertising Sign	§ 607.2	NP
21	817.77	Internet Services Exchange	§ 209.6(e)	C
22				
23	817.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility
24				
25				

***SPECIFIC PROVISIONS FOR SLI DISTRICTS***

<b><i>Article Code</i></b> <b><i>Section</i></b>	<b><i>Other Code</i></b> <b><i>Section</i></b>	<b><i>Zoning Controls</i></b>
<p>§ 817 § 817.03</p>	<p>§ 207 (e)(4)</p>	<p><del>ACCESSORY DWELLING UNITS</del></p> <p><del><b>Boundaries:</b> Within the boundaries of the SLI Mixed Use District.</del></p> <p><del><b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</del></p>
<p>§ 817.23 § 890.133</p>		<p><del>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLI District.</del></p>
<p>§ 817.33</p>	<p>§ 249.35 § 817.32 § 890.113</p>	<p><del>Fringe Financial Services are P subject to the controls set forth in Section 817.32 for Financial Services and the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).</del></p>

***SEC. 818. SSO SERVICE/SECONDARY OFFICE DISTRICT.***

*The Service/Secondary Office District (SSO) is designed to accommodate small-scale light industrial, home and business services, arts activities, live/work units, and small-scale, professional*

1 office space and large floor plate "back office" space for sales and clerical work forces. Nighttime  
 2 entertainment is permitted as a conditional use. Dwelling units and group housing are permitted as  
 3 conditional uses. Demolition or conversion of existing group housing or dwelling units requires  
 4 conditional use authorization. Accessory Dwelling Units are permitted within the district pursuant to  
 5 subsection 207(c)(4) of this Code.

6 Office, general commercial, most retail, service and light industrial uses are principal permitted  
 7 uses. Large hotel, movie theater, adult entertainment and heavy industrial uses are not permitted.

8 Small hotels of 75 rooms or less are permitted in this District only as a conditional use. Any  
 9 such conditional use authorization requires a conditional use finding that disallows project proposals  
 10 that displace existing Production, Distribution and Repair (PDR) uses.

11 **Table 818**

12 **SSO—SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE**

<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Service/Secondary Office District Controls</b>
818.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranging from 40 to 130 feet
818.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
818.03	Residential Density	§ 124(b), 207.5, 208	1:200 for dwellings #; 1 bedroom for each 70 sq. ft. of lot area for group housing
818.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	3.0 to 1 floor area ratio in 40 or 50 foot height districts;

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			4.0 to 1 in 65 or 80 foot height districts, and 4.5 to 1 in 130 foot height districts
818.05	Usable Open Space for Dwelling Units and Group Housing	§§ 135	36 sq. ft. per unit
818.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
818.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
818.09	Outdoor Activity Area	§ 890.71	P
818.10	Walk-up Facility, including Automated Bank Teller Machine	§§ 803.9(d), 890.140	P
818.12	Residential Conversion or Merger	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
818.13	Residential Demolition	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
<b>Residential Use</b>			

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818.14	<i>Dwelling Units</i>	§ 102.7	C
818.15	<i>Group Housing</i>	§ 890.88(b)	C
818.16	<i>SRO Units</i>	§ 890.88(e)	P
818.16B	<i>Homeless Shelters</i>	§§ 102, 890.88(d)	C
<b><i>Institutions</i></b>			
818.17	<i>Hospital, Medical Centers</i>	§ 890.44	P
818.18	<i>Residential Care</i>	§ 890.50(e)	C
818.19	<i>Educational Services</i>	§ 890.50(e)	P
818.20	<i>Religious Facility</i>	§ 890.50(d)	P
818.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	C
818.22	<i>Child Care</i>	§ 102	P
818.23	<i>Medical Cannabis Dispensary</i>	§ 890.133	P #
<b><i>Vehicle Parking</i></b>			
818.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	P
818.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	P
818.27	<i>Automobile Parking Lot, Community Commercial</i>	§ 890.9	P

1	818.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
2				
3	818.29	Automobile Parking Lot, Public	§ 890.11	P
4				
5	818.30	Automobile Parking Garage, Public	§ 890.12	€
6				
7	<b>Retail Sales and Services</b>			
8				
9	818.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited- Restaurants, Restaurants, Cannabis Retail, and Personal Services	§§ 102, 890.104	P
10				
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16	818.33	Fringe Financial Service	§§ 249.35, 890.113	P #
17				
18	818.34	Tobacco Paraphernalia Establishments	§ 890.123	€
19	<b>Assembly, Recreation, Arts and Entertainment</b>			
20	818.37	Nighttime Entertainment	§§ 102.17, 803.5(b)	€
21				
22	818.38	Meeting Hall, not falling within Category 818.21	§ 221(e)	P
23				
24	818.39	Recreation Building, not falling within Category 818.21	§ 221(e)	P
25				

1	818.40	Pool Hall, Card Club, not falling within Category 818.21	§§ 221(f), 803.4	P
2				
3	818.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
4				
5	<b>Home and Business Service</b>			
6	818.42	Trade Shop	§ 890.124	P
7				
8	818.43	Catering Service	§ 890.25	P
9				
10	818.45	Business Goods and Equipment Repair Service	§ 890.23	P
11				
12	818.46	Arts Activities, other than Theaters	§ 102.2	P
13				
14	818.47	Business Services	§ 890.111	P
15	<b>Office</b>			
16	818.48	All Office Uses including Work Space of Design Professionals	§ 890.70	P
17				
18	<b>Live/Work Units</b>			
19	818.54	Live/Work Units where the work activity is an Arts Activity	§§ 102.2, 102.13, 209.9(f), (g), 233	P
20				
21	818.55	Live/Work Units where all the work activity is otherwise permitted	§§ 102.13, 233	P
22				
23				
24	<b>Automobile Services</b>			
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818.57	<i>Vehicle Storage – Open Lot</i>	<del>§ 890.131</del>	NP
818.58	<i>Vehicle Storage – Enclosed Lot or Structure</i>	§ 890.132	P
818.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	<del>§§ 890.18, 890.20</del>	P
818.60	<i>Motor Vehicle Repair</i>	§ 890.15	P
818.61	<i>Motor Vehicle Tow Service</i>	§ 890.19	C
818.62	<i>Non-Auto Vehicle Sale or Rental</i>	§ 890.69	P
818.63	<i>Public Transportation Facilities</i>	§ 890.80	P
<b>Industrial</b>			
818.64	<i>Wholesale Sales</i>	§ 890.54(b)	P
818.65	<i>Light Manufacturing</i>	§ 890.54(a)	P
818.66	<i>Storage</i>	§ 890.54(e)	P
818.67	<i>All Other Wholesaling, Storage Distribution and Open Air Handling of Materials and Equipment</i>	§ 225	P
<b>Other Uses</b>			
818.68	<i>Animal Services</i>	§ 224	P
818.69	<i>Open Air Sales</i>	<del>§§ 803.9(e), 890.38</del>	P

1	818.70	Ambulance Service	§ 890.2	P
2	818.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
3	818.72	Public Use, except Public Transportation Facility	§ 890.80	P
4	818.74A	Industrial Agriculture	§ 102	P
5	818.74B	Neighborhood Agriculture	§ 102	P
6	818.74C	Large-Scale Urban Agriculture	§ 102	C
7	818.75	Mortuary Establishment	§ 227(e)	NP
8	818.76	General Advertising Sign	§ 607.2(b) & (e)	NP
9	818.77	Internet Services Exchange	§ 209.6(e)	C
10	818.78	Hotel, Tourist if 75 rooms or less	§ 890.46	C
11	818.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility

**SPECIFIC PROVISIONS FOR SSO DISTRICTS**

<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
<i>Section</i>	<i>Section</i>	
§ 818		ACCESSORY DWELLING UNITS
§ 818.03	§ 207(e)(4)	<b>Boundaries:</b> Within the boundaries of the SLI Mixed Use District. <b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and

		meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.
<p>§ 818.23</p> <p>§ 890.133</p>		<p>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SSO District.</p>
<p>§ 818.33</p>	<p>§ 249.35</p> <p>§ 890.113</p>	<p>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35 (c)(3).</p>

\* \* \* \*

**SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.**

(a) **Description.** Downtown Residential (DTR) Districts are transit-oriented, high-density mixed-use residential neighborhoods in and around downtown. These areas are generally transitioning from a variety of commercial and industrial to residential uses. The intent of this district is to enable a mix of new day and nighttime activities, with an emphasis on encouraging new housing within walking distance or a short transit-ride of downtown, supported by a mix of retail, and neighborhood services to meet the needs of residents and the larger downtown community.

High-density residential uses, including residential towers in select locations, are allowed and encouraged within the limits set by height and bulk controls. Given the district's

1 proximity to downtown, a range of commercial uses is permitted on the lower stories, with  
2 active pedestrian-oriented retail, service, and entertainment uses on the ground floor. Along  
3 special streets, pedestrian-oriented uses are required on the first floor. Ground floor entries to  
4 individual dwelling units are encouraged on streets that will become primarily residential.

5 There is generally no pattern of mid-block open space or of rear yards. While lot  
6 coverage is limited for all levels with residential uses, traditional rear yard open spaces are not  
7 required except in the limited instances where there is an existing pattern of them. Specific  
8 height and bulk controls establish appropriate heights for both towers and mid-rise  
9 development, and ensure adequate spacing between towers and preserve light and air to  
10 streets and open spaces. Setbacks are required where necessary to buffer ground floor  
11 residential uses or to ensure sunlight access to streets and open spaces. To support the  
12 intensification of land uses in these districts, detailed traffic, streetscape and open space  
13 improvements will take place over time.

14 Downtown Residential Districts include all of the individual DTR districts governed this  
15 Code except the Transbay Downtown Residential District (TB-DTR), as set forth in Section  
16 828, is governed by the Transbay Redevelopment Plan and its Development Controls and  
17 Design Guidelines.

18 \* \* \* \*

19 (c) **Use.** A use is the specified purpose for which a property or building is used,  
20 occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted,  
21 conditional, accessory, temporary or are not permitted. If there are two or more uses in a  
22 structure, any use not classified in Section 825(c)(1)(C) below as accessory will be considered  
23 separately as an independent permitted, conditional, temporary or not permitted use.

24 (1) **Permitted Uses.**

1 (A) **Principal Uses.** All uses are permitted as principal uses as of right  
2 in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not  
3 Permitted in this Section 825 of this Code or any other Section governing an individual DTR  
4 District. Additional requirements and conditions may be placed on particular uses as provided  
5 pursuant to Section 803.5 and other applicable provisions of this Code.

6 (B) **Conditional Uses.** Conditional uses are permitted in a Downtown  
7 Residential District, when authorized by the Planning Commission; whether a use is  
8 conditional in a given district is indicated in the Section of this Code governing the individual  
9 DTR District. Conditional uses are subject to the applicable provisions set forth in Sections  
10 178, 179, ~~263.H~~, 303, 316, and 803.5 of this Code.

11 \* \* \* \*

12 **SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.**

13 The Mixed Use-General (MUG) District is largely comprised of the low-scale,  
14 production, distribution, and repair uses mixed with housing and small-scale retail. The MUG  
15 is designed to maintain and facilitate the growth and expansion of small-scale light industrial,  
16 wholesale distribution, arts production and performance/exhibition activities, general  
17 commercial and neighborhood-serving retail and personal service activities while protecting  
18 existing housing and encouraging the development of housing at a scale and density  
19 compatible with the existing neighborhood.

20 Housing is encouraged over ground floor commercial and production, distribution, and  
21 repair uses. New residential or mixed use developments are encouraged to provide as much  
22 mixed-income family housing as possible. Existing group housing and dwelling units would be  
23 protected from demolition or conversion to nonresidential use by requiring conditional use  
24 review. Accessory Dwelling Units are permitted within the district pursuant to subsection  
25 207(c)(4) of this Code.

Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted. Office is restricted to the upper floors of multiple story buildings.

Table 840			
MUG – MIXED USE – GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use – General District Controls
<b>Building and Siting Standards</b>			
* * * *			
840.01	Height Limit	See Zoning Map, §§ <u>249.78</u> , 260-261.1, 263.20	As shown on Sectional Maps 1 and <u>78</u> of the Zoning Map <u>In the Central SoMa SUD, Prevailing Height and Density limits are determined by Section 249.78.</u> Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20
840.02	Bulk Limit	See Zoning Map §§ 270, 270.1, 270.2	As shown on Sectional Maps 1 and <u>78</u> of the Zoning Map Horizontal mass reduction required, § 270.1 Mid-block alleys required, §270.2

1	840.03	Non-residential density limit	§§ 102.9, 123, 124, 127, <u>128.1</u> , <u>249.78</u>	<u>In the Central SoMa SUD, Prevailing Height and Density limits are is determined by Sections 128.1 and 249.78.</u> <u>Elsewhere, gGenerally contingent upon permitted height, per Section 124</u>
2	* * * *			
3	840.04	Setbacks	§§ <u>132.4</u> , 134, 136, 136.2, 144, 145.1	Generally required
4	* * * *			
5	840.09	Residential to non-residential ratio	§ <u>803.8(e)9(a)</u>	None
6	* * * *			
7	840.11	Usable Open Space for Dwelling Units and Group Housing	§ <u>135</u> , <u>136</u> , <u>427</u>	80 sq. ft. per unit; 54 sq. ft. per unit if publicly accessible. <u>In the Central SoMa SUD, buildings taller than 160 feet may also pay the in-lieu fee.</u>
8	840.12	Usable Open Space for Non-Residential	§ <u>135.3</u> , <u>426</u>	Required; amount varies based on use; may also pay in-lieu fee
9	<u>840.12A</u>	<u>Privately-Owned Public Open Space (POPOS)</u>	<u>§§ 138</u> , <u>426</u>	<u>Required in the Central SoMa SUD with the construction of a new building or an addition of 50,000 gross square feet or more of Non-Residential Use.</u>

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			<u>Retail, Institutional, and PDR uses are exempt. Ratio of square feet of open space to gross floor area is 1:50 feet except that one square foot of the following amenities shall count as 1.33 square feet: playgrounds, community gardens, sport courts or dog runs are provided; may also pay in-lieu fee</u>
* * * *			
<u>840.14A</u>	<u>Street Frontage Requirements</u>	<u>§§ 145.1, 249.78</u>	<u>Required. 17' ground floor height required for PDR uses in the Central SoMa SUD; 14' ground floor height required for all other uses in the Central SoMa SUD</u>
<u>840.15</u>	<u>Street Frontage, Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Brannan Street, between 3rd Street and 4th Street.</u>
<u>840.16</u>	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Brannan Street, between 2nd Street and 6th Street</u>
<u>840.17</u>	<u>Driveway Loading and Operations Plan</u>	<u>§ 155(u)</u>	<u>Required in the Central SoMa SUD for projects of 100,000 sq. ft. or more.</u>
<u>840.18</u>	<u>Large Project Authorization</u>	<u>§ 329</u>	<u>Required pursuant to Section 329.</u>
<u>840.19</u>	<u>Design Guidelines</u>	<u>General Plan Commerce and</u>	<u>Subject to the Urban Design Guidelines; and, in the Central SoMa</u>

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		<u>Industry Element:</u> <u>Central SoMa</u> <u>Plan</u>	<u>SUD, subject to the Central SoMa</u> <u>Guide to Urban Design</u>
<u>840.20</u>	<u>Lot coverage</u>	<u>§ 249.78</u>	<u>In the Central SoMa SUD, limited to</u> <u>80 percent at all residential levels,</u> <u>except that on levels in which all</u> <u>residential units face onto a public</u> <u>right-of-way, 100% lot coverage may</u> <u>occur. The unbuilt portion of the lot</u> <u>shall be open to the sky except for</u> <u>those obstructions permitted in yards</u> <u>pursuant to Section 136(c) of this</u> <u>Code. Where there is a pattern of mid-</u> <u>block open space for adjacent</u> <u>buildings, the unbuilt area of the new</u> <u>project shall be designed to adjoin that</u> <u>mid-block open space.</u>
<b>Residential Uses</b>			
<u>840.210</u>	Dwelling Units	<u>§ 102.7</u>	P
<u>840.224</u>	Group Housing	<u>§§ 249.78(c)(8),</u> <u>890.88(b)</u>	<u>NP, except Group Housing uses that</u> <u>are also defined as Student Housing,</u> <u>Senior Housing, or Residential Care</u> <u>Facility, are designated for persons</u> <u>with disabilities, are designated for</u> <u>Transition Age Youth, or are</u>

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			<u>contained in buildings that consist of 100% affordable units.</u>
840.232	SRO Units	§§ 249.78(c)(7), 890.88(c)	<u>NP, except in buildings that consist of 100% affordable units, as defined in Section 249.78(c)(7).</u>
840.243	Homeless Shelters	§§ 102, 890.88(d)	P
840.254	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
840.265	Dwelling Unit Mix	§ 207.6	At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.
840.276	Affordability Requirements	§ 415	15% onsite/20% off-site
840.287	Residential Demolition or Conversion	§ 317	Restrictions apply; see criteria of Section 317
* * * *			
<b>Institutions</b>			
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840.36	Medical Cannabis Dispensary	§§ 102, 202.2(e), 890.133	<u>C in the Central SoMa SUD; P elsewhere</u>
* * * *			
<b>Retail Sales and Services</b>			

1	840.45	All Retail Sales and	§§ 121.6,	P up to 25,000 gross sq.ft. per lot;
2		Services <i>which</i> <del>that</del> are	803.9( <i>ig</i> ),	above 25,000 gross sq. ft.
3		not listed below	890.104,	permitted only if the ratio of other
4			890.116	permitted uses to retail is at least
5				3:1.
6	840.46	Formula Retail	§§ <u>102, 249.78,</u>	<u>In the Central SoMa SUD, NP for</u>
7			<u>303, 303.1</u>	<u>Restaurants, Limited Restaurants,</u>
8				<u>and Bars; C for all other Formula</u>
9				<u>Retail Uses. Elsewhere, C for all</u>
10				<u>Formula Retail Uses.</u> If approved,
11				subject to size controls in Section
12				840.45.
13				
14	* * * *			
15	<b>Assembly, Recreation, Arts and Entertainment</b>			
16	* * * *			
17	840.56	Nighttime	§§ 102.17, 181(f),	<u>P in Central SoMa SUD;</u>
18		Entertainment	<u>249.78,</u> 803.5(b)	NP <u>elsewhere</u>
19	* * * *			
20	<b>Office</b>			
21	* * * *			
22	840.65A	Services, Professional;	§§ 890.108,	Subject to vertical control of Sec.
23		Services Financial;	890.110,	803.9( <del>hf</del> ). P on the ground floor
24		Services Medical	890.114	when primarily open to the
25				

			general public on a client-oriented basis.
840.66	All Other Office Uses	§§ 803.9( <del>hl</del> ), 890.70, 890.118	Subject to vertical control of Sec. 803.9( <del>hl</del> )
* * * *			
<b>Other Uses</b>			
* * * *			
840.96	Open Air Sales	§§ 803.9( <del>ed</del> ), 890.38	P
* * * *			
804.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
* * * *			

**SPECIFIC PROVISIONS FOR MUG – MIXED USE-GENERAL DISTRICT**

Section		Zoning Controls
§ 840.254	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p><b>Boundaries:</b> Within the boundaries of the MUG – Mixed Use-General District.</p> <p><b>Controls:</b> An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow</p>

		residential use or within an existing and authorized auxiliary structure on the same lot.
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\* \* \* \*

**SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.**

The Mixed Use-Residential District (MUR) ~~serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of Sixth Street.~~

~~The MUR serves as a major housing opportunity area within the eastern portion of the South of Market. The district controls are~~ is intended to facilitate the development of high-density, mid-rise housing, including family-sized housing and residential hotels. The district is also designed to encourage the expansion of retail, business service and commercial and cultural arts activities. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged. Hotels, nighttime entertainment, adult entertainment and heavy industrial uses are not permitted. Office is limited by residential-to-non residential ratio in new construction.

Table 841			
MUR - MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use-Residential District Controls
<b>Building and Siting Standards</b>			
841.01	Height Limit	See Zoning Map, §§	As shown on Sectional Maps <u>1 and 8</u> <del>and 7</del> of the Zoning Map

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		<u>249.78, 260-261.1, 263.20</u>	<u>In the Central SoMa SUD, Prevailing Height and Density limits are determined by Section 249.78.</u> Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20
841.02	Bulk Limit	See Zoning Map. §§ 270, 270.1, 270.2	As shown on Sectional Maps <u>1 and 8</u> and <del>7</del> of the Zoning Map Horizontal mass reduction required, § 270.1 Mid-block alleys required, § 270.2
841.03	Non-residential density limit	§§ 102.9, 123, 124, 127, <u>128.1, 249.78</u>	<u>In the Central SoMa SUD, Prevailing Height and Density limits are is determined by Sections 128.1 and 249.78.</u> Elsewhere, <u>g</u> Generally contingent upon permitted height, per Section 124
* * * *			
841.04	Setbacks	§§ <u>132.4, 134, 136, 136.2, 144, 145.1</u>	Generally required
* * * *			
841.09	Residential to non-residential ratio	§ 803. <del>8(d)</del> <u>9(a)</u>	3 sq.ft. of residential for every 1 sq.ft. of other permitted use.
* * * *			

1	841.11	Usable Open Space for Dwelling Units and Group Housing	§ 135, <u>136,</u> <u>427</u>	80 sq. ft. per unit; 54 sq.ft. per unit if publicly accessible. <u>In the Central SoMa</u> <u>SUD, buildings taller than 160 feet may</u> <u>also pay the in-lieu fee.</u>
2	841.12	Usable Open Space for Non- Residential	§ 135.3, <u>426</u>	Required; amount varies based on use; may also pay in-lieu fee
3	<u>841.12A</u>	<u>Privately-Owned</u> <u>Public Open Space</u> <u>(POPOS)</u>	<u>§§ 138, 426</u>	<u>Required in the Central SoMa SUD with</u> <u>the construction of a new building or an</u> <u>addition of 50,000 gross square feet or</u> <u>more of Non-Residential Use. Retail,</u> <u>Institutional, and PDR Uses are exempt.</u> <u>Ratio of square feet of open space to</u> <u>gross floor area is 1:50 feet except that</u> <u>one square foot of the following amenities</u> <u>shall count as 1.33 square feet:</u> <u>playgrounds, community gardens, sport</u> <u>courts or dog runs are provided; may also</u> <u>pay in-lieu fee</u>
4				
5	* * * *			
6	<u>841.15</u>	<u>Street Frontage,</u> <u>Ground Floor</u> <u>Commercial</u>	<u>§ 145.4</u>	<u>3rd Street, between Folsom Street and</u> <u>Townsend Street; 4th Street, between</u> <u>Folsom and Townsend Streets; Folsom</u> <u>Street, between 4th Street and 6th Street.</u>

1	<u>841.16</u>	<u>Vehicular Access</u>	<u>§ 155(r)</u>	<u>3rd Street, between Folsom Street and</u>
2		<u>Restrictions</u>		<u>Townsend Street; 4th Street, between</u>
3				<u>Folsom Street and Townsend Street;</u>
4				<u>Folsom Street, between 4th Street and</u>
5				<u>5th Street.</u>
6	<u>841.17</u>	<u>Driveway Loading</u>	<u>§ 155(u)</u>	<u>Required in the Central SoMa SUD for</u>
7		<u>and Operations</u>		<u>projects of 100,000 sq. ft. or more.</u>
8		<u>Plan</u>		
9	<u>841.18</u>	<u>Large Project</u>	<u>§ 329</u>	<u>Required pursuant to Section 329.</u>
10		<u>Authorization</u>		
11	<u>841.19</u>	<u>Design Guidelines</u>	<u>General Plan</u>	<u>Subject to the Urban Design Guidelines;</u>
12			<u>Commerce</u>	<u>and, in the Central SoMa SUD, subject to</u>
13			<u>and Industry</u>	<u>the Central SoMa Guide to Urban Design</u>
14			<u>Element;</u>	
15			<u>Central SoMa</u>	
16			<u>Plan</u>	
17	<u>841.20</u>	<u>Lot coverage</u>	<u>§ 249.78</u>	<u>In the Central SoMa SUD, limited to 80</u>
18				<u>percent at all residential levels, except</u>
19				<u>that on levels in which all residential units</u>
20				<u>face onto a public right-of-way, 100% lot</u>
21				<u>coverage may occur. The unbuilt portion</u>
22				<u>of the lot shall be open to the sky except</u>
23				<u>for those obstructions permitted in yards</u>
24				<u>pursuant to Section 136(c) of this Code.</u>
25				<u>Where there is a pattern of mid-block</u>

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			<u>open space for adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open space.</u>
<b>Residential Uses</b>			
841.210	Dwelling Units	§ 102.7	P
841.224	Group Housing	§§ <u>249.78(c)(8),</u> 890.88(b)	<u>NP, except Group Housing uses that are also defined as Student Housing, Senior Housing, or Residential Care Facility, are designated for persons with disabilities, are designated for Transition Age Youth, or are contained in buildings that consist of 100% affordable units.</u>
841.232	SRO Units	§§ <u>249.78(c)(7),</u> 890.88(c)	<u>NP, except in buildings that consist of 100% affordable units, as defined in Section 249.78(c)(7).</u>
841.243	Homeless Shelters	§§ 102, 890.88(d)	P
841.254	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
841.265	Dwelling Unit Mix	§ 207.6	At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.

1	841.276	Affordability Requirements	§ 415	Restrictions apply, see Section 415
2				
3	841.287	Residential Demolition or Conversion	§ 317	Restrictions apply; see criteria of Section 317
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5				
6	* * * *			
7	<b>Institutions</b>			
8	* * * *			
9	841.36	Medical Cannabis Dispensary	§§ 102, 202.2(e), 890.133	<u>C in the Central SoMa SUD; P elsewhere</u>
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11				
12	* * * *			
13	<b>Retail Sales and Services</b>			
14	* * * *			
15	841.46	Formula Retail	§ 102, 249.78, 303, 303.1	In the Central SoMa SUD, NP for Restaurants, Limited Restaurants, and Bars; C for all other Formula Retail Uses. Elsewhere, C for all Formula Retail Uses. If approved, subject to size controls in Section 8401.45.
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21	* * * *			
22	<u>841.52</u>	<u>Cannabis Retail</u>	§§ <u>102, 202.2(a), 890.125</u>	<u>C in the Central SoMa SUD; P elsewhere</u>
23				
24				
25	<b>Assembly, Recreation, Arts and Entertainment</b>			

* * * *			
841.56	Nighttime Entertainment	§§ 102.17, 181(f) <sub>±</sub> <u>249.78</u> , 803.5(b)	<u>P in Central SoMa SUD;</u> <u>NP elsewhere</u>
* * * *			
<b>Other Uses</b>			
* * * *			
841.96	Open Air Sales	§ 803.9( <u>ed</u> ), 890.38	P
* * * *			
841.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <del>803.9(b)</del> ,	P
* * * *			

SPECIFIC PROVISIONS FOR MUR – RESIDENTIAL DISTRICT		
Section		Zoning Controls
§ 841.254	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p><b>Boundaries:</b> Within the boundaries of the MUR – Mixed Use-Residential District.</p> <p><b>Controls:</b> An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow</p>

		residential use or within an existing and authorized auxiliary structure on the same lot.
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**SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.**

The Mixed Use-Office (MUO) ~~runs predominantly along the 2nd Street corridor in the South of Market area.~~ The MUO is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Nighttime entertainment and small tourist hotels are permitted as a conditional use. Large tourist hotels are permitted as a conditional use in certain height districts. Dwelling units and group housing are permitted, while demolition or conversion of existing dwelling units or group housing requires conditional use authorization. Family-sized housing is encouraged. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses. Adult entertainment and heavy industrial uses are not permitted.

<b>Table 842</b>			
<b>MUO- MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Mixed Use Office District Controls</b>
<b>Building and Siting Standards</b>			
* * * *			
842.06	Parking and Loading Access: Prohibition	§ 155(r)	<i>None. 4th Street between Bryant and Townsend Streets</i>
* * * *			

1	842.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
2				
3	* * * *			
4	<b>Retail Sales and Services</b>			
5	842.45	All Retail Sales and Services <del>which</del> <i>that</i> are not listed below	§§ 890.104, 890.116, 803.9(i)g), 121.6	P
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7				
8	* * * *			
9	<b>Other Uses</b>			
10	* * * *			
11	842.96	Open Air Sales	§§ 803.9(ed), 890.38	P
12				
13	* * * *			
14	842.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <del>803.9(b)</del>	P
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17	* * * *			

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**SEC. 843. UMU – URBAN MIXED USE DISTRICT.**

The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime

1 entertainment. Housing is also permitted, but is subject to higher affordability requirements.  
 2 Family-sized dwelling units are encouraged. Within the UMU, office uses are restricted to the  
 3 upper floors of multiple story buildings. In considering any new land use not contemplated in  
 4 this District, the Zoning Administrator shall take into account the intent of this District as  
 5 expressed in this Section and in the General Plan. Accessory Dwelling Units are permitted  
 6 within the district pursuant to subsection 207(c)(4) of this Code.

Table 843			
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Urban Mixed Use District Controls
<b>Building and Siting Standards</b>			
* * * *			
843.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
843.45	All Retail Sales and Services <del>which</del> <u>that</u> are not listed below	§§ 890.104, 890.116, 803.9(ig), 121.6	P up to 25,000 gross sq.ft. per lot; above 25,000 gross sq.ft. per lot permitted only if the ratio of other permitted uses to retail is at least 3:1. P up to 3,999 gross sq.ft. per use; C over 4,000 gross sq.ft. per use.
* * * *			

1	843.51	Gyms	§§ 218(d), 803.9( <i>ig</i> )	P up to 3,999 gross sq. ft. per use; C over 4,000 gross sq. ft. per use. Not subject to 3:1 ratio, per Sec. 803.9( <i>ig</i> )
2				
3				
4	* * * *			
5	<b>Office</b>			
6	* * * *			
7	843.65A	Services, Professional; Services Financial; Services Medical	§§ 890.108, 890.110, 890.114	Subject to vertical control of Sec. 803.9( <i>hf</i> ). P on the ground floor when primarily open to the general public on a client-oriented basis.
8				
9				
10				
11	843.66	All <u>o</u> ther Office Uses	§§ 803.9( <i>hf</i> ), 890.70, 890.118	Subject to vertical control of Sec. 803.9( <i>hf</i> )
12				
13				
14				
15	* * * *			
16	<b>Other Uses</b>			
17	* * * *			
18	843.96	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	P
19				
20				
21	* * * *			
22	843.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <del>803.9(b)</del>	P
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25	* * * *			

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**SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.**

The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale, production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood.

\* \* \* \*

<b>Table 844</b>			
<b>WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>WSoMa Mixed Use-General District Controls</b>
* * * *			
<b>Other Uses</b>			
844.96	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	P up to 10,000 gsf per lot. NP above.
* * * *			
844.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
* * * *			

\* \* \* \*

**SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.**

1 The WSoMa Mixed Use-Office (WMUO) runs predominantly along the Townsend  
 2 Street corridor between 4th Street and 7th Street and on 11th Street, from Harrison Street to  
 3 the north side of Folsom Street. The WMUO is designed to encourage office uses along with  
 4 small-scale light industrial and arts activities. Nighttime entertainment is permitted, although  
 5 limited by buffers around RED and RED-MX districts.

6 \* \* \* \*

7 <b>Table 845</b>			
8 <b>WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE</b>			
9 <b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>WSOMA Mixed Use-Office District Controls</b>
11 <b>BUILDING AND SITING STANDARDS</b>			
12 * * * *			
13 845.09	Residential to non- residential ratio	§ 803.8(e)9(a)	None
15 * * * *			
16 <b>Retail Sales and Services</b>			
17 845.45	All Retail Sales and Services <i>whichthat</i> are not listed below	§§ 121.6, 803.9(ig), 890.104	P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above
20 * * * *			
21 <b>Other Uses</b>			
22 * * * *			
23 845.96	Open Air Sales	§§ 803.9(ed), 890.38	P
25 * * * *			

1	845.98	Walk-up Facility, including	<del>§§ 803.9(b),</del>	P
2		Automated Bank Teller	890.140	
3		Machine		
4	* * * *			

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**SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.**

The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings with production, distribution, and repair uses. The district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light industrial activities, with an emphasis on preserving and expanding arts activities. Nighttime Entertainment is permitted although limited by buffers around RED and RED-MX districts. Residential Uses, Offices, Hotels, and Adult Entertainment uses are not permitted. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

Table 846			
SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	SALI District Controls
<b>BUILDING AND SITING STANDARDS</b>			
* * * *			
846.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Institutions</b>			
* * * *			

1	846.36	Medical Cannabis Dispensary	§§ <u>102,</u> <u>202.2(e),</u> 890.133	<u>C in the Central SoMa SUD; P #</u> <u>elsewhere</u>
2				
3				
4	* * * *			
5	<b>Retail Sales and Services</b>			
6	* * * *			
7	<u>846.52</u>	<u>Cannabis Retail</u>	§§ <u>102,</u> <u>202.2(a),</u> <u>890.125</u>	<u>C in the Central SoMa SUD; P #</u> <u>elsewhere</u>
8				
9				
10	* * * *			
11	<b>Office</b>			
12	* * * *			
13	846.65b	Office Uses Related to the Hall of Justice	§§ 803.9( <del>fe</del> ), 822	P in Special Use District, pursuant to § 803.9( <del>fe</del> )
14				
15	* * * *			
16	<b>Other Uses</b>			
17	* * * *			
18	846.96	Open Air Sales	§§ 803.9( <del>ed</del> ), 890.38	P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above
19				
20				
21	* * * *			
22	846.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
23				
24				
25	* * * *			

1 \* \* \* \*

2 **SEC. 847. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

3 Residential Enclave-Mixed Districts (RED-MX) encompass some of the clusters of low-  
4 scale, medium density, predominantly residential neighborhoods located along the narrow  
5 side streets of the Western SoMa area. Many parcels in these residential enclaves are  
6 underdeveloped and represent opportunities for new residential and low-intensity commercial  
7 uses.

8 \* \* \* \*

Table 847			
RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave-Mixed Controls
* * * *			
<b>Other Uses</b>			
847.66	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	P up to 1,250 gsf per lot; C above; NP above 1 FAR
* * * *			

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20 **SEC. 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT.**

21 The Central SoMa Mixed Use-Office (CMUO) extends predominantly between 2nd Street and  
22 6th Street in the South of Market area. The CMUO is designed to encourage a mix of residential and  
23 non-residential uses, including office, retail, light industrial, arts activities, nighttime entertainment,  
24 and tourist hotels.

**Table 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL**

**TABLE**

<b><u>Central SoMa Mixed Use-Office District Controls</u></b>		
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 249.78, 250—252, 260, 261.1, 263.20, 263.30, 270, 270.1, 270.2, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT01 and HT07. In the Central SoMa SUD, Prevailing Height and Density limits are determined by Section 249.78. Height sculpting required and additional bulk limits pursuant to §270; Non-habitable vertical projections permitted pursuant to §263.20; additional height permissible pursuant to §263.30; horizontal mass reduction required pursuant to §270.1; and Mid-block alleys required pursuant to §270.2.</u>
<u>5 Foot Height Bonus for Ground Floor Commercial</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Setbacks</u>	<u>§§ 132.4, 134, 136, 144, 145.1</u>	<u>Generally required. Along 4th Street south of Bryant Street, required by a minimum depth of five feet, from</u>

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		<i>sidewalk grade up to a minimum height of 25 feet.</i>
<b><u>Street Frontage and Public Realm</u></b>		
<i><u>Streetscape and Pedestrian Improvements</u></i>	<i><u>§ 138.1</u></i>	<i><u>Required</u></i>
<i><u>Street Frontage Requirements</u></i>	<i><u>§ 145.1</u></i>	<i><u>Required</u></i>
<i><u>Street Frontage, Ground Floor Commercial</u></i>	<i><u>§ 145.4</u></i>	<i><u>2nd Street, on the west side, between Dow Place and Townsend Street; 3rd Street, between Folsom Street and Townsend Street; 4th Street, between Folsom and Townsend Streets; Folsom Street, between 4th and 6th Streets; Brannan Street, between 3rd Street and 4th Street; Townsend Street, on the north side, between 2nd Street and 4th Street.</u></i>
<i><u>Vehicular Access Restrictions</u></i>	<i><u>§ 155(r)</u></i>	<i><u>3rd Street between Folsom and Townsend Streets; 4th Street between Folsom and Townsend Streets; Folsom Street from 4th Street to 5th Street; Brannan Street from 2nd Street to 6th Street; and Townsend Street from 2nd Street to 6th Street.</u></i>
<i><u>Driveway Loading and Operations Plan</u></i>	<i><u>§ 155(u)</u></i>	<i><u>Required for projects of 100,000 sq. ft. or more.</u></i>

1	<u>Miscellaneous</u>		
2	<u>Lot Size (Per Development)</u>	<u>§ 102, 303</u>	<u>N/A</u>
3	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>NP</u>
4	<u>Large Project Authorization</u>	<u>§ 329</u>	<u>Required for new construction greater</u>
5			<u>than 85 feet in height; additions to an</u>
6			<u>existing building with a height of 85 feet</u>
7			<u>or less resulting in a total building</u>
8			<u>height greater than 85 feet; or the net</u>
9			<u>addition or new construction of more</u>
10			<u>than 50,000 gross square feet.</u>
11	<u>Awning and Canopy</u>	<u>§ 136.1</u>	<u>P</u>
12	<u>Marquee</u>	<u>§ 136.1</u>	<u>NP</u>
13	<u>Signs</u>	<u>§§ 262, 602-</u>	<u>As permitted by § 607.2.</u>
14		<u>604,</u>	
15		<u>607, 607.2,</u>	
16		<u>608, 609</u>	
17	<u>General Advertising Signs</u>	<u>§§ 262, 602.7</u>	<u>NP</u>
18		<u>604,</u>	
19		<u>608, 609,</u>	
20		<u>610, 611</u>	
21	<u>Design Guidelines</u>	<u>General Plan</u>	<u>Subject to the Urban Design Guidelines</u>
22		<u>Commerce</u>	<u>and Central SoMa Guide to Urban</u>
23		<u>and Industry</u>	<u>Design.</u>
24		<u>Element;</u>	
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	<u>Central SoMa Plan.</u>	
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<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS &amp; USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit and Group Housing]</u>	<u>§§ 135, 136, 427</u>	<u>80 sq. ft. per unit; 54 sq. ft. per unit if publicly accessible; buildings taller than 160 feet may also pay in-lieu fee.</u>
<u>Off-Street Parking</u>	<u>§§ 150, 151.1, 153, 156, 164, 166, 167</u>	<u>Car parking not required. Limits set forth in §151.1. Bicycle Parking required pursuant to §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more pursuant to §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>At least 40% of all dwelling units shall contain two or more bedrooms, 30% of all dwelling units shall contain three or more bedrooms, or 35% of all dwelling units shall contain two or more bedrooms with at least 10% containing three or more bedrooms.</u>

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<u>Lot coverage</u>	<u>§ 249.78</u>	<u>Limited to 80 percent at all residential levels, except that on levels in which all residential units face onto a public right-of-way, 100% lot coverage may occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open space.</u>
<u><b>Use Characteristics</b></u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u><b>Residential Uses</b></u>		
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 207</u>	<u>No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of</u>

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		<i>the General Plan, and design review by the Planning Department.</i>
<u>Group Housing</u>	§§ <u>249.78(c)(8),</u> <u>890.88(b)</u>	<u>NP, except Group Housing uses that are also defined as Student Housing, Senior Housing, or Residential Care Facility, are designated for persons with disabilities, are designated for Transition Age Youth, or are contained in buildings that consist of 100% affordable units.</u>
<u>SRO Units</u>	§§ <u>249.78(c)(7),</u> <u>890.88(c)</u>	<u>NP, except in buildings that consist of 100% affordable units.</u>
<u>Accessory Dwelling Units</u>	§§ 102, <u>207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial spaces.</u>

<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code, Chapter 20, Article XIII.</u>
<u>Loss of Dwelling Units</u>		
<u>Residential Conversion, Demolition, or Merger</u>	<u>§ 317</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS &amp; USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124, 128.1, 249.78</u>	<u>No FAR Limit in the Central SoMa SUD. Prevailing Height and Density limits are determined by Section 249.78, subject to the requirements of Section 128. in the Central SoMa SUD.</u>
<u>Use Size</u>	<u>§ 102</u>	<u>Restrictions on some Retail Sales and Service Uses.(1)</u>
<u>Off-Street Parking.</u>	<u>§§ 145.1, 150, 151.1, 153-156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in § 151.1. Bicycle parking required pursuant to § 155.2. Car share spaces required when a project has 25 or more parking spaces pursuant to § 166.</u>

1	<u>Off-Street Freight Loading</u>	<u>§§ 150,</u>	<u>Pursuant to § 152.1.</u>
2		<u>152.1, 153 -</u>	
3		<u>155, 161,</u>	
4		<u>204.5</u>	
5	<u>Useable Open Space</u>	<u>§§ 135.3, 426</u>	<u>Required; amount varies based on use;</u>
6			<u>may pay in-lieu fee.</u>
7	<u>Privately-Owned Public Open Space</u>	<u>§§ 138, 426</u>	<u>Required with the construction of a</u>
8	<u>(POPOS)</u>		<u>new building or an addition of 50,000</u>
9			<u>gross square feet or more of Non-</u>
10			<u>Residential use. Retail, institutional,</u>
11			<u>and PDR uses are exempt. Ratio of</u>
12			<u>square feet of open space to gross</u>
13			<u>floor area is 1:50 feet except that one</u>
14			<u>square foot of the following amenities</u>
15			<u>shall count as 1.33 square feet:</u>
16			<u>playgrounds, community gardens,</u>
17			<u>sport courts or dog runs are</u>
18			<u>provided; may also pay in-lieu fee</u>
19	<u>Commercial Use Characteristics</u>		
20	<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>
21	<u>Formula Retail</u>	<u>§§ 102, 303,</u>	<u>NP for Restaurants, Limited Restaurants,</u>
22		<u>303.1</u>	<u>and Bars. C for all other Formula Retail</u>
23			<u>Uses.</u>
24	<u>Hours of Operation</u>	<u>§ 102</u>	<u>No Restrictions</u>
25	<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>

1	<u>Open Air Sales</u>	<u>§ 102</u>	<u>P</u>
2	<u>Outdoor Activity Area</u>	<u>§ 102</u>	<u>P</u>
3	<u>Walk-up Facility</u>	<u>§ 102</u>	<u>P</u>
4	<b><u>Agricultural Use Category</u></b>		
5	<b><u>Agricultural Uses*</u></b>	<u>§§ 102,</u>	<u>P</u>
6		<u>202.2(c)</u>	
7	<u>Agriculture, Large Scale Urban</u>	<u>§§ 102,</u>	<u>C</u>
8		<u>202.2(c)</u>	
9	<b><u>Automotive Use Category</u></b>		
10	<b><u>Automotive Uses*</u></b>	<u>§ 102</u>	<u>P</u>
11	<u>Parking Garage, Private</u>	<u>§ 102</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	<u>§ 102</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	<u>§§ 102, 142,</u>	<u>NP</u>
14		<u>156</u>	
15	<u>Parking Lot, Public</u>	<u>§§ 102, 142,</u>	<u>NP</u>
16		<u>156</u>	
17	<u>Service, Motor Vehicle Tow</u>	<u>§ 102</u>	<u>C</u>
18	<u>Services, Ambulance</u>	<u>§ 102</u>	<u>C</u>
19	<u>Vehicle Storage Garage</u>	<u>§ 102</u>	<u>C</u>
20	<u>Vehicle Storage Lot</u>	<u>§ 102</u>	<u>NP</u>
21	<b><u>Entertainment and Recreation Use Category</u></b>		
22	<b><u>Entertainment and Recreation Uses*</u></b>	<u>§ 102</u>	<u>P</u>
23	<u>Entertainment, Nighttime</u>	<u>§ 102</u>	<u>P(4)</u>
24	<u>Entertainment, Outdoor</u>	<u>§ 102</u>	<u>NP</u>
25			

1	<u>Open Recreation Area</u>	<u>§ 102</u>	<u>NP</u>
2	<u>Sports Stadium</u>	<u>§ 102</u>	<u>NP</u>
3	<b><u>Industrial Use Category</u></b>		
4	<b><u>Industrial Uses*</u></b>	<u>§§ 102,</u>	<u>NP</u>
5		<u>202.2(d)</u>	
6	<u>Food, Fiber and Beverage Processing 1</u>	<u>§§ 102,</u>	<u>P</u>
7		<u>202.2(d)</u>	
8	<u>Manufacturing, Light</u>	<u>§§ 102,</u>	<u>P</u>
9		<u>202.2(d)</u>	
10	<b><u>Institutional Use Category</u></b>		
11	<b><u>Institutional Uses*</u></b>	<u>§ 102</u>	<u>P</u>
12	<u>Hospital</u>	<u>§ 102</u>	<u>C</u>
13	<u>Medical Cannabis Dispensary</u>	<u>§§ 102,</u>	<u>PC</u>
14		<u>202.2(e)</u>	
15	<b><u>Sales and Service Use Category</u></b>		
16	<b><u>Retail Sales and Service Uses*</u></b>	<u>§ 102</u>	<u>P(1)</u>
17	<u>Adult Business</u>	<u>§ 102</u>	<u>NP</u>
18	<u>Animal Hospital</u>	<u>§ 102</u>	<u>P</u>
19	<u>Bar</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
20		<u>202.2(a)</u>	
21	<u>Cannabis Retail</u>	<u>§§ 102,</u>	<u>C</u>
22		<u>202.2(a),</u>	
23		<u>890.125</u>	
24	<u>Hotel</u>	<u>§ 102</u>	<u>C(2)</u>
25			

1	<u>Kennel</u>	<u>§ 102</u>	<u>P</u>
2	<u>Massage Establishment</u>	<u>§ 102</u>	<u>NP</u>
3	<u>Mortuary</u>	<u>§ 102</u>	<u>NP</u>
4	<u>Motel</u>	<u>§§ 102,</u>	<u>NP</u>
5		<u>202.2(a)</u>	
6	<u>Restaurant</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
7		<u>202.2(a)</u>	
8	<u>Restaurant, Limited</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
9		<u>202.2(a)</u>	
10	<u>Storage, Self</u>	<u>§ 102</u>	<u>NP</u>
11	<u>Trade Shop</u>	<u>§ 102</u>	<u>P</u>
12	<u>Non-Retail Sales and Service</u>	<u>§ 102</u>	<u>P</u>
13	<u>Utility and Infrastructure Use Category</u>		
14	<u>Utility and Infrastructure*</u>	<u>§ 102</u>	<u>P</u>
15	<u>Internet Service Exchange</u>	<u>§ 102</u>	<u>C</u>
16	<u>Power Plant</u>	<u>§ 102</u>	<u>NP</u>
17	<u>Public Utilities Yard</u>	<u>§ 102</u>	<u>NP</u>
18	<u>Wireless Telecommunications Services</u>	<u>§ 102</u>	<u>C(5)</u>
19	<u>Facility</u>		

20 \* Not Listed Below

21 (1) P up to 25,000 gross sq. ft. per lot; above 25,000 gross sq. ft. per lot permitted only if the ratio  
 22 of other permitted uses to retail is at least 3:1.

23 (2) Not subject to ratio requirements of (1) above, pursuant to § 803.9(g).

24 (3) Formula Retail NP.

1 (4) P in the area bounded by 4th Street, 6th Street, Bryant Street, and Townsend Street;  
2 C elsewhere.

3 (5) C if a Macro WTS Facility; P if a Micro WTS Facility.

4 \* \* \* \*

5 **SEC. 890.37. ENTERTAINMENT, OTHER.**

6 In the Chinatown Mixed Use Districts, a retail use, other than adult entertainment, as  
7 defined in Section 890.36 of this Code, which provides live entertainment, including dramatic  
8 and musical performances, and/or provides amplified taped music for dancing on the  
9 premises, including but not limited to Places of Entertainment and Limited Live Performance  
10 Locales, as defined in Section 1060 of the Police Code. Other entertainment also includes a  
11 bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational  
12 activity, but it excludes amusement game arcades, as defined in Section 890.4 of this Code  
13 and regulated in Section 1036 of the Police Code. ~~For South of Market Districts, see Section~~  
14 ~~102.17.~~

15 \* \* \* \*

16 **SEC. 890.116. SERVICE, PERSONAL.**

17 A retail use which provides grooming services to the individual, including salons,  
18 cosmetic services, tattoo parlors, and health spas, excluding ~~massage establishments subject to~~  
19 ~~Section 218.1 of this Code located within South of Market Districts, or~~ instructional services not  
20 certified by the State Educational Agency, such as art, dance, exercise, martial arts, and  
21 music classes, ~~except that in the South of Market Districts, arts activities falling within Section 102.2~~  
22 ~~shall not be considered personal services.~~

23 \* \* \* \*

24 **SEC. 890.124. TRADE SHOP.**

1 A retail service use which provides custom-crafted goods and/or services for sale  
2 directly to the consumer, reserving some storefront space for display and retail service; if  
3 conducted within an enclosed building having no openings other than fixed windows or exits  
4 required by law located within 50 feet of any R District. A trade shop includes, but is not  
5 limited to:

6 \* \* \* \*

7 (g) ~~Within the South of Market Districts, arts activities falling within Section 102.2 shall not be~~  
8 ~~considered trade shops.~~

9 ~~(h) Within South of Market and Eastern Neighborhoods Mixed Use Districts, this use~~  
10 shall include the offices of building, plumbing, electrical, painting, masonry, roofing, furnace or  
11 pest control contractors and storage of incidental equipment and supplies used by them, if  
12 located entirely within an enclosed building having no openings other than fixed windows or  
13 exits required by law within 50 feet of an R District. No processing of building materials, such  
14 as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking,  
15 loading and unloading of all vehicles used by the contractor shall be located entirely within the  
16 building containing the use.

17 (ih) Within the Chinatown Mixed Use Districts, it does not include any shop which  
18 uses a single machine of more than five horsepower capacity, or a shop in which the  
19 mechanical equipment, together with related floor space used primarily by the operators of  
20 such equipment, occupies in the aggregate more than 1/3 of the total Gross Floor Area of  
21 the use. A trade shop is distinct from light manufacturing, as defined in Section 890.54(a) of  
22 this Code.

23  
24 Section 5. This section is uncodified. Applicable provisions of the Planning Code shall  
25 apply to a residential Tower on Block 3786, Lot 035, except as otherwise provided in this

1 Section. In the event of a conflict between other provisions of the Planning Code and this  
2 Section, this Section shall control. For a residential Tower on Block 3786, Lot 035, the  
3 following controls shall apply, provided the project meets its Inclusionary Housing  
4 requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site:

5 (a) A 5-foot setback is required for the Tower Portion for the entire frontage along  
6 Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest  
7 property line frontage directly opposite the property at Block 3786, Lot 322.

8 (b) The residential Tower may have a horizontal separation of not less than 40 feet  
9 from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322.

10 (c) The maximum Gross Floor Area of any residential Tower floor shall be 12,500  
11 gross square feet.

12 (d) The maximum plan length of a Residential tower shall be 165 feet.

13 (e) Pursuant to the Large Project Authorization process in Section 329, the Planning  
14 Commission shall evaluate the design of the project and make recommendations to alleviate  
15 the appearance of the expanded tower bulk and floorplate, and to address the limited tower  
16 separation between the project and the adjacent development at Block 3786, lot 322.

17  
18 ~~Section 56. Non-Severability Effect of Litigation. If in the event that any person or entity~~  
19 ~~files a lawsuit in any court challenging any new development requirement imposed by this~~  
20 ~~ordinance as part of the Central SoMa Plan that generates revenue to fund the Central SoMa~~  
21 ~~Public Benefits Program, contained in the Central SoMa Implementation Program; any~~  
22 ~~subsection, sentence, clause, phrase, or word thereof; or any application thereof to any~~  
23 ~~person or circumstance is held to be invalid or unconstitutional by a decision of a court of~~  
24 ~~competent jurisdiction, such decision shall render the remaining portions or applications of the~~  
25 ~~ordinance invalid. The Board of Supervisors hereby declares that it would not have passed~~

1 ~~this ordinance, and each and every section, subsection, sentence, clause, phrase, and word~~  
2 ~~not declared invalid or unconstitutional, without the sections of this ordinance imposing such~~  
3 ~~new development requirements then upon the service of such lawsuit upon the City and~~  
4 ~~County of San Francisco, all applications for projects that could not be approved but for the~~  
5 ~~adoption of this ordinance and that have not yet received a first construction document will be~~  
6 ~~suspended until there is a final judgment in the lawsuit in all courts and the validity of the~~  
7 ~~challenged provision(s) specified in this Section is upheld.~~

8  
9 Section 76. Effective Date. This ordinance shall become effective 30 days after  
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
12 of Supervisors overrides the Mayor's veto of the ordinance.

13  
14 Section 6787. Scope of Ordinance. In enacting this ordinance, the Board of  
15 Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections,  
16 articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the  
17 Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board  
18 amendment additions, and Board amendment deletions in accordance with the "Note" that  
19 appears under the official title of the ordinance.

20  
21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:  FOR  
24 VICTORIA WONG  
25 Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**  
(Amended in Board, 11/27/2018)

[Administrative Code, Planning Code - Central SoMa Plan]

**Ordinance amending the Administrative Code and Planning Code to give effect to the Central South of Market (SoMa) Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.**

Existing Law

Currently, Administrative Code Chapter 35 addresses compatibility and protection for residential and industrial uses. Section 35.6 provides for an affidavit of disclosure to purchasers or lessors of property adjacent to industrial uses.

Currently, a number of zoning districts in the Central SoMa area exist, with different land use controls, including but not limited to the RSD, SLI, SLR and SSO zoning districts.

Amendments to Current Law

Administrative Code Chapter 35 would be amended to address compatibility and protection for residential, hotel and Production, Distribution and Repair (PDR) uses, and would add requirements regarding the affidavit of disclosure in Section 35.6. It would also be amended to state that Chapter 35 does not create a private right of action against the City.

The ordinance would also amend the Planning Code to create the Central SoMa Mixed Use Office (CMUO) zoning district and a Central SoMa Special Use District (SUD), and would enact various land use controls in the Central SoMa area, including but not limited to controls relating to street frontages, ground floor controls, off-street parking and loading requirements, the applicability of the Transportation Demand Management Program and Transportation Sustainability Fee, height limits, bulk limits, large project authorizations, and open space, including but not limited to Privately Owned Public Open Space (POPOS).

The ordinance would also impose a Central SoMa Community Facilities Services Fee and a Central SoMa Infrastructure Impact Fee and create fee tiers for new development in Central SoMa. The ordinance would also require certain development projects in the SUD that choose

to exceed certain Prevailing Height and Density Limits to participate in the Central SoMa Community Facilities District Program.

The ordinance would eliminate the RSD, SLI, SLR and SSO zoning districts and would amend various other zoning districts in the south of Market area.

The ordinance would also set forth requirements for affordable housing developments in Central SoMa and would require that certain development impact fees collected in the Central SoMa SUD be reserved for affordable housing within the boundaries of Market Street, the Embarcadero, King Street, Division Street and South Van Ness Avenue.

#### Background Information

This Legislative Digest reflects amendments made by the Land Use Committee of the Board of Supervisors on July 16, 2018. These include minor, clarifying amendments, modifications to the ordinance's various land use controls in the Central SoMa area, and the addition of the Central SoMa Community Facilities District Program.

This Legislative Digest also reflects amendments made by the Land Use Committee of the Board of Supervisors on October 22, 2018. These include minor, clarifying amendments, modifications to the ordinance's various land use controls in the Central SoMa area, and modifications to the Central SoMa Community Facilities District Program.

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(Supervisor Kim proposed amendments.)

**CENTRAL SOMA PLAN | Amendments Introduced at Full Board on 11/27/18**

File No. 180184  
11/27/18 Accepted  
in Board.

NOTE: The following is a summary of amendments introduced at Committee. For details, please review the amended legislation, available at the Legislative Research Center (<https://sfgov.legistar.com/Legislation.aspx>) under the relevant Board file number.

#	Section	Page/Line	Change
<b>PLANNING CODE &amp; ADMINISTRATIVE CODE [File no. 180184]</b>			
1	249.78(d)(4)(C)(vii)	page 74, lines 15-18	Clarify the living walls guideline using the correct terminology, consistent with other City green building policies (e.g. plantings are encouraged to be climate-appropriate, native/non-invasive)
2	840.12	page 204, lines 4-8	Conforming edit to MUG zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to remove the incentive for POPOS to provide community amenities.
3	840.22 & 840.23	page 205, line 20 to page 206, line 5	Conforming edit to MUG zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to restrict the allowable types of Single Room Occupancy (SRO) and Group Housing units.
4	841.12A	page 211, lines 14-18	Conforming edit to MUR zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to remove the incentive for POPOS to provide community amenities.
5	841.22 & 840.23	page 213, lines 7-16	Conforming edit to MUR zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to restrict the allowable types of Single Room Occupancy (SRO) and Group Housing units.
6	848	page 230, lines 5-16	Conforming edit to CMUO zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to restrict the allowable types of Single Room Occupancy (SRO) and Group Housing units.
7	848	page 232, lines 13-18	Conforming edit to CMUO zoning control table to reflect the amendment at the 10/29 Land Use & Transportation Committee hearing to remove the incentive for POPOS to provide community amenities.

180184  
11/05/2018  
SUBMITTED +  
PRESENTED

**CENTRAL SOMA PLAN**

**Amendments Introduced at 11/5 Land Use & Transportation Committee Hearing**

NOTE: The following is a summary of amendments introduced at Committee. For details, please review the amended legislation, accessible on the Legislative Research Center (at <https://sfgov.legistar.com/Legislation.aspx>) under the relevant Board file number.

#	Section	Page/Line	Change
<b>PLANNING CODE &amp; ADMINISTRATIVE CODE [File no. 180184]</b>			
1	434	page 147, lines 6-18	Add language specifying that CFD revenues should be allocated as follows: (1) \$15 million should be allocated to restoration of the Old Mint and \$160 million should be allocated to regional transit capacity enhancement and expansion; and, (2) If the Old Mint is developed with community-serving spaces that may be leased at below-market rates to organizations associated with Cultural Districts established under Chapter 107 of the Administrative Code, \$20 million should be allocated to restoration of the Old Mint and \$155 million should be allocated to regional transit capacity enhancement and expansion;
<b>IMPLEMENTATION PROGRAM DOCUMENT: Public Benefits Package [Adopted by Reference]</b>			
2	Table 1	page 4	<u>Conforming edits based on prior amendments at LUT Committee:</u> (1) Restore funding for the US Mint Building to \$20 million (2) Reduce funding for regional transit capacity enhancement and expansion from \$160 to \$155 million (3) Reduce funding for environmental sustainability & resilience from \$70 million to \$65 million (4) Add a \$10 million PDR Relocation Assistance Fund
3	Table 2	page 5	<u>Conforming edits based on prior amendments at LUT Committee:</u> Same as in Table 1 above, plus the following adjustment in funding sources to ensure expenditures fall within the maximum justified nexus amounts (to reflect the changes made to the Tier B impact fee requirements for residential and non-residential uses). The total funding available for each category is not impacted by this change. (1) In the Transit category, reduce the funding provided by the Central SoMa Infrastructure fee by \$5 million. (2) In the Parks & Recreation category, increase the funding provided by the Central SoMa Infrastructure fee by \$5 million. Reduce the funding provided by the Central SoMa CFD by \$5million.
4	Transit	page 7	<u>Conforming edit based on prior amendments at LUT Committee:</u> Edits to reflect the prior amendments to funding (reducing funding for regional transit capacity enhancement and expansion from \$160 to \$155 million).
5	Cultural Preservation & Community Services	page 13	Conforming edit based on prior amendments at LUT Committee: Edits to reflect the prior amendments to funding (restoring the funding for the Old Mint to \$20 million and adding a \$10 million PDR relocation assistance fund).
6	Environmental Sustainability & Resilience	page 14-15	Conforming edit based on prior amendments at LUT Committee: Edits to reflect the prior amendments to funding (reducing funding for enhanced stormwater management in complete streets by \$4million and water recycling / stormwater management in public spaces by \$1million).
7	Tables 12 & 13	page 18-19	Conforming edit based on prior amendments at LUT Committee: Edits to reflect the amendments to the Central SoMa CFD and Central SoMa Community Infrastructure Fee: (1) Tier B Non-residential: Add a \$2.00/GSF CFD tax, and drop the impact fee to \$0 for large office allocation projects (\$20/GSF for all other projects) (1) Tier B Residential: Drop the CFD tax on Condo uses from \$3.30/GSF to \$0; edit the impact fee to reflect \$20/GSF for Condo projects and \$10/GSF for Rental projects.



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** November 8, 2018  
**TO:** San Francisco Planning Commissioners and Board of Supervisors  
**FROM:** Jessica Range and Elizabeth White, Environmental Planning  
**RE:** Environmental Analysis Addressing Amendments to the Central South of Market (SoMa) Area Plan  
Planning Department Case No. 2011.1356E

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The San Francisco Planning Commission certified the Final Environmental Impact Report (EIR) for the Central South of Market (Central SoMa) Plan in compliance with the California Environmental Quality Act (CEQA) on May 10, 2018. Upon four appeals of the Final EIR, the San Francisco Board of Supervisors upheld the certification of the Central SoMa Plan EIR by the Planning Commission on September 25, 2018. The purpose of this analysis is to determine whether the EIR adequately analyzes the amendments to the Central SoMa Plan introduced by the legislative sponsors at the Board of Supervisor's Land Use Committee hearings on October 22 and 29, 2018 and November 5, 2018.

## Central SoMa Plan Amendments

The Environmental Planning Division has reviewed the proposed amendments to the Central SoMa Plan introduced at the October 22 and 29, 2018 and November 5, 2018 Land Use Committee hearings and determined that, with the exception of one amendment, the amendments to the Central SoMa Plan are either clarifications, would not result in physical environmental effects, or were addressed in the following documents:

- (1) the Central SoMa Plan Final EIR and accompanying April 5, 2018 and May 9, 2018 errata;
- (2) the September 6, 2018 memo addressing amendments, staff recommendations, and other issues for consideration to the Central SoMa Plan; and
- (3) the September 27, 2018 memo addressing additional staff recommendations and issues for consideration to the Central SoMa Plan.

With the exception of one amendment, the proposed amendments introduced at the October 22 and 29, 2018 and November 5, 2018 hearings (refer to Attachments A, B, and C) are merely clarifications to the Plan, or are determined not to result in physical environmental effects beyond that disclosed in the Final EIR. The following amendment to the Central SoMa Plan requires additional explanation as to why the proposed amendment would not result in any

new physical environmental effects that are not already analyzed in the Central SoMa Plan EIR.

**(1) Rezone a portion of Assessor's block 3778, lot 005 from Service, Arts, Light Industrial to Mixed-Use Residential**

*Analysis:* This amendment would modify the proposed Central SoMa Plan zoning map by rezoning a portion of assessor's block 3778, lot 005 from the existing zoning of Service, Arts, Light Industrial (SALI) to Mixed Use Residential (MUR). The Central SoMa Plan EIR analyzed a zoning change of SALI to Central SoMa Mixed-Use Office (CMUO). The proposed area for rezoning would be 200 feet along Brannan Street and 150 feet along 6th Street, as measured from the intersection of 6th and Brannan streets. The remainder of the lot would remain zoned CMUO, as proposed by the Plan. This change to the proposed zoning would encourage residential uses by requiring a 3:1 ratio of residential square footage to nonresidential square footage, thereby resulting in a reduction of 1,130 jobs and a gain of 190 residential units projected under the Central SoMa Plan.<sup>1</sup> This modification in zoning would change the Plan's overall growth projections, resulting in a total of 8,760 housing units (8,570 + 190 units) and 32,089 jobs (33,219 jobs – 1,130 jobs).

As a point of clarification, the total number of housing units studied in the Central SoMa Draft EIR is 8,320 and the total number of jobs studied is 44,000. However, following publication of the Central SoMa Response to Comments document, there have been two instances in which changes to the Plan were made that affect the growth projections evaluated in the EIR. The changes made to the Plan, resulting in an increased number of residential units and a lower number of jobs, remain within the scope of the EIR's analysis as explained in below.

The Planning Department first analyzed the change to the Central SoMa Plan and its projected growth in a list of "Issues For Consideration" in the case report for the Planning Commission's May 10<sup>th</sup>, 2018 adoption hearing (which was a list of proposed changes to the Central SoMa Plan received from the public during the public review process). One of the issues for consideration involved changing the proposed zoning from CMUO to Mixed-Use General (MUG) or MUR for the area north of Harrison Street. The Planning Department's Environmental Planning Division evaluated this change in the May 9, 2018 errata to the EIR and determined that this potential change would result in a reduction of 10,250 jobs within the Plan Area and a gain of 130 residential units. This would result in a total of 8,450 units (8,320 units + 130 units) and 33,750 jobs (44,000 jobs - 10,250 jobs) in the Central SoMa Plan Area.

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<sup>1</sup> Chen, Lisa (San Francisco Planning Department), "RE: Central SoMa 10/22 and 10/29 LUT Amendments CEQA Memo for review (by Nov. 1?)". Email communication to Elizabeth White. October 31, 2018.

The second change to the Plan's growth projections occurred when the Planning Department examined a Central SoMa Plan amendment (included in the September 13, 2018 Planning Commission packet) to rezone the Western SoMa Service, Arts, and Light Industrial (WS SALI) parcels (exclusive of Central SoMa Key Sites), south of Interstate 80 (I-80) to Mixed-Use General (MUG). The Planning Department evaluated this change in a September 6, 2018 memo and determined that this potential change would result in a gain of 120 residential units and a reduction of 531 jobs in the Central SoMa Plan Area, resulting in a total of 8,570 housing units (8,450 units + 120 units) and 33,219 jobs (33,750 jobs – 531 jobs).

In both instances, the Department determined that these changes would not result in increased physical environmental effects beyond those studied in the Central SoMa EIR. EIR Appendix G (attachment to the EIR, provided in an errata issued April 5, 2018<sup>2</sup>), EIR Appendix I (attachment to the EIR, provided in an errata issued May 9, 2018<sup>3</sup>), and Environmental Analysis Addressing Amendments, Staff Recommendations, and Other Issues for Consideration to the Central SoMa Area Plan (September 6, 2018 Planning Commission Executive Summary<sup>4</sup>) explain how other changes to the Central SoMa Plan have resulted in changes to the Plan's growth projections.

The proposed rezoning of a portion of block 3778, lot 005 from the currently proposed zoning of CMUO to MUR would change the projected amount of jobs and housing units, but would not result in an exceedance of the overall growth (amount of jobs and housing units) projected under the Plan. The environmental effects of an additional 190 residential units within the Plan Area would be offset by the reduction in environmental effects anticipated to occur as a result of approximately 1,130 fewer jobs being developed within the Plan Area. Therefore, there would be no substantial change to the EIR's analysis for topics that rely on the EIR's growth projections (noise, air quality, and hydrology and water quality). Similarly, because the overall intensity of development under the Plan would still be within that which was studied in the EIR, there would be no change to impacts identified in the initial study related to population and housing, recreation, utilities, or public services.

In regards to transportation and circulation, residential uses, on a square-foot basis, would result in fewer person trips than office uses based on San Francisco's 2002 Transportation

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<sup>2</sup> Errata to the EIR for the Central SoMa Plan – April 5, 2018. This document is available as part of Planning Department Case File No. 2011.1356E and online at: <http://sf-planning.org/area-plan-eirs>. Accessed October 31, 2018.

<sup>3</sup> Errata to the EIR for the Central SoMa Plan – May 9, 2018. This document is available as part of Planning Department Case File No. 2011.1356E and online at: <http://sf-planning.org/area-plan-eirs>. Accessed October 31, 2018.

<sup>4</sup> Planning Commission Packet. Approval of Amendments to the Central SoMa Plan. Planning Commission Packet. September 13, 2018. Accessed October 31, 2018. Available from <http://commissions.sfplanning.org/cpcpackets/Central%20SOMA.pdf>

Impact Analysis Guidelines.<sup>5</sup> For residential use, 10 person trips are assumed to occur per 1,000 square feet whereas 18 person trips are assumed to occur per 1,000 square foot of office use. Therefore, the conversion of projected office use to residential use would result in lower overall person trips, resulting in lower overall vehicle, transit, pedestrian, bike and other trips. Therefore, this change would not increase the severity of the significant and unavoidable impacts identified in the EIR related to transit, loading, and crosswalk overcrowding. The reduction in overall person trips would result in a reduction in the amount of vehicle trips anticipated to be generated under the Plan, which would result in a commensurate reduction in traffic noise and air quality impacts resulting from vehicle emissions. As such, this change would not increase the severity of the significant and unavoidable land use and land use planning, noise and air quality impacts identified in the EIR. As the location and amount of projected developed area would not change, there would be no change in the significant and unavoidable historic resource or construction traffic impact identified in the EIR. The proposed amendment would result in a reduction in the overall intensity of development anticipated under the Plan and would therefore not result in more significant impacts than those identified in the EIR or Initial Study for the remaining topics that were determined to be less than significant or less than significant with mitigation (e.g., archeology, tribal cultural resources, human remains, paleontological resources, population and housing, construction related noise and air quality, recreation, utilities, public services, biology, geology, hazardous materials, minerals, energy, and agricultural and forest resources).

Furthermore, the rezoning of a portion of assessor's block 3778, lot 005 from the current zoning of SALI to MUR would not change height and bulk proposals studied in the EIR, and therefore, would not result in changes to the aesthetics, shadow, or wind analysis in the EIR.

For the above reasons, the proposal to amend the allowable zoning in the Central SoMa Plan for a portion of Assessor's block 3778, lot 005 from the current zoning of SALI to MUR would not result in increased physical environmental effects beyond those already studied in the EIR.

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<sup>5</sup> The person trips in the Transportation Impact Analysis Guidelines are conservative (i.e. "worst-case scenario") assumption meaning that the results are not underreported, but instead, provide a reasonably conservative analysis.

**Enclosures**

Attachment A. Amendments introduced at October 22, 2018 Land Use & Transportation Committee Hearing

Attachment B. Amendments introduced at October 29, 2018 Land Use & Transportation Committee Hearing

Attachment C. Amendments introduced at November 5, 2018 Land Use & Transportation Committee Hearing

## CENTRAL SOMA PLAN

## Amendments Introduced at 10/22 Land Use &amp; Transportation Committee Hearing

#	Section	Page/Line	Change	Prior CEQA Review Document
1	128.1	page 22, lines 7-11	Clarifying language on calculation of land subject to Transferable Development Right (TDR) requirements.	
2	138(d)(2)	page 37, lines 18-20	Clarifying language on payment of the in-lieu fee in satisfaction of privately-owned public open space (POPOS) requirements, pursuant to Section 426.	
3	138(d)(2)	page 38, lines 12-13	Add that the Commission's evaluation of the design of privately-owned public open spaces (POPOS) shall include whether landscaped areas incorporate plantings which include, but are not limited to, living walls, stormwater gardens, and drought-tolerant landscaping.	
4	138(e)(2)(C)	page 40, lines 15-28	Add language specifying that the Commission's determination of the adequacy of the location, amount, amenities, design and implementation of privately-owned public open spaces (POPOS) shall take into consideration the open space and recreational needs of the diverse inhabitants of the Plan Area, including, but not limited to: residents, workers, youth, families, and seniors.	September 27, 2018 Amendments CEQA Memo
5	169.3	page 56, lines 9-21	Amend the TDM language to require projects that submitted applications before September 4, 2016 to meet 75% of the TDM requirements. Projects that submit after this date are required to meet 100% of the TDM requirements.	May 9, 2018 Errata to EIR
6	249.78(d)(1)	page 71, line 17 through page 72, line 10	Prevailing Building Height and Density: For projects subject to 434 (the Central SoMa CFD tax), the following height and Floor Area Ratio controls shall apply (notwithstanding the height limit indicated on the Zoning Map): (i) For all projects on lots where the Zoning Map indicates a height limit of 85 feet or greater, the height of the project shall be limited to 85 feet in height and the project lot or lots shall be limited to a maximum Floor Area Ratio of 4.0:1. (ii) For projects on lots where the Zoning Map indicates a height limit of less than 85 feet, the project lot or lots shall be limited a maximum Floor Area Ratio of 3.0:1. In order to exceed this development capacity, up to the amount specified in the Zoning Map, the project must elect to develop a project subject to 434.	September 27, 2018 Amendments CEQA Memo
7	249.78(d)(4)(C)(vii)	page 38, lines 12-13	Add that the Project sponsors are encouraged to incorporate plantings on vertical surfaces into projects, which may include green and/or living walls, stormwater gardens, and drought-tolerant landscaping.	September 27, 2018 Amendments CEQA Memo
8	249.78(d)(10)	page 77, line 16	Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.	
9	249.78(e)(4) (and conforming edits in Sec. 414.4)	page 79, lines 7-17	Require that Key Sites developing an office or hotel project provide on-site child care facilities in satisfaction of their fee requirements under Sections 414.4, unless the project can demonstrate that it is infeasible to provide such facilities. Feasibility may be determined by, among other things, the sufficiency of the existing supply of child care facilities in the Central SoMa SUD, the inability to provide suitable space that would meet childcare licensing requirements, a determination by the Commission that the site is not a suitable location for child care provision, and financial feasibility.	September 27, 2018 Amendments CEQA memo
10	263.33	page 90, lines 6-19	If the development on Assessor's Block 3763, Lot 105 (1 Vassar / Second and Harrison) elects to build residential instead of, or in addition to, a hotel, add the option that it may exceed the affordable housing requirement pursuant to Section 415 in order to receive the special height exception.	May 9, 2018 EIR Errata
11	263.34	page 90, line 23 through page 91, line 25	Allow the project (Fourth and Harrison) to provide a minimum 14' floor-to-floor PDR ground floor height, and reduce the apparent mass reduction controls in Section 270(h) to 50% on Harrison Street and 0% on Fourth Street, contingent on the project providing land for affordable housing.	September 6, 2018 Amendments CEQA Memo
12	329(e)(3)(A)	page 104, line 17 through page 105, line 2	Permit land dedication that is valued at less than the subject project's Jobs-Housing Linkage Fee or Affordable Housing Fee obligation to be considered a Qualified Amenity in order to be a Key Site, pursuant to Sections 413.7 and 419.6, respectively. Projects would be required to pay the balance of the fee obligation, subject to the land value calculation in Section 413.7.	September 6, 2018 Amendments CEQA Memo
13	329(e)(2)(b)(ii)	page 106, line 2-3	On the Key Site identified in 329(e)(2)(C) (1 Vassar / 2 <sup>nd</sup> & Harrison), allow an exception to the controls in Sections 135(h) and 135.3, to allow the project to include indoor POPOS in satisfaction of its residential publicly-accessible usable open space requirement.	
14	413.7	page 110, line 2-9	Specify that the land value for land dedication sites in fulfillment of Jobs-Housing Linkage Fees shall be determined by the Director of Property, not to exceed the acquisition cost incurred by the subject project for the portion of land dedicated. This determination shall take into account any circumstances that may impact the value of the property.	
15	433.2	page 139, lines 10-15	Lower Central SoMa Community Infrastructure Impact Fee rates to reflect the modifications to the CFD Tax (as described in Section 434 below): (i) Lower the fee rate for rental residential projects from \$20 to \$10 (keep Condominium residential rates at \$20). (ii) Lower the fee rate for Tier B non-residential projects to \$0.	
16	434	page 144, lines 6-11	Add Tier B Non-Residential projects to the CFD Tax (at a rate of \$2.00/GSF) and remove Tier B Condo Residential projects (currently proposed at \$3.30/GSF), as specified in the Rate and Method of Apportionment	September 27, 2018 Amendments CEQA Memo

			document (part of the CFD formation legislation)	
17	753; 814; 840; 841; 846; 848	various; pages 148 - 230	Require a Conditional Use Authorization for Cannabis Retail and Medical Cannabis Dispensary uses in the Central SoMa SUD.	September 27, 2018 Amendments CEQA Memo
18	uncodified section	page 234, lines 6-14	Add language specifying that if the City is unable to apply any new development requirement that would generate revenue for the Public Benefits Program, the other provisions of the Planning and Administrative Code amendments would not apply.	September 27, 2018 Amendments CEQA Memo

## CENTRAL SOMA PLAN

## Amendments Introduced at 10/29 Land Use &amp; Transportation Committee Hearing

#	Section	Page/Line	Change
1	138	page 35, line 18-20	Eliminate the privately-owned public open space (POPOS) incentive to provide playgrounds, community gardens, sport courts, and dog runs. (The incentive is a 33% reduction in space required.)
2	138	page 38, line 22	Clarify that projects providing POPOS shall make an effort to include at least one publicly-accessible potable water source convenient for drinking and filling of water bottles.
3	155(u)	page 54, line 22-23	Clarify that Planning Department shall approve projects' driveway loading & operations plans, in consultation with SFMTA
4	249.78	page 71, line 16 through page 72, line 7	Prohibit Single Room Occupancy (SRO) units, except in buildings that consist of 100% affordable units.  Prohibit group housing uses, except for: <ul style="list-style-type: none"> <li>(1) Student Housing</li> <li>(2) Senior Housing</li> <li>(3) Residential Care Facilities</li> <li>(4) Housing for persons with disabilities or Transition Age Youth</li> <li>(4) Buildings providing 100% affordable housing</li> </ul>
5	249.78	page 80, line 11 - 25	Amend the requirement that Key Sites with office or hotel uses provide on-site child care facilities in satisfaction of their fee requirements under Sections 414.4 to: <ul style="list-style-type: none"> <li>(a) Specify that the Planning Commission shall review the proposed project for compliance with Section 414.4.</li> <li>(b) Allow the Commission to grant an exception to the requirements that the Sponsor provide the child care facility to a non-profit facility entirely free of rent or other costs for the life of the project, if it finds one or all of the following apply: <ul style="list-style-type: none"> <li>(i) The space is being provided to the proposed child-care provider at a below-market rate rent and/or at a significantly reduced cost.</li> <li>(ii) The proposed child-care provider provides services consistent with the goals and expenditures of the Child Care Capital Fund in Section 414.14, which may include activities including, but not limited to: providing care affordable to households of low and moderate income, or providing care that fulfills unmet needs for child care by age group and/or neighborhood, as determined through a needs assessment conducted by the Director of the Office of Early Care &amp; Education, or its successor.</li> </ul> </li> </ul>
6	329(e)(3)(B)(vi)	page 107, line 18-19	On the Key Site Identified in 329(e)(2)(H) (Creamery), allow an exception to the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.
7	406	page 109, line 17 through page 110, line 5	Include a waiver that allows land dedication of land for a public park (not including improvement costs) on Block 3777 (598 Brannan St / Park Block) to count against various fees, including the TSF and Central SoMa Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).
8	Uncodified section	page 235, line 11-25	In the event that any person or entity files a lawsuit in any court challenging any new development requirement imposed as part of the Central SoMa Plan that results in generation of revenue to fund the Central SoMa Public Benefits Program, then upon the service of such lawsuit upon the City and County of San Francisco, all applications for projects that could not be approved but for the adoption of this ordinance and that have not yet received a first construction document will be suspended until there is a final judgment in the lawsuit in all courts and the validity of the challenged provision(s) specified in this Section is upheld.
9	Zoning map	zoning map: page 4, line 17-20	Rezone the Assessor's block 3733, lot 014 (816 Folsom Street) back from MUR to CMUO in order to allow the proposed hotel project to proceed with its application.

10	Zoning map	zoning map: page 7, line 20-24	Rezone a portion of Assessor's block 3778, lot 005 (SF Flower Mart project project at 6th & Brannan) to MUR. The rezoned portion is 200' along Brannan Street and 150' along 6th Street, as measured from the intersection of 6th & Brannan. The remainder of the lot would remain CMUO.
11	263.34	Amended at Committee on 10/29	Boston Properties: Allow the project to provide a minimum 14' floor-to-floor PDR ground floor height, and reduce the apparent mass reduction controls in Section 270(h) to 50% on Harrison Street and 0% on Fourth Street, contingent on the project providing land for affordable housing.
12	Public Benefits Package	Amended at Committee on 10/29	Public Benefits Package: Restore the funding for preservation of the US Mint Building by increasing funding by \$5 million, to \$20 million total. Reduce the funding for regional transit capacity enhancement and expansion by \$5 million, to \$155 million.

**CENTRAL SOMA PLAN**

**Amendments Introduced at 11/5 Land Use & Transportation Committee Hearing**

NOTE: The following is a summary of amendnents introduced at Committee. For details, please review the amended legislation, accessible on the Legislative Research Center (at <https://sfgov.legistar.com/Legislation.aspx>) under the relevant Board file number.

#	Section	Page/Line	Change
<b>PLANNING CODE &amp; ADMINISTRATIVE CODE [File no. 180184]</b>			
1	263.34, 329	Amended at Committee	Strike the exception for the project at Fourth and Harrison Street to provide a minimum 14' floor-to-floor PDR ground floor height (they would instead be subject to 17', the minimum requirement elsewhere in the Plan).
2	434	page 147, lines 6-18	Add language specifying that CFD revenues should be allocated as follows: (1) \$15 million should be allocated to restoration of the Old Mint and \$160 million should be allocated to regional transit capacity enhancement and expansion; and, (2) If the Old Mint is developed with community-serving spaces that may be leased at below-market rates to organizations associated with Cultural Districts established under Chapter 107 of the Administrative Code, \$20 million should be allocated to restoration of the Old Mint and \$155 million should be allocated to regional transit capacity enhancement and expansion; (3) (voted at Committee): Add a requirement that eligible non-profit organizations be selected through a competitive RFP (Request for Proposals)
3	Section 6 (uncodified)	Amended at Committee	Strike the "Effect of Litigation" section, which specifies that in the event that any person/entity files a lawsuit challenging development requirements that generate revenues to fund the Central SoMa Public Benefits Program, all pending applications for projects that could not be approved unless the Plan is adopted will be suspended until there is a final judgement upholding the validity of the Plan.
<b>IMPLEMENTATION PROGRAM DOCUMENT: Public Benefits Package [Adopted by Reference]</b>			
4	Table 1	page 4	<u>Conforming edits based on prior amendments at LUT Committee:</u> (1) Restore funding for the US Mint Building to \$20 million (2) Reduce funding for regional transit capacity enhancement and expansion from \$160 to \$155 million (3) Reduce funding for environmental sustainability & resilience from \$70 million to \$65 million (4) Add a \$10 million PDR Relocation Assistance Fund
5	Table 2	page 5	<u>Conforming edits based on prior amendments at LUT Committee:</u> Same as in Table 1 above, plus the following adjustment in funding sources to ensure expenditures fall within the maximum justified nexus amounts (to reflect the changes made to the Tier B impact fee requirements for residential and non-residential uses). The total funding available for each category is not impacted by this change. (1) In the Transit category, reduce the funding provided by the Central SoMa Infrastructure fee by \$5 million. (2) In the Parks & Recreation category, increase the funding provided by the Central SoMa Infrastructure fee by \$5 million. Reduce the funding provided by the Central SoMa CFD by \$5million.
6	Transit	page 7	<u>Conforming edit based on prior amendments at LUT Committee:</u> Edits to reflect the prior amendments to funding (reducing funding for regional transit capacity enhancement and expansion from \$160 to \$155 million).
7	Cultural Preservation & Community Services	page 13	<u>Conforming edit based on prior amendments at LUT Committee:</u> Edits to reflect the prior amendments to funding (restoring the funding for the Old Mint to \$20 million and adding a \$10 million PDR relocation assistance fund).
8	Environmental Sustainability & Resilience	page 14-15	<u>Conforming edit based on prior amendments at LUT Committee:</u> Edits to reflect the prior amendments to funding (reducing funding for enhanced stormwater management in complete streets by \$4million and water recycling / stormwater management in public spaces by \$1million).
9	Tables 12 & 13	page 18-19	<u>Conforming edit based on prior amendments at LUT Committee:</u> Edits to reflect the amendments to the Central SoMa CFD and Central SoMa Community Infrastructure Fee: (1) Tier B Non-residential: Add a \$2.00/GSF CFD tax, and drop the impact fee to \$0 for large office allocation projects (\$20/GSF for all other projects) (1) Tier B Residential: Drop the CFD tax on Condo uses from \$3.30/GSF to \$0; edit the impact fee to reflect \$20/GSF for Condo projects and \$10/GSF for Rental projects.



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** November 8, 2018

**TO:** San Francisco Planning Commissioners and Board of Supervisors

**FROM:** Lisa Gibson, Environmental Review Officer  
 Jessica Range, Principal Environmental Planner  
 Wade Wietgreffe, Principal Environmental Planner

**RE:** TNCs & Congestion Report and Central SoMa Plan EIR Conclusions

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

## Introduction

This memorandum is a response to the three letters submitted to the Board of Supervisors (the “Board”) regarding the certified Final Environmental Impact Report (“Final EIR”) for the Central South of Market Plan (“Central SoMa Plan” or “Project”). The first letter was submitted by Richard Drury on behalf of 631 Folsom O.A. (“SFBlu”), Central SoMa Neighbors (“CSN”), and SFBlu residents Gina Cariaga and Jason DeWillers on October 18, 2018. The second letter was submitted by Richard Drury on behalf of Paul Phillips and Genia Phillips (members of 631 Folsom O.A. and CSN) on October 22, 2018.<sup>1</sup> The third letter was submitted by Mark R. Wolfe on behalf of Jonathan Berk (a resident and owner at 631 Folsom Street) on October 23, 2018. All three letters reference the San Francisco County Transportation Authority’s (“SFCTA”) October 2018 Transportation Network Companies and Congestion Report (“TNCs & Congestion Report”).<sup>2</sup>

In October 2018, subsequent to the Central SoMa Plan’s EIR certification, the SFCTA published the TNCs & Congestion Report. The TNCs & Congestion Report is an analysis of how TNCs (e.g., Uber and Lyft) have affected roadway congestion in San Francisco between 2010 and 2016. The report examined three congestion measures (vehicle hours of delay, vehicle miles traveled (“VMT”), and average speeds) to determine how much TNCs account for the increase in congestion in San Francisco. Using these metrics, the report found that about 50 percent of the increase in congestion during the study period is attributed to TNCs, while the remainder of the increased congestion is attributed to employment and population growth that occurred during this same time period.

<sup>1</sup> The October 22, 2018 letter from Richard Drury on behalf of Paul and Genia Phillips state that Paul and Genia Phillips join the comments made by Mr. Drury on behalf of SFBlu and CSN on October 18, 2018.

<sup>2</sup> San Francisco County Transportation Authority, October 2018. TNCs & Congestion. Accessed October 30, 2018. Available at: [https://www.sfcta.org/sites/default/files/content/Planning/TNCs/TNCs\\_Congestion\\_Report\\_181015\\_Final.pdf](https://www.sfcta.org/sites/default/files/content/Planning/TNCs/TNCs_Congestion_Report_181015_Final.pdf)

The major findings of the report show that during the study period TNCs accounted for 51 percent of the increase in daily vehicle hours of delay; 47 percent of the increase in vehicle miles traveled; 55 percent of the average speed decline on roadways; and on an absolute basis, TNCs comprise an estimated 25 percent of total vehicle congestion (measured by vehicle hours of delay) citywide, and 36 percent of delay in the downtown core.

The TNCs & Congestion Report confirmed previous findings from the SFCTA's 2017 TNCs Today report which found the greatest increases in congestion in the densest parts of the city, including the Central SoMa Plan area.

## Background

The San Francisco Planning Commission ("Commission") certified the Central SoMa Plan EIR on May 10, 2018. Following the certification of the Final EIR, Richard Drury on behalf of CSN and SFBlu, Phillip Babich on behalf of One Vassar LLC, Angelica Cabande on behalf of the South of Market Community Action Network ("SOMCAN"), and John Elberling on behalf of the Yerba Buena Neighborhood Consortium ("YBNC") submitted letters appealing the certification of the EIR prepared for the Project to the Board under the California Environmental Quality Act ("CEQA"). The Board upheld the certification of the EIR in a 10-0 vote on September 27, 2018. As of the writing of this memorandum, adoption of the Central SoMa Plan has not occurred.

## Summary of Letters Received

The issues identified in the three letters received subsequent to the Board of Supervisors upholding the Central SoMa Plan EIR certification on September 25, 2018 have been grouped into the following three categories.

### **(1) Request for a Supplemental Environmental Impact Report**

All three letters received request the Department prepare a Supplemental Environmental Impact Report ("SEIR") for the Central SoMa Plan that evaluates the information published in the TNCs & Congestion Report. All of the letters incorrectly characterize the Central SoMa Plan EIR analysis in regard to TNCs. As stated in the July 9, 2018 Central SoMa Plan EIR Appeal Response<sup>3</sup>, the EIR states that there have been changes to the travel network as a

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<sup>3</sup> [San Francisco Board of Supervisors File No. 180651.](#)

result of TNCs and delivery services, and provides a discussion of TNC impacts on VMT, loading, and pedestrian safety in the Response to Comments (“RTC”). Response TR-7 (p. RTC-155) summarized the existing body of literature on TNCs as of publication of the RTC in March 2018 and stated that the demand for travel via personal or TNC vehicles may increase as a result of the Plan. However, the RTC also stated that the overall number of vehicles on the road is limited by roadway capacity during peak periods of travel, and an increase in total VMT does not, in and of itself, constitute a significant VMT impact. This is because, consistent with state guidance and Planning Commission direction, the significance threshold used in the EIR, and recommended by the California Office of Planning and Research, is a per capita threshold and not a total net increase in VMT threshold. Response TR-7 concludes that while data that would enable robust analysis of the impacts of TNCs on the transportation network are largely lacking, growth in travel by TNCs is likely to continue in the future regardless of whether the Plan is adopted and the Plan would have little effect on existing and future TNC use.

Pursuant to CEQA Guidelines Section 15162(a)(3), when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that:

New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As explained below, the TNCs & Congestion Report does not provide any new information that would change the conclusions in the Central SoMa Plan EIR. Therefore, a supplemental EIR is not required.

## **(2) Additional Mitigation Measures**

The letter submitted by Mr. Drury suggests three mitigation measures to be applied to TNCs: limiting the number of TNCs, imposing impact fees, and requiring TNCs to comply with the same clean-vehicle requirements imposed on taxis. But the Central SoMa Plan EIR found that the Plan would not result in significant VMT impacts and therefore, mitigation under CEQA is not required. In addition, Supervisor Aaron Peskin indicated at the SFCTA's September 25, 2018 Board Meeting that the Board of Supervisors would continue to pursue congestion pricing at the local and state level. Any future congestion pricing scheme would be consistent with Central SoMa Plan EIR Mitigation Measure M-TR-3a, which identifies congestion pricing as a potential method to address transit impacts. This mitigation measure may be adopted by the Board as part of their deliberations on the Central SoMa Plan. The Central SoMa Plan's mitigation, monitoring, and reporting program identifies this measure's feasibility as uncertain because its implementation would likely require further actions by other governing bodies such as the San Francisco Municipal Transportation Agency and the SFCTA. Furthermore, a recently enacted state law, Senate Bill 1014, creates the California Clean Miles Standard and Incentive Program, which regulates TNC emissions.

## **(3) Recirculation of Central SoMa Plan EIR**

The October 23, 2018 letter from Mark R. Wolfe alleges that recirculation of the draft EIR is required to address the information contained in the TNCs & Congestion Report and references CEQA Guidelines section 15088.5. CEQA Guidelines section 15088.5 states that a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the draft EIR's availability for public review under CEQA Guidelines section 15087, *but before certification*. The reference to CEQA Guidelines section 15088.5 is not applicable because the Central SoMa Plan EIR has been certified, and that certification was upheld on appeal to the Board on September 27, 2018. Therefore, recirculation of the document is not required.

# TNCs & Congestion Report and Central SoMa EIR

## Conclusions

The Planning Department identified the following environmental topics that require discussion related to the TNCs & Congestion Report: travel demand and associated impacts to emergency access, air quality, noise, VMT, transit delay, loading, and pedestrian safety. The following summarizes the Central SoMa EIR impact conclusions for these topics and discusses whether

the information contained in the TNCs & Congestion Report is considered new information of substantial importance that could affect the conclusions reached in the Central SoMa Plan EIR pursuant to CEQA Guidelines section 15162.

### **Travel Demand, Emergency Access, Air Quality, and Noise Analyses**

Travel demand refers to the number, type, and common destinations of new trips that people would take to and from the project, or in this case, a plan area. Trips consist of auto, transit, walking, and bicycling trips. As stated on draft EIR p. IV.D-32, the EIR relies on an activity-based travel demand model to predict travel demand associated with the Plan's projected growth and the travel patterns associated with the Plan's proposed street network changes. The Department used model outputs developed by the Transportation Authority. That model, the San Francisco Chained-Activity Modeling Process (SF-CHAMP), is the same model used in the TNCs & Congestion Report. The travel demand estimates from the SF-CHAMP model were used as inputs to the air quality and noise analyses and considered in the analysis of the Plan's impact with respect to emergency access. The subsequent analyses of impacts to air quality, noise, and emergency access also accounted for increased congestion resulting from plan generated traffic. The EIR found that subsequent development projects under the Central SoMa plan would result in significant and unavoidable air quality and traffic noise impacts. The EIR identified all feasible mitigation measures to reduce these impacts, but ultimately determined air quality and noise impacts from the Plan to be significant and unavoidable with mitigation.

The EIR also found that development under the Central SoMa Plan, including the proposed open space improvements and street network changes, could result in significant impacts on emergency vehicle access. The proposed Plan street network changes, in combination with the increased number of vehicles in the remaining travel lanes and increased levels of traffic congestion, could impede emergency vehicle access in the plan area. California law requires drivers to yield the right-of-way to emergency vehicles. In addition to California law, the EIR identifies four mitigation measures to mitigate this impact to a less-than-significant level. These four mitigation measures include Emergency Vehicle Access Consultation (M-TR-8), Transit Enhancements (M-TR-3a), Transportation Demand Management for New Development Projects (M-NO-1a), and Central SoMa Air Quality Improvement Strategy (M-AQ-5e).

While the TNCs & Congestion Report estimates transportation network companies' contributions to congestion between 2010 and 2016,<sup>4</sup> the report does not provide new estimates

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<sup>4</sup> A draft report by the San Francisco County Transportation Authority, TNCs & Congestion (October 2018) studied the factors that increased congestion between 2010 and 2016. The existing transportation conditions analysis for this EIR relies on data collected within the period in the TNCs & Congestion report. Transportation network company vehicles that passed through study area intersections during the collection period are included in the counts and thus are included as part of the existing conditions.

or metrics of travel demand by type of land use, including transportation network company use, into the future. The current version of the SF-CHAMP model, while used in the TNCs & Congestion Report, does not have household level travel behavior data that would allow for allocating TNCs to specific land uses (e.g., office or residential) or locations to provide revised travel demand estimates. In other words, the Report offers no new information or level of detail that could be used to revise the fundamental and necessary modelling tool available to measure potential future travel behavior.

Furthermore, since the publication of the Central SoMa Responses to Comments (“RTC”) document, there have been changes to the Central SoMa Plan that have affected the growth projections evaluated in the EIR. These changes have resulted in a decrease in the amount of jobs, commensurate with an increase in residential units projected to occur under the Central SoMa Plan. As documented in the November 8, 2018 memo addressing the proposed Central SoMa Plan amendments introduced at the October 22, October 29, and November 5, 2018 Land Use Committee hearing<sup>5</sup>, the Central SoMa Plan is now projected to result in a total of 8,760 housing units and 32,089 jobs. For reference, the Central SoMa Plan draft EIR analyzed 8,320 housing units and 44,000 jobs. The changes made to the Plan, resulting in an increased number of residential units and a lower number of jobs, remain within the scope of the EIR’s analysis.

In regard to transportation and circulation, residential uses, on a square-foot basis, would result in fewer person trips than office uses based on San Francisco’s 2002 Transportation Impact Analysis Guidelines.<sup>6</sup> For residential use, these Guidelines assume 10-person trips occur per 1,000 square feet, whereas for office use, the Guidelines assume 18-person trips occur per 1,000 square feet of office use. Therefore, the Central SoMa Plan’s conversion of projected office use to residential use would result in lower overall person trips, resulting in lower overall vehicle, transit, pedestrian, bike, and other trips (including TNC trips) than reported in the Central SoMa Plan EIR.

The TNCs & Congestion Report would not change the conclusions in the EIR because the report does not provide evidence that the EIR’s travel demand estimates are inadequate. Furthermore, changes that have been made to the Plan since publication of the RTC would have the effect of lowering overall person trips, and specifically vehicle trips. These vehicle trips were used as inputs in the noise and air quality analyses and considered in the analysis of impacts to emergency access. Therefore, the EIR likely overstates the Plan’s impact with respect to air quality, noise, and emergency vehicle access.

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<sup>5</sup> [San Francisco Board of Supervisors File No. 180651.](#)

<sup>6</sup> The person trips in the Transportation Impact Analysis Guidelines are conservative (i.e. “worst-case scenario”) assumption meaning that the results are not underreported, but instead, provide the most conservative analysis.

## Vehicle Miles Traveled

Consistent with state guidance and Planning Commission resolution 19579, the EIR uses efficiency metrics (VMT per capita and employee) to analyze VMT impacts. The EIR's significance threshold is based on guidance from the state Office of Planning and Research, which states that a land use plan may have a significant impact with respect to VMT if that plan is not consistent with the relevant sustainable communities strategy ("SCS"), which is Plan Bay Area. Plan Bay Area established a VMT per capita target of 10 percent below the Bay Area 2005 regional average VMT per capita levels. Table IV.D-5 in the draft EIR (p. IV.D-37) uses model data to estimate the Plan's VMT impact in year 2040. This model data was compared to 2005 VMT levels for the Plan Area. The table shows that with implementation of the Plan, Central SoMa Plan area VMT per employee and capita would decline compared to 2005 conditions (between 27 and 31 percent). Further, the table shows that with implementation of the Plan, Central SoMa Plan area VMT per employee and capita is well below (58 to 83 percent) the Bay Area regional average in 2005 and would continue to be well below (63 to 86 percent) the Bay Area regional average in 2040. From a regional perspective, the Plan is consistent with Plan Bay Area and Planning Commission resolution 19579<sup>7</sup> regarding a VMT efficiency metric because it results in a VMT per capita below the threshold set by Plan Bay Area and promotes the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

While the TNCs & Congestion Report estimates transportation network companies' contributions to VMT between 2010 and 2016, the report does not estimate VMT per employee or household, which are the metrics necessary for evaluating effects of implementation of the Plan. The report does not analyze these metrics because it does not have household level travel behavior data that would allow for allocating transportation network company VMT to specific land uses (e.g., office or residential) or locations to arrive at these efficiency metrics. In addition, the report does not project future estimates of VMT, including those associated with transportation network companies and does not affect the VMT analysis of the Plan in the EIR.

Further, research shows that the built environment, particularly a site's location, affects how many places a person can access within a given distance, time, and cost, using different ways of travel (e.g., private vehicle, public transit, bicycling, walking, etc.). Typically, low-density development located at great distances from other land uses and in areas with few options for ways of travel provides less access than a location with a high density, mix of land uses, and numerous ways of travel. Therefore, low-density development typically generates more VMT compared to a similarly sized development located in urban areas.

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<sup>7</sup> [San Francisco Planning Commission Resolution 19579.](#)

Given these travel behavior factors, on average, persons living or working in San Francisco result in lower amounts of VMT per capita than persons living or working elsewhere in the nine-county San Francisco Bay Area region. In addition, on average, persons living or working in some areas of San Francisco result in lower amounts of VMT per capita than persons living or working elsewhere in San Francisco. The Central SoMa Plan Area is well below the regional average for VMT as shown in Tables IV.D-5 and IV.D-6, draft EIR pp. IV.D-37 to IV.D-38) and among the lowest locations in San Francisco for VMT. The TNCs and Congestion Report does not provide evidence or information that a significant VMT impact as a result of the Central SoMa Plan would occur.

### **Transit Delay**

The EIR states that development under the Central SoMa Plan, including the proposed open space improvements and street network changes, would cause a substantial increase in transit delays resulting in adverse impacts on local and regional transit routes. To mitigate this impact, the EIR identifies mitigation measures to enhance transit (e.g., congestion-charge scheme, transit-only lanes or other measures) and reduce vehicle trips generated by new development (e.g., transportation demand management). However, the EIR finds that even with these mitigations, transit delay impacts resulting from the plan would be significant and unavoidable.

While the TNCs & Congestion report estimates transportation network companies' contributions to congestion between 2010 and 2016, the report does not estimate the contribution TNCs make to congestion that then results in transit delay. The changes shown in the report reflect delay and average speeds captured by INRIX<sup>8</sup> data using real-time GPS monitoring sources from private vehicles along certain streets with and without public transit service operating on them. To the extent public transit travels in the same travel lanes as private vehicles, then this data can be used for analyzing public transit delay and average speeds. However, transit does not always operate in the same lanes as private vehicles; transit may also operate in transit only lanes, either throughout the day or during peak hours of congestion. In any case, the EIR found significant and unavoidable impacts to both local and regional transit, in part due to congestion. Information provided in the TNCs & Congestion Report would not alter that conclusion or the severity of the transit impact disclosed in the EIR.

### **Loading**

The EIR states that development under the Central SoMa Plan, including the proposed open space improvements and street network changes, would cause significant loading impacts due

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<sup>8</sup> INRIX is a private company that analyzes data from road sensors and vehicles: <http://inrix.com/>.

to an unmet loading demand, causing secondary impacts related to potentially hazardous conditions or significant delay to transit. To mitigate this impact, the EIR identifies mitigation measures to manage loading (e.g., curb management strategy, development loading and operations plans). However, even with these mitigation measures, the EIR concludes that loading impacts would remain significant and unavoidable.

While the TNCs & Congestion report estimates transportation network companies' contributions to congestion between 2010 and 2016, it does not provide information on how TNCs affect loading operations.<sup>9</sup> The Central SoMa Plan EIR identified significant and unavoidable loading impacts resulting from new development, acknowledging that the feasibility of ensuring adequate passenger and freight loading under the Central SoMa Plan cannot be assured for passengers traveling in private cars, taxis, or TNC vehicles, conventional freight, or e-commerce deliveries (Central SoMa RTC, p. RTC-156). The Report would not change that conclusion.

### **Pedestrian Safety**

The EIR states that development under the Central SoMa Plan, including the proposed open space improvements and street network changes, would not result in pedestrian safety hazards and would not result in substantial overcrowding on sidewalks or at corner locations, but would result in overcrowding at crosswalks. To mitigate this impact, the EIR identifies upgrading crosswalks in the Central SoMa plan area (Mitigation Measure M-TR-4).

The TNCs & Congestion report does not analyze how TNCs affect the safety of people who use the roads, including public transit riders, bicyclists and pedestrians, but identifies this as an area of future research (p. 34). Therefore, the TNCs and Congestion Report provides no new information that would affect the Central SoMa Plan EIR's pedestrian safety analysis.

## **Conclusion**

The Central SoMa Plan EIR adequately and accurately evaluated the Plan's transportation, air quality, and noise impacts based on information that became available throughout the EIR process in relation to TNCs.

The Department reviewed the TNCs & Congestion Report and for the reasons states above, determined that none of the information contained in the Report constitutes substantial

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<sup>9</sup> The TNCs & Congestion Report did estimate the impact passenger loading operations has on congestion, separating delays on major and minor arterials, but not on loading impacts themselves.

evidence that would require the preparation of a supplemental EIR pursuant to CEQA Guidelines section 15162. The three individual letters and associated attachments provide no substantial evidence or information of a new significant impact or an increase in the severity of a significant impact not already disclosed in the Central SoMa Plan EIR.

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# CENTRAL SOMA PUBLIC BENEFITS PROGRAM

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## I. INTRODUCTION

SUBMITTED  
IN  
COMMITTEE

The vision of the Central SoMa Plan is to create a social, economic, and environmentally sustainable neighborhood by 2040, with space for approximately 30,000 new jobs and 8,300 new housing units. With its centralized location near downtown, excellent transit access, and numerous undeveloped or underdeveloped sites, the neighborhood is well-positioned to become a new hub for employment and housing the core of the city and Bay Area Region.

As it grows and evolves over the next 25 years, Central SoMa will require significant investments in infrastructure. As such, the City places requirements on new development to help ameliorate and mitigate its impacts. These requirements and controls will result in approximately \$2 billion in public benefits to serve the neighborhood – compared to the \$500 million in revenues that would occur absent the plan.

The purpose of this Public Benefits Program Document is to summarize the Plan’s public infrastructure program, sources of funding, relative allocation of revenues from the various sources among the infrastructure projects, and implementation processes and mechanisms. It includes the following sections:

1. **Process:** This section briefly outlines the process of developing the implementation program and strategy for the Central SoMa Plan, including describing the supporting needs assessments, community outreach and interagency process, and technical analyses.
2. **Public Benefits Package:** This section outlines a range of infrastructure and services that may serve new growth anticipated under the Plan, including a description of the implementing agencies/organizations and anticipated timeline for delivery.
3. **Funding Strategy:** This section describes the requirements on new development to finance the improvements proposed in the Public Benefits Package.
4. **Administration & Monitoring:** This section describes the interagency processes for ensuring coordination during the plan implementation period, as well as procedures for ongoing monitoring to ensure that the Plan’s objectives are being met.

Several of the funding and implementation processes are legally established and more thoroughly described in other City codes and ordinances, including the Planning Code and Administrative Code. Also note that these proposals are designed to be consistent with the requirements of California Mitigation Fee Act and all proposed development impact fees have been evaluated against relevant maximum justified nexus amounts, where applicable.<sup>1</sup>

<sup>1</sup> Pursuant to the California Mitigation Fee Act (CA Government code § 66000 et seq.), cities may enact development impact fee requirements provided they are roughly proportional in nature and extent to the impact of the new development.

## II. PROCESS

The Planning Department worked iteratively with other agencies and stakeholders to develop the public benefits, financing, and administration strategies described in this Implementation Plan. Concepts for infrastructure and public benefits were first developed for the Draft Central Corridor Plan in 2013, and further refined through additional outreach leading up to the Draft Central SoMa Plan in 2016. The Department held a series of public meetings and conducted an online survey in order to solicit public feedback on needs and funding priorities for public benefits. Details from these outreach events is chronicled at the project website (<http://centralsoma.sfplanning.org>).

This document describes a fiscally constrained list of projects that has been prioritized based on City and community feedback. It may not reflect the entire scope of possible infrastructure and service needs in the Plan Area, nor the longer term needs beyond the life of the Plan (anticipated as 25 years). It reflects public input on key neighborhood priorities and needs, informed by feedback from implementing agencies on project feasibility and cost. The public benefits identified may require further scoping and analysis on project design, financial feasibility, environmental review, and implementation. Project scoping and planning has already begun for a number of the City agency projects identified here, with the goal of having projects ready for construction by the time that funding generated by the Plan becomes available.

Additional technical analysis was conducted to support these proposed public benefits. A financial feasibility analysis by Seifel Consulting, Inc. was conducted in order to quantify the value created by the Plan and establish a financially feasible level of development requirements. Other nexus studies conducted for the City's development impact fees provided further information on the amount of new infrastructure and services needed to serve

new development. This document was also informed by methods and processes used for prior area planning processes (including Eastern Neighborhoods, Market & Octavia, and Transit Center District Plan).

Approval of the Implementation Program does not bind the City to approving or proceeding with any of the projects described in this Public Benefits Program. The City may modify this list of projects in the future, as the neighborhood evolves, new needs are identified, and/or any additional required environmental review is completed. Any such process would involve substantial public input and would require a revision to this Implementation Document. As described further in Section IV (Administration & Monitoring), oversight for implementation of this plan will be shared among various public agencies and elected officials, with input from the public through Community Advisory Committees (CACs) and other events or hearings. These regulatory bodies will be responsible for overseeing ongoing capital planning efforts, including: financial reporting and monitoring; deliberation regarding the sequencing and prioritization of expenditures; and if necessary, modifications to the Implementation Document, which would require ultimate approval by the Board of Supervisors.

### III. PUBLIC BENEFITS PACKAGE

Public benefits are goods and services expected to be generated by new development that typically: 1) support the broader community's wellbeing; 2) are not provided voluntarily by the private sector (or at least not in sufficient quantity or quality to meet demand); and, 3) require some sort of subsidy or opportunity cost (e.g. public or private funding) to create, operate, and maintain. Common types of public benefits include affordable housing, parks, and transit service. In order to fund public benefits, government agencies utilize "value capture" strategies – such as development requirements, taxes, fees, or other exactions. These strategies are often implemented concurrent to investments in public infrastructure (such as new transit service) or increases in development potential for property owners. The public benefits generated through these strategies are typically delivered through one or more of the following three mechanisms:

- **Direct provision of benefit by a specific development project** (e.g. on-site affordable housing units or the provision of Privately Owned Public Open Spaces (POPOS). These public benefits are typically provided at the same time as the new development or shortly thereafter.
- **One-time impact fees** paid when a project is ready for construction, such as citywide (e.g. Child Care Fee) and area plan fees (e.g. Eastern Neighborhoods Community Infrastructure Fee).
- **Ongoing taxation** such as a Mello-Roos Community Facilities District (CFD).

This section describes the public benefits and the key funding sources expected to be generated by the Plan. There are nine categories of public benefits that may be funded by the Central SoMa Plan in support of its Goals, Objectives, and Policies. Table 1 summarizes how the revenues generated by Plan may be allocated among these public benefits, accompanied by a detailed discussion of each category of public benefit provided in order of allocated funding.<sup>2</sup>

Notably, in addition to this \$2 billion increase in funding for public benefits expected to be generated directly by new development, taxes from new development in the Plan Area are expected to generate up to \$1 billion additional revenues for the City's General Fund within the same time period, through increased property taxes, sales taxes, and other means. These taxes could be directed toward the neighborhood, other citywide needs, or a combination of the two at the discretion of the City's budgeting process. Additionally, the City could choose to fund public benefits in the neighborhood through other mechanisms, such as bonds or general taxes. Any of these funding sources could be directed to the Plan Area to accelerate delivery of public benefits, which would make the timing of implementation less dependent on the phasing of new development. However, pursuit of these mechanisms is dependent on processes and decision-making external to the adoption of this plan. Such additional funding sources would enable the City to address other neighborhood infrastructure needs, as identified at that time. For additional analysis of the overall economic impact of the Central SoMa Plan, see the Economic Impact Statement prepared by the Office of Economic Analysis.<sup>3</sup>

<sup>2</sup> All dollar amounts expressed here are in 2017 dollars. Actual average revenues collected each year will be higher, due to scheduled tax rate escalation as well as indexing of City fees (which are escalated annually to reflect construction costs).

<sup>3</sup> Available at: [https://sfcontroller.org/sites/default/files/Documents/Economic%20Analysis/180184\\_economic\\_impact\\_final.pdf](https://sfcontroller.org/sites/default/files/Documents/Economic%20Analysis/180184_economic_impact_final.pdf)

Table 1

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: SUMMARY (IN 2017 DOLLARS)**

BENEFIT	TOTAL REVENUES	CATEGORY ALLOCATION (%)
<b>Affordable Housing</b>	<b>\$940,000,000</b>	<b>44%</b>
To meet the target of 33% Below-Market Rate (BMR) units	\$940,000,000	44%
<b>Transit</b>	<b>\$495,500,000,000</b>	<b>23%</b>
Local transit improvements to enhance convenience and safety	\$340,000,000	16%
Regional transit capacity enhancement and expansion	<del>\$155</del> +60,000,000	7%
<b>Parks &amp; Recreation</b>	<b>\$185,000,000</b>	<b>9%</b>
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000	1%
Victoria Manalo Draves Park Programming	\$5,000,000	0%
New 1-acre park in Southwest portion of Plan Area	\$35,000,000	2%
New public recreation center*	\$10,000,000	0%
Park and greenery maintenance and activation	\$15,000,000	1%
New large (2+ acre) SoMa park (initial site identification)*	\$5,000,000	0%
New Bluxome linear park*	\$5,000,000	0%
New under-freeway public recreation area	\$5,000,000	0%
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000	4%
(Alternative project: 7th & Mission Park)	(\$20,000,000)	(1%)
<b>Production, Distribution, &amp; Repair</b>	<b>\$180,000,000</b>	<b>8%</b>
Preservation and creation of PDR space to ensure no net loss due to the Plan	\$180,000,000	8%
<b>Complete Streets</b>	<b>\$110,000,000</b>	<b>5%</b>
Redesign of all major streets in the Plan Area to be safe and comfortable for people walking, biking, and on transit.	\$110,000,000	5%
<b>Cultural Preservation &amp; Community Services</b>	<b>\$114,000,000</b>	<b>5%</b>
Restoration of the US Mint Building	\$20,000,000	1%
Preservation and maintenance of historic buildings	\$20,000,000	1%
New community facilities (e.g. health care clinics and job training centers)	\$20,000,000	1%
Social and cultural programming	\$25,000,000	1%
Capital for cultural amenities (e.g. Yerba Buena Gardens)	\$15,000,000	1%
<b>PDR Relocation Assistance Fund</b>	<b>\$10,000,000</b>	<b>0%</b>
Neighborhood cleaning	\$9,000,000	0%
<b>Environmental Sustainability &amp; Resilience</b>	<b>\$6570,000,000</b>	<b>3%</b>
Enhanced stormwater management in complete street projects	<del>\$2832</del> ,000,000	1%
Freeway corridor air quality and greening improvements	\$22,000,000	1%
Living Roofs enhanced requirements	\$6,000,000	0%
Other energy and water efficiency projects	<del>\$9</del> +0,000,000	0%
<b>Schools &amp; Childcare</b>	<b>\$64,000,000</b>	<b>3%</b>
New childcare centers	\$26,000,000	1%
Capital investments in schools serving K-12 population	\$32,000,000	1%
Bessie Carmichael supplemental services	\$6,000,000	0%
<b>TOTAL</b>	<b>\$2,160,000,000</b>	<b>100%</b>

\* If funds for these Parks & Recreation projects are provided by other sources (such as contributions from new development) or if revenues exceed the projected amounts, funding could be allocated to the "Alternative" project listed here.

**NOTE:** Over the course of Plan build out (roughly 25 years), the City expects to allocate funds among the public benefit categories in the amounts listed (or proportionally according to the category allocation percentages listed, should the final amount of revenues differ from what is shown here). However, the sequence of fund disbursement will be determined based on a variety of factors, including project readiness, community priorities, completion of any additional required environmental review, and other funding opportunities. The list of specific projects is subject to change and is not legally binding.

Table 2

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: DETAILED FUNDING SOURCES & USES (IN 2017 DOLLARS)**

PUBLIC BENEFIT	DIRECT PROVISION BY NEW DEVELOPMENT	CENTRAL SOMA COMMUNITY FACILITIES DISTRICT (CFD; \$434)	EASTERN NEIGHBORHOODS INFRASTRUCTURE FEE (\$423)	TRANSPORTATION SUSTAINABILITY FEE (\$41A)	JOBS-HOUSING LINKAGE FEE (\$413)	AFFORDABLE HOUSING FEE (\$415)	CENTRAL SOMA INFRASTRUCTURE FEE (\$428.2)	SCHOOL IMPACT FEE (CA ED. CODE \$17620)	CHILD CARE FEE (\$414 AND 414(A))	CENTRAL SOMA COMMUNITY FACILITIES FEE (\$428.1)	TOTAL (BY CATEGORY)	% SHARE
AFFORDABLE HOUSING	\$550,000,000				\$210,000,000	\$180,000,000					\$940,000,000	44%
TRANSIT		\$160,000,000	\$90,000,000	\$210,000,000			\$35,000,000				\$495,000,000	23%
PARKS & RECREATION	\$80,000,000	\$405,000,000	\$60,000,000				\$5,000,000				\$185,000,000	9%
PRODUCTION, DISTRIBUTION, & REPAIR (PDR)	\$180,000,000										\$180,000,000	8%
COMPLETE STREETS		\$10,000,000	\$90,000,000	\$10,000,000							\$110,000,000	5%
CULTURAL PRESERVATION & COMMUNITY SERVICES	\$20,000,000	\$74,690,000,000								\$20,000,000	\$114,000,000	5%
ENVIRONMENTAL SUSTAINABILITY	\$6,000,000	\$596,000,000									\$602,000,000	3%
SCHOOLS & CHILDCARE		\$6,000,000						\$26,000,000	\$32,000,000		\$64,000,000	3%
<b>TOTAL (BY SOURCE)</b>	<b>\$836,000,000</b>	<b>\$354,000,000</b>	<b>\$240,000,000</b>	<b>\$220,000,000</b>	<b>\$210,000,000</b>	<b>\$180,000,000</b>	<b>\$40,000,000</b>	<b>\$26,000,000</b>	<b>\$32,000,000</b>	<b>\$20,000,000</b>	<b>\$2,160,000,000</b>	<b>100%</b>

## AFFORDABLE HOUSING

Central SoMa Plan Objective 2.3, states that the City should “Ensure that at least 33% of new housing is affordable to very low, low, and moderate-income households”.<sup>4</sup> The Central SoMa Plan will generate approximately 2,670 affordable units. The Plan will require that these below market rate units are developed within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

Table 3

### TOTAL ESTIMATED COSTS – AFFORDABLE HOUSING

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
1,970 BMR units	\$730,000,000	Inclusionary Housing Program (Planning Code Section (Sec.) 415)	Applicable to new residential projects. Individual developments may choose how to satisfy the program requirements, but revenues are generally expected to be split 50-50 between: 1) onsite Inclusionary Housing Program units provided directly by development projects; and, 2) off-site Inclusionary Housing units or units provided by MOHCD, funded by payment of the Affordable Housing Fee	MOHCD
700 BMR units	\$210,000,000	Jobs-Housing Linkage Fee (Sec. 413)	Fee is paid by new nonresidential developments, and units are provided by MOHCD.	MOHCD
<b>TOTAL</b>	<b>\$940,000,000</b>			

### Delivery and Timing

All of the funding sources for below-market rate (BMR) units in the Plan Area are provided through either direct provision or impact fees paid by new developments. As such, the delivery of BMR units is highly dependent on the volume of new development. Onsite and offsite BMR units provided through the Inclusionary Housing Program are expected to be provided at the same time as market rate units of the affiliated project.

BMR units funded through impact fees at the time of development are directed to the Mayor’s Office of Housing and Community Development (MOHCD), which uses the money to identify and purchase sites and construct new affordable housing units, often in conjunction with nonprofit housing developers. MOHCD may need to assemble the impact fees from several market-rate projects to obtain sufficient funds for each new affordable housing project. Thus, the development of these units may lag behind the market rate units, unless additional affordable housing funds are directed to the Plan Area in the interim.

In addition, MOHCD is increasingly exploring affordable housing preservation strategies, in which they convert existing housing units (such as rent-controlled apartments) into permanently affordable BMR units. The City’s Small Sites Program is one such tool, funding acquisition and rehabilitation of 5-to-25-unit rental buildings. Central SoMa could rely on both production and preservation strategies in order to achieve the Plan’s affordable housing targets.

## TRANSIT

Central SoMa Plan Objective 4.3 states that the City should “Ensure that transit serving the Plan Area is adequate, reliable, and pleasant.” This is because new and enhanced public transportation infrastructure is fundamental to accommodating the influx of new jobs and housing units proposed for Central SoMa. Although the completion of the Central Subway system will provide a vital connection between the Plan Area and the rest of the city, additional improvements will be required over time to ensure that people can travel to and from the area safely and conveniently.

Funding from the Plan may be directed to both local and regional transportation systems, reflecting the important role that the Plan Area will serve as a hub in the Bay Area for jobs, housing, and culture. The Plan is expected to generate \$500 million in investments to both near- and long-term transit service and capacity enhancements, serving both local and regional transit. Local transportation funding needs include, but are not limited to: transit enhancement and expansion, preventive maintenance (e.g. state of good repair efforts), streetscape improvements (such as transit priority lanes and boarding islands), and service adjustments.

Regional transit funding may be directed towards “core capacity” enhancement and expansion projects meant to facilitate movement to the Plan Area from the East Bay and Peninsula/South Bay. Studies are ongoing at the regional level to further define the scope and specifics of such projects, including the Core Capacity Study, Plan Bay Area, and related efforts. Efforts may include BART station and fleet upgrades, Bay Bridge corridor efficiency improvements, Caltrain corridor improvements (such as the Downtown Extension, or DTX, project), and longer-term projects (such as advancement of a second Transbay transit crossing).

Table 4

### TOTAL ESTIMATED COSTS - TRANSIT

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Local transportation enhancements	\$340,000,000	Transportation Sustainability Fee (TSF) (Sec. 411A); Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423); Central SoMa Infrastructure Impact Fee (CSF) (Sec. 433); Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)	Funds may go to SFMTA to support transit service expansion/enhancement as well as preventive maintenance projects.	SFMTA
Regional transit capacity enhancement and expansion	<del>\$155</del> 60,000,000	TSF (Sec. 411A); CSF (Sec. 433); Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)	These funds may be split roughly equally between (1) near term enhancements on the Transbay corridor, (2) longer-term "core capacity" projects (such as a second Transbay rail crossing), and (3) enhancements on the Caltrain/High Speed Rail corridor.	TBD, but could include BART, Caltrain, MTC, TJPA, and California High Speed Rail Authority, among others.
<b>TOTAL</b>	<b>\$495</b> <b>500,000,000</b>			

## **Delivery and Timing**

Funds for local transit improvements may be directed to and administered by the San Francisco Municipal Transportation Agency (SFMTA). The funds derived from impact fees (the TSF, Eastern Neighborhoods Infrastructure Impact Fee, and the Central SoMa Fee) will accrue as development projects receive their building permits, and are thus tied directly to the rate of new development. The remaining funds derived from the CFD would accumulate over the lifespan of the Plan and beyond, as new development comes online and begins paying the tax. However, the City also has the option of bonding against this revenue stream, thus accruing these funds substantially earlier. This may be desirable, in order to ensure that transportation investments are in place to attract and meet the needs of new development.

In addition, the portion of revenues from Eastern Neighborhoods Infrastructure Impact Fees is programmed through the Interagency Plan Implementation Committee (IPIC) and the Eastern Neighborhoods Community Advisory Committee (ENCAC), described further in Section IV. The ENCAC, comprised of community stakeholders, provides annual recommendations for how to allocate fee revenues to high priority public projects. These proposals are subsequently evaluated, modified, and approved by the IPIC and the City Capital Planning Committee, and included in the City's annual Capital Budget and 10-year Capital Plan (adopted biennially).

The funds for regional transit improvements is expected to come primarily from the CFD following a similar timeline as described above. These funds would be collected by the Assessor-Recorder's office and may be directed to regional transportation agencies, through a process that would be governed by an interagency Memorandum of Understanding (MOU).

## **PARKS & RECREATION**

Central SoMa Plan Goal #5 states that the Plan area should "offer an abundance of parks and recreational opportunities." Central SoMa and the broader SoMa neighborhood currently suffer from a shortage of public parks and recreational opportunities, largely due to the area's industrial history. The Plan envisions a range of new parks, recreational facilities, and public open spaces, in addition to funding for renovation and programming of existing facilities (thereby fulfilling Plan Objectives 5.1-5.6). These new and upgraded facilities may include playgrounds, sport facilities, recreational programs, and passive open spaces, catering to diverse open space needs.

Table 5

**TOTAL ESTIMATED COSTS - PARKS & RECREATION<sup>5</sup>**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Enhancement/expansion of existing facility to accommodate growth in demand.	Rec & Park
Victoria Manalo Draves Park Programming	\$5,000,000	Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)	Funding for activation and programming.	Rec & Park
New 1-acre park in Southwest portion of Plan Area	\$35,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Development of a potential park on the existing SFPUC-owned lot in the area between 4th, 5th, Bryant, and Brannan Streets. This may potentially be provided by an In-Kind Agreement with surrounding development.	Rec & Park
New public recreation center*	\$10,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	This may potentially be funded through direct provision on a development project.	Rec & Park
Park and greenery maintenance and activation	\$15,000,000	Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)	Maintenance and programming of public parks and open spaces. Priority for this funding is to ensure that the new 1-acre park is properly maintained.	Rec & Park; Department of Real Estate
New large (2+ acre) SoMa park (initial site identification)*	\$5,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Funding for initial site identification and coordination for a large signature park in the larger SoMa area.	Rec & Park
New Bluxome linear park*	\$5,000,000	Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)	A park built on the existing Bluxome Street right of way. This may potentially be developed as a privately-owned public open space (POPOS) by nearby developments.	Planning
New under-freeway public recreation area	\$5,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	This may potentially be developed as a POPOS by nearby developments.	Rec & Park
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000	Direct provision by new development (Sec. 138)	Up to four acres of net new publicly-accessible open space spread across the Plan area, provided directly on new development projects.	Planning
<i>(Alternative project: 7th &amp; Mission Park)</i>	<i>(\$20,000,000)</i>	<i>Central SoMa Mello-Roos Community Facilities District (CFD; Sec. 434)</i>	<i>Funding to acquire and develop a new park site at 1133 Mission Street.</i>	<i>Rec &amp; Park</i>
<b>TOTAL</b>	<b>\$185,000,000</b>			

**Delivery and Timing**

Revenues from impact fees will accrue concurrently with the pace of new development, while the CFD revenues accrue annually as additional projects come online and begin paying the tax (or earlier should the City choose

\* Note: If funds for these Parks & Recreation projects are provided by other sources (such as contributions from new development) or if revenues exceed the projected amounts, funding could be allocated to the "Alternative" project listed here.

5 This list of projects is ordered by priority, based on community feedback and discussions with the Recreation and Parks Department. It is not legally binding and is subject to change in response to future open space opportunities and priorities in the Plan Area. The cost of parks and recreational benefits is highly subject to design decisions and identification of complementary funding sources. If the benefits listed all cost the City the maximum foreseeable, then the sum of these benefits will exceed the amount allocated.

to bond against this revenue stream). The prioritization of projects is conveyed in Table 5, with the highest priority for funding at the top of the table. However, this order may be amended, through input from the Eastern Neighborhoods Community Advisory Committee and Interagency Plan Implementation Committee, policymakers, and other public feedback, based on timing considerations (such as shovel readiness) and financial considerations (such as leveraging other funds).

POPOS would be delivered at the same time as their associated development projects, and would undergo an urban design review process involving the Planning Department and Recreation and Parks Department to ensure that they meet minimum requirements for size, usability, and quality. Collectively, the POPOS requirement is expected in result in up to four acres of new publicly accessible open space, all of which will be provided at ground level.

**PRODUCTION, DISTRIBUTION, AND REPAIR (PDR)**

Central SoMa Plan Objective 3.3 states that the City should “Ensure that the removal of protective zoning does not result in a loss of PDR in the Plan Area.” This is because the production, distribution, and repair (PDR) sector is critical to San Francisco. Companies in the PDR sector serve the needs of local residents and businesses, and tend to provide high-paying jobs and career advancement opportunities for people without a four-year college degree. PDR jobs also enhance the city’s economic diversity and therefore our ability to weather times of economic stress.

The SoMa neighborhood has a legacy as a home for PDR jobs. The Plan would ensure that the removal of protective zoning does not result in a net loss of PDR jobs in the Plan Area, by providing requirements to fund, build, and/or protect PDR spaces. The total amount of PDR space that will be preserved or created is approximately 900,000 square feet.

*Table 6*  
**TOTAL ESTIMATED COSTS – PRODUCTION, DISTRIBUTION, AND REPAIR**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
900,000 sq ft of PDR space	\$180,000,000	Direct provision by new development (Sec. 202.8 and Sec. 249.78)	PDR space directly provided by new development	Planning
<b>TOTAL</b>	<b>\$180,000,000</b>			

**Delivery and Timing**

The direct provision of PDR space will come from land use controls and conditions for allowing residential and non-residential development, in the form of requirements to maintain and/or replace existing spaces and to include new space in developments. As a direct provision, no transfer of funds or payment of fees will occur.<sup>6</sup> The PDR space will be provided at the same time the associated space becomes ready for occupancy.

<sup>6</sup> The Plan endorses the pursuit and analysis of an in-lieu fee for PDR, but the fee itself is not proposed as part of the Plan.

## COMPLETE STREETS

Central SoMa Plan Objective 4.1. states that the City should “Provide a safe, convenient, and attractive walking environment on all the streets in the Plan Area.” The current network of streets in the Plan Area provides a poor experience for all users – whether walking, driving, riding transit, or cycling. Streets are clogged with rush hour traffic, many sidewalks are not up to City standards, crosswalks are few and far between, and bicycle infrastructure is incomplete and discontinuous – all of which contribute to high rates of traffic crashes and injuries.

The Plan calls for complete streets improvements to make walking and biking more safe and convenient, in order to complement the transit improvements and encourage people to drive less. Funding generated by new development may be used to transform the vast majority of all major streets in the Plan Area into high quality streets for walking, biking, and transit.

Table 7

### TOTAL ESTIMATED COSTS - COMPLETE STREETS

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Redesign of all major streets in the Plan Area	\$110,000,000	Transportation Sustainability Fee (TSF) (Sec. 411A); Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423); Central SoMa Infrastructure Impact Fee (CSF) (Sec. 433); Central SoMa Mello-Roos CFD (CFD; ; Sec. 434)	Redesign of approximately four miles of major streets (including portions of 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets) at an estimated cost of \$4,400-\$5,400 per linear foot.	SFMTA
<b>TOTAL</b>	<b>\$110,000,000</b>			

### Delivery and Timing

All funding dedicated to complete streets would be directed to the SFMTA and San Francisco Department of Public Works (SFDPW) for planning, design, and construction. These funds are projected to be sufficient to redesign the vast majority of the major streets in the Plan Area. Although the Central SoMa Plan includes conceptual designs for the major streets, each street will need to undergo a more detailed design process, incorporating additional public feedback and environmental review as necessary, and including opportunities for incorporating environmental sustainability and green landscaping elements. Although improving main streets is the highest priority, improvements may also be implemented on alleyways in the Plan Area as funding allows. Within the main streets, prioritization will be set by SFMTA.

As noted in the Transit section above, revenues from the Eastern Neighborhoods Infrastructure Impact Fees receive additional oversight through the Eastern Neighborhoods Community Advisory Committee and the IPIC. The improvements funded by fees and the CFD could occur as money is accrued. The fees will accrue concurrently with the pace of development, while the CFD accrues annually as additional projects come online and begin paying the tax. As previously noted, the City has the option to accelerate projects by bonding against this revenue stream or utilizing other funds (including general fund revenues).

Alternatively, some improvements may be provided directly by development in order to meet minimum Better Streets Plan requirements or to satisfy an In-Kind Agreement, particularly on the new and renovated mid-block alleys that will not be included in SFMTA streetscape planning efforts. These improvements would be completed at the same time as the affiliated development project.

## **CULTURAL PRESERVATION & COMMUNITY SERVICES**

Central SoMa Plan Objective 2.6 states that the City should “Support the schools, child care, and community services that serve the local residents.” “Community services” includes space for nonprofit and government organizations that provide services to the community, such as health clinics and job training facilities. As commercial rents continue to increase citywide, it becomes increasingly difficult for many of these uses to start, grow, and stay in San Francisco. Central SoMa is already a popular location for many of these services, due to its central and transit-accessible location, and large number of commercial properties. The Plan will provide space for these types of facilities, as part of its central goals of increasing jobs and facilitating economic and cultural diversity. The City has recently developed a Community Facilities Nexus Study in order to quantify the demand for these services generated by new development, in order to establish a legal nexus for levying a Central SoMa Community Facilities Fee, a new development impact fee.<sup>7</sup> Community services also includes neighborhood cleaning services to help promote the cleanliness, and thus walkability, of the neighborhood’s streets.

Central SoMa Plan Objective 7.5 states that the City should “Support mechanisms for the rehabilitation and maintenance of cultural heritage properties.” To fulfill this Objective, revenues generated by the Plan may be used as seed funding for the restoration and seismic upgrade of the celebrated U.S. Mint building and grounds at 5th and Mission Streets, one of the City’s most significant historic properties. The building has long been envisioned as a major opportunity site to provide a cultural asset that celebrates the civic history of the City.

Revenues from the Plan may also be used to provide capital for cultural amenities. Funding could also be utilized for capital improvements at Yerba Buena Gardens and/or to help build or purchase a building for the neighborhood’s important cultural communities, the Filipino community and the LGBTQ community. Finally, revenues from the Plan may also be used to help preserve and maintain important historic buildings within the Plan Area. This revenue will come from the sale of Transfer of Development Rights (TDR), a voluntary program available to these historic buildings whereby they sell their unused development rights to new development in the area. To facilitate the process, large new non-residential developments will be required to purchase TDR from historic buildings in the Plan Area.

Central SoMa Plan Objective 7.2 states that the City should “Support the preservation, recognition, and wellbeing of the neighborhood’s cultural heritage resources.” To fulfill this Objective, revenues generated from the Plan may be used annually to support social and cultural programming in the neighborhood. This funding currently comes from the SoMa Stabilization Fund, which is expected to run out of resources in the near future. The Plan therefore enables the continuation of this valuable funding source for the foreseeable future.

<sup>7</sup> Available at: [http://sfcontroller.org/sites/default/files/Documents/Budget/131124\\_Central%20SoMa%20Nonprofit%20Nexus\\_FINAL\\_2016\\_03\\_24.pdf](http://sfcontroller.org/sites/default/files/Documents/Budget/131124_Central%20SoMa%20Nonprofit%20Nexus_FINAL_2016_03_24.pdf)

Table 8

**TOTAL ESTIMATED COSTS – CULTURAL PRESERVATION & COMMUNITY SERVICES**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Restoration of the US Mint Building	\$20,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Restoration and seismic upgrade of the US Mint Building.	OEWD
Preservation and maintenance of historic buildings	\$20,000,000	Transfer of Development Rights (TDR) (Sec. 128.1)	Sale of Transferable Development Rights from historic buildings to new development. Revenues from these sales are required to be spent on preservation and maintenance of the associated historic resource.	Planning
60,000 sq ft of new space for community services	\$20,000,000	Central SoMa Community Facilities Fee (Sec. 428.1)	Impact fees to develop new facilities for nonprofit community services (such as health care or job training) needed to serve new growth.	MOHCD
Social and cultural programming	\$25,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Annual funding for social and cultural programming for such activities as arts, job training, and tenant protections.	MOHCD
Capital for cultural amenities (e.g. Yerba Buena Gardens)	\$15,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Capital improvements and/or funding to help build or purchase a building for the neighborhood's important cultural communities.	MOHCD
<u>PDR Assistance Fund</u>	<u>\$10,000,000</u>	<u>Central SoMa Mello-Roos Community Facilities District (CFD)</u>	<u>Funding to support existing PDR businesses and to mitigate the impacts of displacement. Programs could include relocation assistance, including support with business services, rents, and moving costs.</u>	<u>OEWD</u>
Neighborhood cleaning	\$9,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Ongoing funding for cleaning of neighborhood streets.	SFDPW
<b>TOTAL</b>	<b>\$114,109,000,000</b>			

**Delivery and Timing**

Revenues from the Central SoMa Community Facilities Fee will be directed to the Mayor’s Office of Housing and Community Development (MOHCD) to fund the development of new community facility space. As an impact fee, funding would accrue concurrently with development over the duration of the Plan. Facilities could potentially be developed through some combination of standalone locations (such as a centralized non-profit “hub” space) or potentially co-located within affordable housing projects. In the latter case, because the development of these affordable units would occur after the market rate development providing the necessary funding, the development of community facilities is likely to occur after these new developments as well. New developments will also be given the option to provide community facilities directly via an In-Kind Agreement with the City (instead of paying the Community Facilities Fee), which would result in faster delivery of the benefit.

Revenues from the CFD that may be used to support the restoration of the US Mint Building will accrue annually as projects come online and begin paying the tax. As previously noted, the City has the option to accelerate

projects by bonding against this revenue stream or utilizing other funds (including general fund revenues). Funding from the Plan may be part of a larger funding and programming effort for restoration, rehabilitation, and ongoing operations of the US Mint Building. This scope of work and budget is currently being developed, and it is anticipated that additional funds will need to be generated.

Sale of TDRs for the preservation and maintenance of other significant historic buildings in the Plan Area could occur upon adoption of the Central SoMa Plan.

## ENVIRONMENTAL SUSTAINABILITY & RESILIENCE

Central SoMa Plan Goal #6 is to “Create an Environmentally Sustainable and Resilient Neighborhood” where urban development gives more to the environment than it takes (thereby fulfilling Plan Objectives 6.1–6.8). The Plan proposes innovative building- and neighborhood-scale interventions to improve environmental performance, providing a model for the rest of the city and beyond. New development will be required to incorporate living roofs, generate renewable energy onsite, and use only 100% greenhouse gas-free (GHG-free) electricity for the balance. Funds may also be directed to adding habitat-supportive landscaping and green infrastructure to streets and open spaces, to beautify them while also improving air quality, micro climate comfort, stormwater management, and ecological function. District-scale utility systems (e.g., shared energy and/or water systems linked between both new and existing buildings) are encouraged in order to enhance resource and cost efficiencies.

Table 9

### TOTAL ESTIMATED COSTS - ENVIRONMENTAL SUSTAINABILITY & RESILIENCE

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Enhanced stormwater management in complete street projects	\$2832,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Stormwater infrastructure (grey infrastructure, landscaping, etc.) on all major streets.	Planning, SFPUC
Freeway corridor air quality and greening	\$22,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Greening improvements along/under the freeway corridor to improve air quality and enhance pedestrian comfort.	Planning
Living Roofs enhanced requirements	\$6,000,000	Direct provision by new development (Sec. 249.77)	Living Roofs requirement of 50% of usable roof area on projects 160' or shorter, surpassing City policy.	Planning
Better Roofs demonstration projects	\$2,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Demonstration projects to highlight best practices, including a Living Roof project (\$1mn) and a solar project (\$500k).	Planning
Water recycling and stormwater management in public spaces	\$45,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Infrastructure for 100% recycled (non-potable) water for street cleaning and public park irrigation; green stormwater management in parks.	Planning, SFPUC
100% energy-efficient street lights	\$1,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Energy efficient upgrades to street lights throughout the Plan area.	Planning, SFPUC

Sustainability studies & guideline documents	\$2,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Funding for a District Energy & Water Utility Systems Study (\$500k), a Central SoMa Sea Level Rise & Flood Management Strategy (\$400k), a Fossil Fuel Free Buildings Study & Guidelines Document (\$300k), and Flood Resilient Design Guidelines (\$300k)	Planning
<b>TOTAL</b>	<b>\$65 70,000,000</b>			

### Delivery and Timing

The majority of funding for environmental sustainability improvements may be provided by the CFD, and will occur upon accrual of revenues, or earlier if the City chooses to bond against the CFD revenue stream. The sustainability studies and guideline documents discussed above are proposed to be delivered within two years after adoption of the Central SoMa Plan, and may lead to additional new requirements or public benefits.

The Living Roofs are provided directly onsite by new development and will occur with their respective projects. Additional benefits will be directly provided through new development via existing requirements (such as current energy and water efficiency requirements) and are not quantified here.

### SCHOOLS AND CHILD CARE

Central SoMa Plan Objective 2.6 states that the City should “Support the schools, child care, and community services that serve the local residents.” In terms of schools and child care, the Plan Area is expected to see a large increase in the number of children as it continues to transition from a primarily industrial neighborhood to a mixed-use hub for jobs and housing. The Plan will generate funding to meet the demand for schools and childcare for youth ages 0-18 through existing City impact fees.

Additionally, the Plan may help fund supplemental services at Bessie Carmichael, the neighborhood’s only public school. At Bessie Carmichael, which serves children in K-8 grade, 100% of the students receive free and reduced lunch and 20% of the student population is self-identified homeless students. The supplemental services would be intended to address the challenges of addressing the needs of this student population through such strategies as additional mental health services and a summer program to fund year-round support to the children.

Table 10

**TOTAL ESTIMATED COSTS – SCHOOLS & CHILDCARE**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Schools	\$32,000,000	School Impact Fee (State Education Code Sec. 17620)	Impact fees to meet demand for school facilities to serve growth generated within the Plan Area.	SFUSD
Childcare	\$26,000,000	Child Care Fee (Sec. 414 and Sec. 414A); Eastern Neighborhoods Impact Fee (Sec. 423)	Impact fees to meet demand for child care facilities to serve growth, located within the Plan area.	HSA Office of Early Care & Education
Bessie Carmichael Supplemental Services	\$6,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Annual funding to provide supplementary services to the school, such as additional mental health services and the ability to provide year-round programming	SFUSD
<b>TOTAL</b>	<b>\$64,000,000</b>			

**Delivery and Timing**

The School Impact Fee will accrue at the time projects receive building permits. It is directed to the San Francisco Unified School District for use at their discretion throughout the city. New school facilities are expected to serve a broader area than just Central SoMa and will cost significantly more than the funds generated by the fees in the Plan Area. Additional fees, including those collected by the School Impact Fee in previous years, will be required to accrue enough to build new facilities.

Funds from the Child Care Fee and Eastern Neighborhoods Infrastructure Impact Fee will accrue at the time projects receive building permits. They will go to the Child Care Facilities Fund, which is administered jointly by the City’s Human Services Agency Office of Early Care and Education and the Low-Income Investment Fund (LIIF). The Child Care Fee money can be spent throughout the City, while the Eastern Neighborhoods fee must be spent within the Eastern Neighborhoods Plan Areas. Child care facilities are less costly than school facilities and might come online sooner. New developments have the option to satisfy up to their entire Eastern Neighborhoods Impact Fee requirement by directly providing publicly-accessible child care onsite through an In-Kind Agreement (IKA), which could result in faster delivery of services.

The funding for Bessie Carmichael School may be provided by the CFD, and would occur upon accrual of revenues. As an ongoing allocation, it need not be bonded against, and would be disbursed annually to the School District, with community oversight.

## IV. FUNDING STRATEGY

The previous section describes the funding necessary for infrastructure and other investments to accommodate the significant number of jobs and housing units envisioned in the Central SoMa Plan, as well as to address social, economic, and environmental needs and achieve the Plan's policy goals. To provide this funding, the City proposes requirements on new developments to help ameliorate and mitigate its impacts, in addition to the existing fees and development requirements in place. As stated previously, these requirements are designed to be consistent with the requirements of California Mitigation Fee Act and all proposed development impact fees have been evaluated against applicable maximum justified nexus amounts.

To help determine the requirements on new development, the City conducted a financial feasibility analysis (*Financial Analysis of San Francisco's Central SoMa Plan*<sup>1</sup>). This analysis utilized a Residual Land Value (RLV) model to evaluate the financial feasibility of prototypical development types (both before and after potential Plan adoption), estimate the amount of value created by the Plan, and test the financial impact of applying proposed development requirements and charges that would offset some amount of the new value created (a "land value capture" approach).

The resulting funding strategy includes different levels of requirements, based on the amount of development potential conferred on each property through adoption of the Plan (expressed as an increase in developable height and/or modifications to permit a greater number of land uses). All parcels in the Plan Area are assigned into one of several Central SoMa Public Benefit Tiers (Table 11), based on the amount of additional development potential created.<sup>2</sup>

Table 11

**CENTRAL SOMA DEVELOPMENT TIERS<sup>3</sup>**

INCREASED DEVELOPMENT CAPACITY	TIER
15-45 feet	Tier A
50-85 feet	Tier B
90 feet or more	Tier C

Tables 12 and 13 below summarize what a specific new development project would be obligated to pay in impact fees and taxes, based on the Development Tier of the underlying parcel and proposed land uses. Figure 14 maps where these public benefit tiers occur in the Plan Area.

1 Developed by Seifel Consulting Inc. Available for download at: [http://default.sfplanning.org/Citywide/Central\\_Corridor/Central\\_SoMa\\_Financial\\_Analysis\\_Jan2017\\_FINAL.pdf](http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Financial_Analysis_Jan2017_FINAL.pdf)

2 For areas currently zoned SLI or SALI and being rezoned to CMUO or WMUO, "additional development potential" is equal to the height limit proposed by the Central SoMa Plan. Elsewhere, "additional development capacity" is the change in height limit proposed by the Central SoMa Plan.

3 The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (90-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

Table 12

**CENTRAL SOMA REQUIREMENTS FOR NEW DEVELOPMENT: NON-RESIDENTIAL (2017 RATES)<sup>4</sup>**

REQUIREMENT	TIER A	TIER B	TIER C
<b>EXISTING REQUIREMENTS</b>			
<b>Jobs-Housing Linkage Fee</b> (\$/GSF; office rate shown; Sec. 413)		\$25.49	
<b>Eastern Neighborhoods Infrastructure Impact Fee</b> (\$/GSF; Sec. 423)		\$18.73	
<b>Transportation Sustainability Fee</b> (\$/GSF; office rate shown; Sec. 411A)		800-99,999 GSF: \$18.94	
		>99,999 GSF: \$19.99	
<b>Childcare Fee</b> (\$/GSF; office and hotel rate; Sec 414 & 414A)		\$1.65	
<b>School Impact Fee</b> (\$/GSF; office rate shown; CA Ed. Code Sec. 17620)		\$0.54	
<b>Public Art Fee</b> (\$)	1% of construction cost (or direct provision on-site)		
<b>NEW REQUIREMENTS UNDER THE PLAN</b>			
<b>Central SoMa Community Infrastructure Fee</b> (\$/GSF; Sec. 433*)			
For projects seeking an Office Allocation of 50,000 square feet or more	\$21.50	\$0	\$0
All other projects	\$41.50	\$20	\$20
<b>Mello-Roos Special Tax District</b> (CFD; \$/GSF/yr; see note)	\$0	\$2.00 <i>(4% escalation annually for 25 years, 2% thereafter)</i>	\$2.75 <i>(4% escalation annually for 25 years, 2% thereafter)</i>
<b>Community Facilities Fee</b> (\$/GSF; Sec 428.1*)		\$1.75	
<b>Transferable Development Rights</b> (# of Floor Area Ratios; Sec 128.1)	0 FAR	0 FAR	1.25 FAR
<b>Privately-Owned Public Open Space</b> (POPOS; Sec 138)	1 square foot for every 50 GSF of development		
<b>Production, Distribution, and Repair (PDR)</b> [# of Floor Area Ratios (FAR); Sec 202.8 & 249.78*]			
For projects seeking an Office Allocation of 50,000s square feet or more	0.4 FAR or replacement requirements per 2016's Proposition X (Planning Code Section 202.8), whichever is higher		
For projects not seeking an Office Allocation, or providing <50,000 square feet of Office	Replacement requirements per 2016's Proposition X (Planning Code Section 202.8). For every gross square foot of PDR required, the project gets a waiver of four gross square feet (GSF) from the Eastern Neighborhoods Impact Fee.		

\*Planning Code section pending Plan adoption.

<sup>4</sup> NOTE: These tables show the amount of requirements on new development at the time of Plan Adoption. Impact fees shall be updated on an annual basis as fees are indexed or otherwise changed. The Fee Register and related information can be found online at <http://impactfees.sfplanning.org>. The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (90-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

The Mello-Roos Special Tax District rates and escalation shown apply to the Facilities Tax (estimated as the first 99 years of the district). After 99 years, the tax will become a Services Tax and rates and escalation will be applied as specified in the adopted Rate and Method of Apportionment (RMA) document.

Table 13

**CENTRAL SOMA REQUIREMENTS FOR NEW DEVELOPMENT: RESIDENTIAL (2017 RATES)<sup>5</sup>**

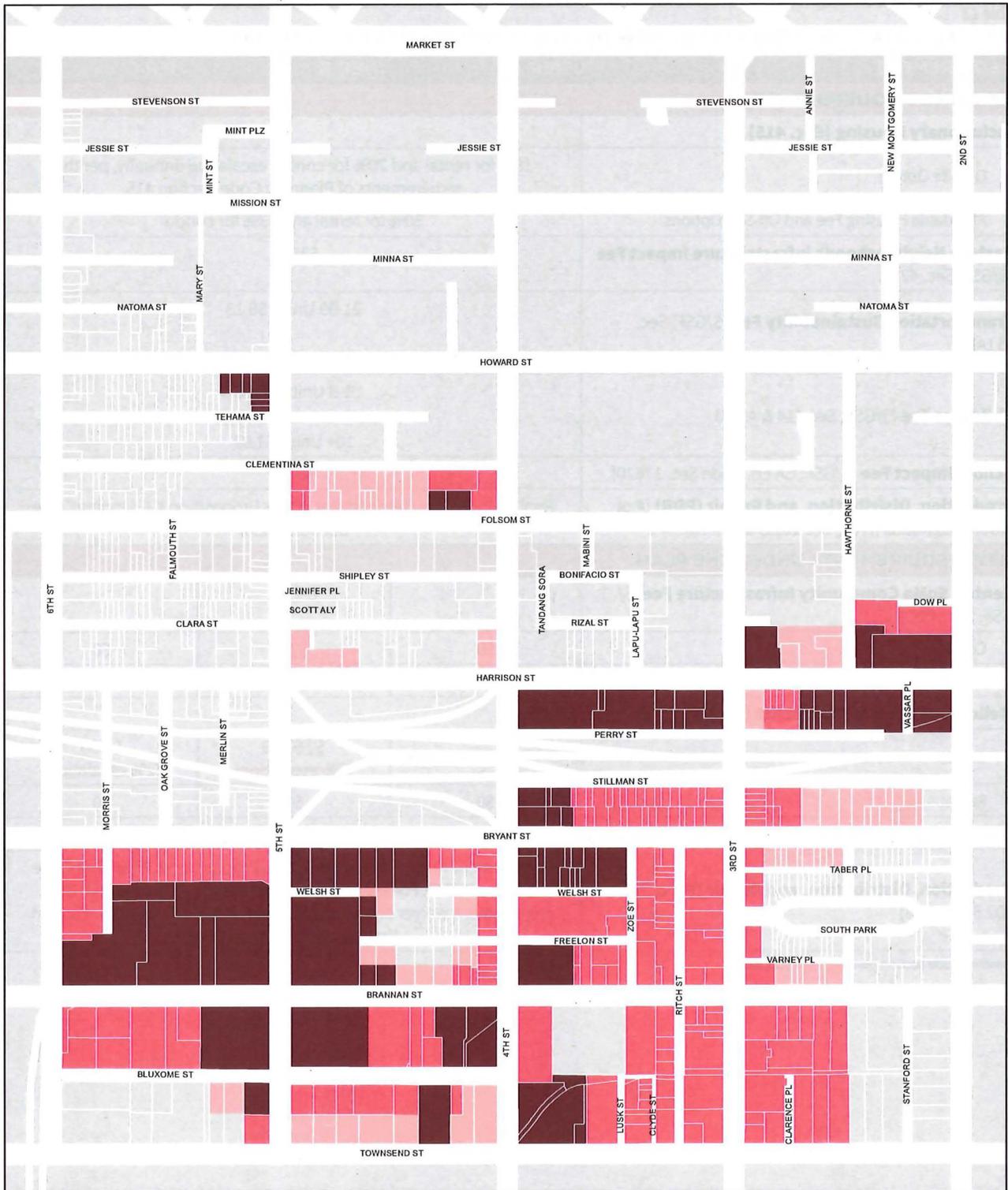
REQUIREMENT	TIER A	TIER B	TIER C
<b>EXISTING REQUIREMENTS</b>			
<b>Inclusionary Housing (Sec. 415)</b>			
On-Site Option	18% for rental and 20% for condo, escalating annually, per the requirements of Planning Code Section 415		
Affordable Housing Fee and Off-Site Options	30% for rental and 33% for condo		
<b>Eastern Neighborhoods Infrastructure Impact Fee</b> (\$/GSF; Sec. 423)	\$21.41		
<b>Transportation Sustainability Fee</b> (\$/GSF; Sec. 411A)	21-99 Units: \$8.13		
	100+ Units: \$9.18		
<b>Childcare Fee</b> (\$/GSF; Sec 414 & 414A)	1-9 Units: \$0.96		
	10+ Units: \$1.92		
<b>School Impact Fee</b> (\$/GSF; CA Ed. Code Sec. 17620)	\$3.48		
<b>Production, Distribution, and Repair (PDR)</b> [# of Floor Area Ratios (FAR); Sec 202.8 & 249.78]	Replacement requirements per 2016's Proposition X (Planning Code Section 202.8)		
<b>NEW REQUIREMENTS UNDER THE PLAN</b>			
<b>Central SoMa Community Infrastructure Fee</b> (\$/GSF; Sec. 433*)			
Condo	\$0	<del>\$20</del>	\$0
Rental	\$0	\$10	\$0
<b>Mello-Roos Special Tax District</b> (CFD; \$/GSF/yr)			
Condo	\$0	<del>\$0 \$3.30</del> (2% escalation)	\$5.50 (2% escalation)
Rental	\$0	\$0	\$0
<b>Community Facilities Fee</b> (\$/GSF; Sec 428.1*)	\$1.30		
<b>Production, Distribution, and Repair (PDR;</b> Sec 202.8 & 249.78)	Replacement requirements per 2016's Proposition X (Planning Code Section 202.8). For every gross square foot of PDR required, the project gets a waiver of four gross square feet (GSF) from the Eastern Neighborhoods Impact Fee		

\*Planning Code section pending Plan adoption.

5 NOTE: These tables show the amount of requirements on new development at the time of Plan Adoption. Impact fees shall be updated on an annual basis as fees are indexed or otherwise changed. The Fee Register and related information can be found online at <http://impactfees.sfplanning.org>. The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (90-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

The Mello-Roos Special Tax District rates and escalation shown apply to the Facilities Tax (estimated as the first 99 years of the district). After 99 years, the tax will become a Services Tax and rates and escalation will be applied as specified in the adopted Rate and Method of Apportionment (RMA) document.

Figure 14



Central SoMa Fee Tiers  
 Planning Code Section 423.2  
 SAN FRANCISCO

- Tier A (15' - 45' increase)
- Tier B (50' - 85' increase)
- Tier C (90' or more increase)

0 250 500 1,000 Feet



September 2018

## V. ADMINISTRATION & MONITORING

The successful implementation of the Central SoMa Plan will require collaboration among a diverse array of agencies, community members, and private actors. This section describes the interagency governance bodies and processes that will be chiefly responsible for overseeing implementation of the Central SoMa Plan and its public benefits. In addition, a number of the aforementioned funding sources each have their own processes for implementation, administration, and monitoring.

### PLAN IMPLEMENTATION GOVERNANCE ENTITIES

#### San Francisco Controller's Office

The Controller serves as the chief accounting officer and auditor for the City and County of San Francisco, and is responsible for governance and conduct of key aspects of the City's financial operations. The office plays a key role in implementing area plans by managing the City's bonds and debt portfolio, and processing and monitoring the City's budget. The department produces regular reports and audits on the City's financial and economic condition and the operations and performance of City government.

The Controller's Office, working in concert with the Mayor's Office, IPIC, and other entities mentioned below, will also be responsible for overseeing a funding prioritization process in Central SoMa to help ensure that funds are allocated to public benefits in a logical and equitable manner.

The City is required to regularly report on impact fees revenues and expenditures. San Francisco Planning Code Article 4, Section 409 requires the San Francisco Controller's Office to issue a biennial Citywide Development Impact Fee Report<sup>1</sup> including:

- All development fees collected during the prior two fiscal years, organized by development fee account;
- All cumulative monies collected and expended over the life of each fee;
- The number of projects that elected to satisfy development impact requirements through in-kind improvements;
- Any annual construction cost inflation adjustments to fees made using the Annual Infrastructure Construction Cost Inflation Estimate published by the Office of the City Administrator's Office of Resilience and Capital Planning; and
- Other information required pursuant to the California Mitigation Fee Act Government Code Section 66001, including: fee rate and description; the beginning and ending balance of the fee account; the amount of fees collected and interest earned; an identification of each public improvement on which fees were expended and

<sup>1</sup> The FY2014-2015 and 2015-2016 report is available at: <https://sfcontroller.org/sites/default/files/Documents/Budget/FY2014-15%20&%20FY2015-16%20Biennial%20Development%20Impact%20Fee%20Report.pdf>

the percentage of the cost of the improvement funded with fees; an approximate construction start date; and a description of any transfers or loans made from the account.

Within the Controller's office, the Office of Public Finance (OPF) is responsible for issuing and managing the City's general fund debt obligations. The OPF will be responsible for administering the Central SoMa CFD, including developing revenue projections and overseeing the bond issuance process. Its mission is to provide and manage low-cost debt financing of large-scale, long-term capital projects and improvements that produce social and economic benefit to the City and its citizens while balancing market and credit risk with appropriate benefits, mitigations and controls.

### **Capital Planning Committee**

The Capital Planning Committee (CPC) makes recommendations to the Mayor and Board of Supervisors on all of the City's capital expenditures. The CPC annually reviews and approves the 10-year Capital Plan, Capital Budget, and issuances of long-term debt. The CPC is chaired by the City Administrator and includes the President of the Board of Supervisors, the Mayor's Finance Director, the Controller, the City Planning Director, the Director of Public Works, the Airport Director, the Executive Director of the Municipal Transportation Agency, the General Manager of the Public Utilities System, the General Manager of the Recreation and Parks Department, and the Executive Director of the Port of San Francisco.

The IPIC fee revenue budgets and associated agency project work programs / budgets are incorporated as part of the 10-year Capital Plan. Updated every odd-numbered year, the Plan is a fiscally constrained expenditure plan that lays out infrastructure investments over the next decade. The Capital Plan recommends projects based on the availability of funding from various sources and the relative priority of each project. Enterprise departments (such as the San Francisco International Airport and Public Utilities Commission) can meet most needs from usage fees and rate payers. However, other fundamental programs that serve the general public (such as streets and fire stations) rely primarily on funding from the City's General Fund and debt financing programs.

### **Interagency Plan Implementation Committee (IPIC)**

The Interagency Plan Implementation Committee (IPIC) is comprised of City staff members from various City Departments who are collectively charged with implementing capital improvements in connection with the City's Area Plans: Eastern Neighborhoods (comprised of separate Area Plans for Central SoMa, Central Waterfront, East Soma, Mission, Showplace Square / Potrero, and Western Soma), Market Octavia, Rincon Hill, Transit Center District, Balboa Park and Visitacion Valley (including the Executive Park Subarea Plan and the Schlage Lock Master Development). Developments within these area plan boundaries are required to pay impact fees specific to the respective Plan geographies, which are allocated through the IPIC and Capital Planning processes towards priority projects and other infrastructure needed to serve new growth.

The IPIC is required to develop a capital plan for each Plan Area and an Annual Progress Report indicating the status of implementation of each of the Area Plans. This report includes a summary of the individual development projects (public and private) that have been approved during the report period, progress updates regarding

implementation of the various community improvements in accordance with the Plan's projected phasing, and proposed departmental work programs and budgets for the coming fiscal year that describe the steps to be taken by each responsible department, office, or agency to implement community improvements in each plan area. The IPIC Annual Progress Report is heard each year before the Capital Planning Committee, the Planning Commission, and the Land Use and Economic Development Committee of the Board of Supervisors prior to finalization of the report. In addition, the IPIC Annual Progress Report, impact fee allocations, and related agency work programs and budgets are inputs to the City's 10-year Capital Plan, developed by the Capital Planning Committee.

Upon adoption of the Central SoMa Plan, the scope of IPIC's duties and areas of investment will expand. IPIC will be responsible for overseeing allocation of revenues from the Central SoMa Mello-Roos Community Facilities District (CFD). It is anticipated that the City may issue one or more bonds secured by these CFD Special Tax revenues, in order to facilitate timely implementation of public benefits. Annually, the IPIC shall develop a five-year plan for proposed expenditures of Special Tax revenues (these plans will be coordinated with projected Bond Proceeds), as forecasted by the Office of Public Finance.

As needed, the sub-committees will be formed to deliberate on specific issues of relevance to a subset of IPIC agencies, and/or on funding areas that involve non-City public agencies (such as the regional transportation funds). In the latter case, Joint Communities Facilities Agreements (JCFAs) will be formed for projects involving allocation of CFD funds to non-City public agencies.

The IPIC will also oversee administration of capital funding for environmental sustainability projects.

The Board of Supervisors has final authority over CFD revenue expenditures, based on recommendations by the Director of the Office of Public Finance, the Capital Planning Committee, and the IPIC.

### **Eastern Neighborhoods Community Advisory Committee**

The Eastern Neighborhoods Citizens Advisory Committee (EN CAC) is the central community advisory body charged with providing input to City agencies and decision makers with regard to all activities related to implementation of the Eastern Neighborhoods Area Plans. The group was established as part of the Eastern Neighborhoods Area Plans (EN) and accompanying Code Amendments, and is comprised of 19 members representing the diversity of the plan areas, including renters, homeowners, low-income residents, local merchants, and community-based organizations.<sup>2</sup>

The EN CAC is established for the purposes of providing input on the prioritization of Public Benefits, updating the Public Benefits program, relaying information to community members regarding the status of development proposals in the Eastern Neighborhoods, and providing input to plan area monitoring efforts as appropriate (described further in the Plan Monitoring & Reporting section below). The EN CAC serves an advisory role, as appropriate, to the Planning Department, the IPIC, the Planning Commission, and the Board of Supervisors.

<sup>2</sup> More information is available at: <http://sf-planning.org/eastern-neighborhoods-citizens-advisory-committee>

The EN CAC also advises on the allocation of development fees to public benefits in each of the EN Plan Areas. These recommendations are advisory, as an input to the IPIC and Capital Planning Committee processes described above. The EN CAC will play a similar advisory role to recommend how Central SoMa Mello-Roos CFD revenues will be allocated, with the exception of funds that may be allocated for regional transit.

## **PLAN MONITORING & REPORTING**

City agencies will be required to monitor and report on the implementation of the Central SoMa Plan, similar to the process in other established plan areas. The Planning Department, in coordination with the EN CAC, will be required to develop a Central SoMa Monitoring Report concurrently with the Eastern Neighborhoods Monitoring Report (scheduled to be updated in 2021, and at five-year intervals thereafter). This community and data-driven report will provide information on the residential and commercial development in the plan area, revenues from impact fees and other sources, and public/private investments in community benefits and infrastructure, and will include the following components:

- Central SoMa Implementation Matrix
- Development Activity
- Public Benefit
- Fees and Revenues
- Agency Responsibilities
- Budget Implications

Consistent with the procedure in other Plan Areas, this report shall be discussed at a hearing of the Planning Commission, and then forwarded to (and possibly heard at) the Board of Supervisors.

## VI. DESCRIPTION OF CENTRAL SOMA FUNDING SOURCES

This section provides further information on the purpose, administration, and uses of various funding sources at time of Plan Adoption. For the most updated information on these funding sources, consult the Planning Code and associated legislation.

### AFFORDABLE HOUSING

#### **Inclusionary Housing Program (Sec. 415)**

The Inclusionary Housing Program (Planning Code §415) requires new market-rate residential development projects to provide funding for affordable housing, either through direct on-site provision or via payment of the Affordable Housing Fee. Revenues from this Fee are directed to the Mayor's Office of Housing and Community Development (MOHCD), which utilizes the Fee to develop 100 percent affordable housing development and/or preservation of existing affordable units. Revenues from the Affordable Housing Fee may typically be used anywhere within the city. However, as discussed in Section III above, fees generated by projects within Central SoMa will be required to be expended within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

#### **Jobs-Housing Linkage Fee (Sec. 413)**

The Jobs-Housing Linkage Fee (§413) is a citywide impact fee levied on new non-residential developments of 25,000 GSF or greater. Analogous to the Affordable Housing fee, revenues from this Fee are directed to MOHCD, which utilizes the Fee to develop 100 percent affordable housing development and/or preservation of existing affordable units. Revenues from the Jobs-Housing Linkage Fee may typically be used anywhere within the city. However, as discussed in Section III above, Fees generated by projects within Central SoMa will be required to be expended within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

### TRANSPORTATION

#### **Transportation Sustainability Fee (Sec. 411A)**

The Transportation Sustainability Fee (TSF; §411A) is a citywide impact fee assessed on both Residential and Nonresidential development, with funds directed to the Controller's Office and the San Francisco Municipal Transportation Agency (SFMTA) for programming and administration. Funds are allocated to projects specified in the Expenditure Program shown in Table 15 below: state of good repair projects (capital maintenance), system capacity expansion, complete streets projects, and regional transit improvements. Some uses are exempt from

paying the fee, including smaller market-rate residential projects (20 units or fewer), 100% affordable housing projects, and most nonprofit owned and operated uses.

*Table 15*

**TSF EXPENDITURE PROGRAM**

IMPROVEMENT TYPE	% ALLOCATION
Transit Capital Maintenance	61%
Transit Service Expansion & Reliability Improvements - San Francisco	32%
Transit Service Expansion & Reliability Improvements - Regional Transit Providers	2%
Complete Streets (Bicycle and Pedestrian) Improvements	3%
Program Administration	2%

Although TSF funds may be spent on transportation system improvements citywide, the Planning Code specifies that revenues will prioritize new/existing area plans and areas anticipated to receive significant new growth.

**Central SoMa Infrastructure Impact Fee (Sec. 433)**

In order to achieve the Plan’s objective of ensuring that the area is well-served by transit , a new Central SoMa Fee (Sec. 433) is proposed on new residential and nonresidential development that would be used to fund local transit improvements within Central SoMa. The fee will be collected by the Planning Department and programmed through the IPIC and Capital Planning process, similar to other area plan impact fees.

**PRODUCTION, DISTRIBUTION, & REPAIR (PDR)**

**Preservation of Production, Distribution & Repair Uses (Proposition X; Sec. 202.8)**

Preserving Production, Distribution & Repair (PDR) space is a critical strategy to ensure ongoing economic diversity in the Plan Area. Preservation of existing space will naturally occur on sites where industrial protective zoning remains, such as along the freeway west of 4th Street (an area that is adjacent to other PDR uses and ill-suited for new development due to its lot configuration). In addition, preservation of PDR uses in much of the rest of the Plan Area will be necessitated based on the requirements of San Francisco’s Proposition X, passed by the voters in November of 2016. This Proposition, codified in Section 202.8 of the Planning Code, requires retention or replacement of PDR space ranging from 50% of existing space (in areas zoned MUG or MUR before adoption of the Central SoMa Plan) to 75% (in areas zoned SLI or MUO before adoption of the Central SoMa Plan) to 100% (in areas zoned SALI before adoption of the Central SoMa Plan).

**Creation of Production, Distribution & Repair Uses (Sec. 249.78)**

In addition to the PDR preservation requirements of Proposition X (as discussed above), the Plan will require large office development to provide new PDR space of an area equivalent to 0.4 FAR (40 percent of their lot area). This

amount of PDR may exceed what is already required.

The Planning Department will be responsible for overseeing compliance with these requirements, as part of the development review process. The process will verify Planning Code requirements are met to ensure that spaces are suitable for PDR use (including elements such as ceiling heights and parking/loading requirements).

## **PARKS & RECREATION**

### **Privately-Owned Public Open Spaces (POPOS) Requirement (Sec 138)**

Currently, the Plan Area has a great deficit of open spaces and recreation facilities, and significant investment will be needed to meet demand from new growth. In addition to providing new and rehabilitated public parks and recreation facilities, the Central SoMa Plan will also require larger nonresidential developments to provide Privately-Owned Public Open Spaces (POPOS), similar to the requirement in the Downtown Area Plan. Much of this space will be located outdoors at street level, open seven days a week. Some developments will have the option of providing space indoors and/or paying an in-lieu fee. All new office projects will be required to provide one square foot of POPOS for every 50 occupied square feet of office use. Unlike the policy in the Downtown C-3 districts, Central SoMa requires that this space be provided at ground level (for up to 15% of the parcel area), and provides an incentive for “active” recreation uses (including playgrounds, athletic courts, community gardens or dog runs).

The Planning Department is the agency primarily responsible for reviewing and approving POPOS proposals as part of the associated development application.

## **SCHOOLS & CHILDCARE**

### **School Impact Fee (CA Education Code Sec. 17620)**

The School Impact Fee (enabled by CA State Education Code §17620) is a citywide impact fee on new/expanded Residential and Non-Residential developments, with funds directed to the San Francisco Unified School District (SFUSD) for new capital facilities serving the public school population. Funds are not required to be spent in the Plan Area; revenues are programmed at SFUSD’s discretion based on current and future projections of growth in the school-aged population in each neighborhood.

### **Child Care Fee (Sec. 414 & 414A)**

The Child Care Fee (Planning Code §414 & 414A) is a citywide impact fee collected on Office and Hotel projects greater than 25,000 GSF and on Residential and residential care developments adding more than 800 square feet of net new space. Funds are directed to the Human Services Agency Office of Early Care & Education and the

Low-Income Investment Fund (LIIF, a non-profit child care developer contracting with the City) to develop new capital facilities for child care services. Funds may be spent citywide and are not required to be spent within the Plan area.

## **CULTURAL PRESERVATION**

### **Transferable Development Rights (TDR; Sec. 128.1)**

In order to support the preservation of historic resources in the Plan Area, Central SoMa includes a Transferable Development Rights (TDR) requirement, similar to the requirement in the Downtown Area Plan. Non-residential development projects in Public Benefits Tier C will be required to purchase the equivalent of 1.25 Floor Area Ratio (FAR) worth of TDR credits from historic buildings in exchange for the right to build to higher densities. In essence, the program allows historic properties to sell “excess” development capacity (e.g. since the historic resource precludes building to similar densities as surrounding parcels), providing funds for building restoration and maintenance. Although the Planning Department administers and enforces the TDR program, the transactions themselves are implemented privately and purchase terms (i.e. prices) are not regulated by the City.

## **CULTURAL PRESERVATION & NEIGHBORHOOD STABILIZATION**

### **Community Facilities Fee (Sec. 428.1)**

The Community Facilities Fee is a new impact fee that would be applicable to all new development in the Plan Area. Fees will be collected by the Planning Department and directed to MOHCD to support the development of new space for nonprofit community facilities, such as health clinics and job training sites. The City, potentially in partnership with nonprofit developers, will use the funds to develop new space for community facilities. This may take several forms, such as a centralized hub for nonprofit space and/or a network of individual sites. In addition, the City is exploring the potential to provide such spaces collocated with new affordable housing developments, developed by MOHCD and its partners.

## **AREA-PLAN & MULTI-CATEGORY FUNDING SOURCES**

### **Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)**

The Eastern Neighborhoods Infrastructure Impact Fee (Planning Code §423) is an area plan impact fee that was adopted concurrently with the Eastern Neighborhoods Area Plan in 2008. The Central SoMa Plan Area is an Eastern Neighborhoods Plan, being constituted of areas that were formerly parts of the East SoMa and Western SoMa Plan Areas. Projects in Central SoMa will continue to pay the Eastern Neighborhoods Infrastructure Impact Fee,

which is administered by the Planning Department and the Interagency Plan Implementation Committee (IPIC) in consultation with the Eastern Neighborhoods Community Advisory Committee (ENCAC). Funds are used to pay for infrastructure within the following Plan Areas: East SoMa, Showplace/Potrero Hill, Mission, Central Waterfront, Western SoMa, and Central SoMa. Funds are allocated into public benefit categories shown in table 16 below.

*Table 16*

**EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE EXPENDITURE PROGRAM**

IMPROVEMENT TYPE	% ALLOCATION (RESIDENTIAL DEVELOPMENT)	% ALLOCATION (NON-RESIDENTIAL DEVELOPMENT)
Complete Streets: Pedestrian and Streetscape Improvements, Bicycle Facilities	31%	34%
Transit	10%	53%
Recreation and Open Space	47.5%	6%
Childcare	6.5%	2%
Program Administration	5%	5%

**Central SoMa Mello-Roos Community Facilities District (CFD)**

A Mello-Roos Community Facilities District (CFD) is an ongoing tax to pay for necessary infrastructure and services. The Central SoMa Plan proposes to establish a Mello-Roos CFD that would be paid by new developments receiving a significant upzoning through the Plan (Non-Residential Tier C and Residential Tiers B & C). This CFD will be established through a legal formation process roughly concurrent with the adoption of the Central SoMa Plan.

CFDs are beneficial for infrastructure planning because they offer a reliable and predictable revenue stream, as the taxes are paid annually over the life of the subject development project for a set term defined by the CFD (as opposed to a one-time payment for impact fees). In addition, the CFD could be established to fund both capital infrastructure and ongoing operations & maintenance, the latter of which is a critical funding need that cannot legally be funded by impact fees. Finally, a CFD provides the City with the option to bond against the future revenue stream, thus providing funding to build needed infrastructure much sooner, ideally before or at the same time as the anticipated new development.

**OTHER SOURCES OF FUNDING**

The fees and requirements discussed above are largely designed to mitigate the infrastructure needs created by new development. However, there are already substantial needs in the neighborhood. The responsibility for responding to some needs will need to be shared with a broader set of stakeholders than just new developments (sea level rise mitigation, for instance). As such, additional revenue sources will be needed to create a fully sustainable neighborhood. These additional revenue mechanisms will require interdepartmental efforts that continue after the Plan’s adoption, and may require future authorization by the Mayor and Board of Supervisors. A few potential sources of additional funding are described below

## **General Fund**

The City's discretionary property tax proceeds are deposited into the General Fund, and are available for the appropriation to any public purpose, including operations, programs, maintenance, and capital projects. Theoretically, these revenues could be directed to the Plan Area to accelerate the delivery of public benefits, or to fund other public benefits not identified here.

## **Grants & Bonds**

Many local, state, and federal agencies offer potential grants to fund needed capital projects. In particular, regional and state funds earmarked to facilitate higher density development near major transit infrastructure (such as the One Bay Area Grants run by the Metropolitan Transportation Commission) are a good fit for the goals of the Plan and could potentially be paired with matching local funds.

Other local bond measures may provide additional opportunities to fund projects identified here or in the future. For instance, San Francisco voters have adopted multiple bond measures in recent years to fund new or renovated parks and open spaces.

## **Direct provision through Development Agreements and other negotiated conditions of approval**

The Plan's Key Development Sites and other sites with significant development potential represent another potential mechanism to provide needed infrastructure. Project sponsors may elect to provide some of these community benefits directly, through mechanisms such as a Development Agreement or other negotiated condition of approval. These benefits may be provided in-lieu of some other requirement, or they may be voluntarily provided above and beyond the development requirements. It is impossible to predict how many projects would opt to do this; however, a number of the initial project proposals for the Key Development Sites do include some amount of voluntary community benefits.



# SAN FRANCISCO PLANNING DEPARTMENT

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September 28, 2018

Ms. Angela Calvillo, Clerk  
Honorable Mayor Breed  
Honorable Supervisor Kim  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2011.1356TZU and 2018-004477PCA (Central SoMa Plan): Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance (Planning Code and Business and Tax Regulations Code Amendments)**

**BOS File No: 180184, 180185, and 180453**

**Planning Commission Recommendation: Approval with modifications**

Dear Ms. Calvillo, Mayor Breed, and Supervisor Kim,

On September 27, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Planning Code and Administrative Code Amendment, Zoning Map Amendment, Implementation Program, and Housing Sustainability District Ordinance related to the Central SoMa Plan Area. At the hearing, the Commission voted to approve and/or recommend **approval with modifications** to the various ordinances.

Please find attached documents relating to the Commission's actions. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Starr", written over a horizontal line.

Aaron Starr  
Manager of Legislative Affairs

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

cc:

Andres Power, Policy Director, Mayor's Office,  
Kanishka Cheng, Liaison to the Board of Supervisors, Mayor's Office  
Jon Jacobo, Legislative Aide to Supervisor Kim  
Sarah Dennis-Phillips, Deputy Director of Development, OEWD  
Vicky Wong, Deputy City Attorney  
Peter Miljanich, Deputy City Attorney

Attachments (one copy of the following):

- Planning Commission Resolution No. R-20295 [Case No. 2011.1356TZU and 2018-004477PCA - Central SoMa Plan: Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance (Planning Code and Business and Tax Regulations Code Amendments)]
- Planning Commission Case Report for Case No. 2011.1356TZU and 2018-004477PCA
- Central SoMa Plan – Additional Staff Recommendations and Issues for Consideration (Submitted at September 27, 2018 Commission Hearing)



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20295

HEARING DATE SEPTEMBER 27, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Project Name:* Central SoMa Plan – Approval of Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District (Planning Code and Business and Tax Code Ordinance)

*Record No.:* **2011.1356TZU and 2018-004477PCA**

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning  
(415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

RESOLUTION ADOPTING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS WITH MODIFICATIONS TO THE SAN FRANCISCO PLANNING CODE AND ADMINISTRATIVE CODE ORDINANCE, ZONING MAP ORDINANCE, PLANNING CODE AND BUSINESS AND TAX CODE ORDINANCE, AND IMPLEMENTATION PROGRAM DOCUMENT TO GIVE EFFECT TO THE CENTRAL SOUTH OF MARKET AREA PLAN; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE, FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on February 27, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced ordinances for Planning Code, Administrative Code, and Zoning Map Amendments, pursuant to the Central South of Market Plan (“Central SoMa Plan”).

WHEREAS, pursuant to Planning Code Section 302(b), on February 27, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code, Administrative Code, and Zoning Map Amendments.

WHEREAS, on April 10, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced a substitute ordinance for Planning Code, Administrative Code, and Zoning Map Amendments pursuant to the Central South of Market Plan.

WHEREAS, pursuant to Planning Code Section 302(b), on April 10, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code, Administrative Code, and Zoning Map Amendments.

WHEREAS, on May 1, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced an ordinance for Planning Code and Business and Tax Regulations Code Amendments to establish and implement the Central South of Market Housing Sustainability District (“Central SoMa HSD”).

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan (“Final EIR”) and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Motion No. R-20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2011.1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission voted to adopt and recommend approval with modifications the Planning Code, Administrative Code, Zoning Map, and Business and Tax Regulations Code Amendments pursuant to Planning Code Section 302(c), as set forth in Planning Commission Resolution Nos. 20185, 20186, and 20188; and, adopt and recommend approval of the Implementation Program, as set forth in Planning Commission Resolution No. 20187.

WHEREAS, on July 16, 2018, after a duly noticed public hearing, the Land Use & Transportation Committee of the Board of Supervisors voted to modify the ordinances amending the Planning Code, Administrative Code, and Zoning Map.

WHEREAS, on July 23, 2018, after a duly noticed public hearing, the Land Use & Transportation Committee of the Board of Supervisors voted to materially modify the ordinances amending the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program, and referred the proposed modifications to the Planning Commission for its consideration pursuant to Planning Code Section 302(d).

WHEREAS, the Planning Code, Administrative Code, Zoning Map, and Business and Tax Regulations Code, and Implementation Program amendments, together with proposed General Plan Amendments, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Planning Commission incorporates by reference the general findings and overview concerning the Central SoMa Plan as set forth in Planning Commission Resolution No. 20184 governing General Plan Amendments.

WHEREAS, the ordinance, attached hereto as Exhibit 4, reflects the amendments proposed by the Land Use & Transportation Committee at its July 16 and July 23, 2018 hearings to revise the Administrative Code and Planning Code to implement the proposed Central SoMa Plan and its

related documents. This ordinance amends Administrative Code Section 35; adds Planning Code Sections 128.1, 132.4, 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, 434, and 848; amends Sections 102, 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181, 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 270, 270.2, 303.1, 304, 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 419, 419.6, 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5, 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and 890.124; and removes Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to implement the Area Plan. The City Attorney's Office has reviewed the ordinance and approved it as to form. A memorandum summarizing revisions made to the Planning and Administrative Code Amendments since consideration by the Planning Commission on May 10, 2018 is attached hereto as Exhibit 2.

WHEREAS, the ordinance attached hereto as Exhibit 6, approved as to form by the City Attorney's office, reflects the Zoning Map Amendments proposed by the Land Use & Transportation Committee at its July 16 and July 23, 2018 hearings. A memorandum summarizing revisions made to the Zoning Map Amendments since consideration by the Planning Commission on May 10, 2018 is attached hereto as Exhibit 2.

WHEREAS, the amendments to the Central SoMa HSD ordinance proposed by the Land Use & Transportation Committee at its July 23, 2018 hearing are attached hereto as Exhibit 8.

WHEREAS, the amendments to the Implementation Program proposed by the Land Use & Transportation Committee at its July 23, 2018 hearing are attached hereto as Exhibit 7.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting and recommending that the Board of Supervisors approve with modifications the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments.

WHEREAS, Planning Department staff have determined that the material modifications and other amendments proposed by the Board's Land Use & Transportation Committee, the additional modifications proposed by Planning staff, and all but one of the issues for consideration identified in the September 6, 2018 Executive Summary and the September 27, 2018 Additional Staff Recommendations and Issues for Consideration, if adopted, would not result in increased physical environmental effects beyond that disclosed in the Central SoMa Plan Final EIR.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission finds from the facts presented that the public necessity, convenience, and general welfare require approval of the proposed Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution for the following reasons:

1. The Amendments will enable implementation of the Central SoMa Plan, which will accommodate development capacity for up to 32,500 jobs and 8,570 housing units by

removing much of the Plan Area's industrially-protective zoning and increasing height limits on many of the Plan Area's parcels.

2. The Amendments will enable implementation of the Central SoMa Plan, which will maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households, and by requiring that these new units be built in SoMa.
3. The Amendments will enable implementation of the Central SoMa Plan, which will facilitate an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area.
4. The Amendments will enable implementation of the Central SoMa Plan, which will provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
5. The Amendments will enable implementation of the Central SoMa Plan, which will offer parks and recreational opportunities by funding the construction and improvement of parks and recreation centers in the area and requiring large, non-residential projects to provide publicly-accessible open space.
6. The Amendments will enable implementation of the Central SoMa Plan, which will create an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas emitting energy sources. A proposal to include a Mello-Roos Community Facilities District ("CFD") in the Central SoMa Plan is also under consideration. This CFD would provide funding for environmental sustainability and resilience strategies to improve air quality, provide biodiversity, and help manage stormwater. The CFD would also help to create an environmentally sustainable and resilient neighborhood.
7. The Amendments will enable implementation of the Central SoMa Plan, which will preserve and celebrate the neighborhood's cultural heritage by helping to fund the rehabilitation and maintenance of historic buildings. The CFD under consideration for addition to the Central SoMa Plan would provide funding to help preserve the Old Mint and for cultural and social programming for the neighborhood's existing residents and organizations. The CFD would also help to preserve and celebrate the neighborhood's cultural heritage.
8. The Amendments will enable implementation of the Central SoMa Plan, which will ensure that new buildings enhance the character of the neighborhood and the City by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

**AND BE IT FURTHER RESOLVED**, that the Commission finds the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation

Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution are in general conformity with the General Plan as set forth in Planning Commission Resolution Nos. 20184 and 20188.

**AND BE IT FURTHER RESOLVED**, that the Commission finds the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution Nos. 20184 and 20188.

**AND BE IT FURTHER RESOLVED**, that the Commission adopts the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments as reflected in ordinances approved as to form by the City Attorney attached hereto as Exhibits 4, 6, 7 and 8, and incorporated herein by reference, and recommends their approval with modifications by the Board of Supervisors. The proposed modifications are attached hereto as Exhibit 1.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 27, 2018.



Jonas P. Ionin  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: September 27, 2018

## EXHIBIT 1: Planning Commission Recommended Modifications

The Planning Department recommends the following modifications to the Planning Code and Administrative Code Ordinance (2011.13567T) and the Implementation Program Document (2011.13567U), as approved on September 28, 2018 in Commission Resolution no. 20295, pursuant to Planning Code Section 302(d).

### Planning Code & Administrative Code

1. Section 263.33: If the development on Assessor's Block 3763, Lot 105 seeks a special height exemption to build residential instead of a hotel, require that it meet the entirety of its inclusionary housing requirement through the On-Site Affordable Housing Alternative pursuant to Section 415.5(g)(1)(A).
2. Section 249.78: Allow proposed hotel projects on the parcels now proposed to be zoned MUR that submitted a development application prior to January 1, 2018 to proceed with their application, subject to Conditional Use Authorization.
3. Section 134: Clarify that projects in the Central SoMa SUD must meet the applicable lot coverage requirements in Sec. 249.78(d)(4) and that the rear yard requirements of this Section 134 do not apply.
4. Section 135.3: Clarify that open spaces provided to satisfy the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 can satisfy the nonresidential usable open space requirement in Section 135.3.
5. Section 138(e)(2): Add language specifying that the Commission's determination of the adequacy of the location, amount, amenities, design and implementation of privately-owned public open spaces (POPOS) shall take into consideration the open space and recreational needs of the diverse inhabitants of the Plan Area, including, but not limited to: residents, workers, youth, families, and seniors.
6. Section 145.4(d)(4): Clarify that projects subject to the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 and the required ground floor commercial uses in Section 145.4 may locate the POPOS along the street frontage subject to 145.4, provided it is lined with active commercial uses.
7. Section 249.78(c)(1)(F): Reduce the ground floor transparency requirement for new PDR businesses from 60% (which is equivalent to the requirement for ground floor retail) to 30% on facades >50' linear feet, and 0% for shorter facades.
8. Section 249.78(c)(5): Clarify that projects with multiple buildings or lots may locate the required PDR uses or community building space anywhere on the subject project site.
9. Section 249.78(d)(3): Require "green" and/or "living" walls on new developments, subject to further exploration on feasible locations for these amenities.
10. Section 249.78(d)(3): Clarify the standard for 100% greenhouse-gas free electricity and the process for review, and specify that the requirement shall apply to newly constructed commercial or residential buildings, or major renovations to an existing building, as defined by San Francisco Green Building Code Section 202.
11. Section 249.78(d)(8): Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.

12. Section 263.32(b): Specify that MOHCD shall review land proposed to be dedicated for affordable housing, and the Director of Planning shall review land proposed to be dedicated for parks and open space.
13. Section 263.32(c): Clarify the method of calculating the development capacity of the primary project allowable with the Special Height Exemption.
14. Section 270(h): Modify the bulk requirements to specify that sky plane controls will take precedence over 261.1 controls on Stillman Street. Reduce the sky plane apparent mass control along Stillman Street to 85%.
15. Section 270(h): For projects that are required to provide PDR (pursuant to Sections 202.8 and 249.78(c)(5)), if such PDR is provided on the ground floor or above, add 3 vertical feet to:
  - The Base Height specified in the Apparent Mass Reduction Table 270(h)
  - The height where the upper story setback is required pursuant to Section 261.1
16. Section 329(d)(13)(D): Clarify that the wind exception is available for both wind comfort and wind hazard criterion, subject to Planning Commission review pursuant to 249.78(d)(7)(C)(iii).
17. Section 329(e)(2)(b): On the Key Site identified in Section 329(e)(2)(F) (the Flower Mart), add a section to allow the Planning Commission to grant certain code exceptions, if agreed upon with the City in a development agreement, including:
  - Exception to off-street parking controls of Section 151.1 to allow additional PDR parking solely to serve the Flower Market tenants and customers.
  - Exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i) to allow a cumulative maximum of 20% of the POPOS to be covered by any combination of (a) an inhabitable portion of a building with the POPOS having a minimum clearance height of 20' and maximum depth from face of overhead building of 15', or (b) an inhabitable portion of a building with the POPOS having a minimum clearance height of 50' and minimum horizontal dimension in all directions of 20'.
  - Exception to the transparency and fenestration requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.
  - Exception to the protected street frontage requirements of Section 155.1(r) on 5th Street between Brannan and Bryant Streets.
18. Section 329(e)(2)(b)(iv): On the Key Site identified in Section 329(e)(2)(E) (the Park Block), allow exception to the requirement that POPOs be open to the sky in Section 138.
19. Section 329(e)(2)(b)(vi): On the Key Site identified in Section 329(e)(2)(H) (the Creamery), allow exception to the requirement on protected street frontages in Section 155(r).
20. Section 426: Clarify that sponsors must pay an in-lieu fee for any open space that does not meet the conditions of Sections 135.3 or 138, unless a Key Site exception is specified in Section 329(e).
21. Section 840 & 841: Make conforming edits to the MUR and MUG zoning control tables to reflect the zoning map amendments introduced at the Board of Supervisors and to cross reference the Central SoMa SUD.
22. Uncodified Section (Block 3786, Lot 035 / 636 4<sup>th</sup> Street): Staff recommends adding language that the Commission shall evaluate the project design through the Large Project Authorization process pursuant to Section 329 and make recommendations to address its urban design impacts, in order to: (1) limit the visual impact of the larger tower bulk and

floorplate; and (2) address the impacts of the limited tower separation between this project and the adjacent development at Block 3786, lot 322 (505 Brannan Street).

Implementation Program Document

1. Public Benefits Package: Restore the funding for preservation of the US Mint Building by increasing funding by \$5 million, to \$20 million total. Reduce the funding for regional transit capacity enhancement and expansion by \$5 million, to \$155 million.

The Planning Department also recommends the following legislative actions, as approved on September 28, 2018 in Commission Resolution no. 20295, pursuant to Planning Code Section 302(d).

1. Explore legalization of live/work loft uses as a potential source of fee revenues to fund community stabilization and affordable housing acquisition and rehabilitation.
2. Explore the development of design guidelines for privately-owned public open spaces (POPOS).



# SAN FRANCISCO PLANNING DEPARTMENT

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## Approval of Amendments to the Central SoMa Plan Executive Summary

HEARING DATE: SEPTEMBER 13, 2018

*Project Name:* **Central SoMa Plan: Approval of Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance**

*Date:* September 6, 2018

*Record Number:* **2011.1356TZU and 2018-004477PCA**

*Initiated By:* Mayor Farrell and Supervisor Kim on February 27, 2018 (Central SoMa Plan – Planning Code and Administrative Code Amendments, Zoning Map Amendments)  
Mayor Farrell and Supervisor Kim on May 1, 2018 (Central SoMa Housing Sustainability District – Planning Code and Business and Tax Regulations Code Amendments)

*Amended By:* Supervisor Kim on July 16 and July 23, 2018 (Planning Code and Administrative Code Amendments, Zoning Map Amendments, Implementation Program Document, Housing Sustainability District)

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning  
(415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

*Recommendation:* **Approval with Modifications**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### SUMMARY

The San Francisco Planning Department is seeking to adopt and implement the Central SoMa Plan (“the Plan”). The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed growth in employment, housing, and visitor facilities in the core of the city and Bay Area region. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future.

The Planning Commission heard and adopted the Central SoMa Plan on May 10, 2018. Adoption of the Plan consisted of numerous actions, including approval of amendments to the General Plan, Planning Code, Administrative Code, and Zoning Map, as well as adoption of an

Implementation Program. Together with actions related to adoption of CEQA Findings, these actions constituted the Commission's approval of the Central SoMa Plan and its implementing mechanisms. These approval actions were confirmed via the following Planning Commission Motions and Resolutions<sup>1</sup>:

- Resolution No. R-20183 (2011.1356E – CEQA Findings)
- Resolution No. R-20184 (2011.1356M – General Plan Amendments)
- Resolution No. R-20185 (2011.13567T – Planning Code and Administrative Code Amendments)
- Resolution No. R-20186 (2011.13562Z – Zoning Map Amendments)
- Resolution No. R-20187 (2011.13560U – Implementation Program)
- Resolution No. R-20188 (2018-004477PCA – Housing Sustainability District)

The Central SoMa Plan is before the Planning Commission to review substantive amendments to various components of the Plan that were subsequently introduced at the Board of Supervisors, as further described in this summary. For additional background on the Central SoMa Plan and contents, see the Executive Summary for the May 10, 2018 Adoption hearing for the Central SoMa Plan (2011.1356EMTZU).

## **ADOPTION PROCESS AT THE BOARD OF SUPERVISORS**

Subsequent to the Commission's approval of the Central SoMa Plan, the Board of Supervisors held a hearing at the Rules Committee on July 9<sup>th</sup> to consider the Plan and amendments to the City's Special Tax Financing Law to create the associated Central SoMa Community Facilities District (CFD). The Committee referred these items to the Land Use & Transportation Committee without recommendation. On July 16<sup>th</sup> and July 23<sup>rd</sup>, the Land Use & Transportation Committee subsequently heard these items and made amendments to various Plan elements, and continued these items until the September 10, 2018 Land Use & Transportation Committee hearing.

At the hearing on July 16<sup>th</sup>, Supervisor Kim introduced 48 amendments to the Planning Code, Administrative Code, and Zoning Map ordinances. These amendments fall within the scope of topics that were discussed at prior hearings of the Planning Commission, and thus do not require referral back to the Commission for review, pursuant to Planning Code Section 302.

At the hearing on July 23<sup>rd</sup>, Supervisor Kim introduced an additional 16 amendments to the Planning Code and Administrative Code ordinance (2011.13567T), Zoning Map ordinance (2011.13567Z), Implementation Plan (2011.13567U), and Housing Sustainability District ordinance (2018-004477PCA). These included a number of material modifications that were not previously discussed at the Planning Commission, and thus are before the Commission for review.

In addition to these elements, the Plan includes several components approved by the Commission that have not been amended at the Board of Supervisors, and thus are not included

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<sup>1</sup> The Commission certified the Environmental Impact Report for the project in Motion No. M-20182 (2011.1356E – Certification of Final Environmental Impact Report).

in the package before the Commission on September 13, 2018: CEQA Findings (2011.13567E); General Plan Amendments Ordinance (2011.13567M); and, Amendments to Articles 10 and 11 of the Planning Code designating new landmarks and buildings of significance in Central SoMa (various case numbers; see the Planning Commission case reports on June 7<sup>th</sup>, 2018 for more information).

**MATERIAL MODIFICATIONS MADE AT THE BOARD OF SUPERVISORS LAND USE & TRANSPORTATION COMMITTEE**

The majority of the amendments made at the Board of Supervisors have been either non-substantive in nature or within the scope of amendments previously discussed at the Planning Commission, and thus they do not require Commission review. Table 1 provides a brief summary of the material modifications introduced at the Board of Supervisors after the Planning Commission adoption hearing on May 10, 2018 that are before the Commission for its consideration. The full list of amendments made to the Plan by the Board, including those items not being referred to the Commission for review, is described in Exhibit 2.

**TABLE 1. MATERIAL MODIFICATIONS INTRODUCED AT THE BOARD<sup>2</sup>**

<b>Planning Code and Administrative Code Amendments (2011.13567T)</b>	
<b>Section</b>	<b>Summary</b>
249.78(c)(5)(B)	Amend the PDR Requirement for large non-residential projects as follows: (1) Require that the 25% reduction in space required for providing below market rate PDR space be permitted only if the lower rent is provided for the life of the development project (instead of 55 years). (2) When a development application is submitted, require the project sponsor to demonstrate that they notified existing PDR tenants about the proposed project and provided them with information about the PDR Relocation Fund (as described in the Central SoMa Implementation Program Document) and PDR sector assistance for displaced businesses available from the Office of Economic and Workforce Development (OEWD) or its successor agency.
263.33(c)(2)	Allow the development on Assessor's Block 3763, Lot 105 to receive the special height exemption for residential use, in addition to or instead of a hotel.
329(e)(3)(B)(i)-(v)	Craft site-specific exceptions for Key Sites tailored to the specific design needs and opportunities of each project.
Uncodified section	For a residential Tower on Block 3786, Lot 035 (636 4 <sup>th</sup> Street), the following controls shall apply, provided the project meets its Inclusionary Housing requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site: (1) A 5-foot setback is required for the Tower Portion for the entire frontage along Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest property line frontage directly opposite the property at Block 3786, Lot 322. (2) The residential Tower may have a horizontal separation of not less than

<sup>2</sup> Legislative amendments made at the Board of Supervisors are only included in this list if they both: 1) involve material modifications; and, 2) were not within the scope of what was considered at previous Planning Commission hearings.

	40 feet from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322. (3) The maximum Gross Floor Area of any residential Tower floor shall be 12,500 gross square feet. (4) The maximum plan length of a Residential tower shall be 165 feet.
<b>Zoning Map Amendments (2011.13567Z)</b>	
<b>Section</b>	<b>Summary</b>
Section 2, subsection (c)	Amend Height and Bulk District Map HT01 for the development on Assessor's Block 3777, Lot 052 to increase the permitted height/bulk from 45-X to 50-X.
<b>Implementation Plan Amendments (2011.13567U)</b>	
<b>Section</b>	<b>Summary</b>
Public Benefits Program	Amend the Public Benefits Package to create a \$10 million PDR Relocation Fund in the Cultural Preservation and Community Services category, with projected funds from the CFD.
<b>Housing Sustainability District (2018-004477PCA)</b>	
<b>Section</b>	<b>Summary</b>
343(d)(7)	Modify project eligibility to require that projects seeking approval pursuant to this Section 343 elect the On-Site Affordable Housing Alternative under Sections 415.5(g)(1)(A). Projects not subject to Section 415 shall provide no less than 10% of dwelling units as units affordable to very low or low income families.
343(g)(6)	Establish expiration of approval: Approval of a project pursuant to this Section 343 shall expire if the project sponsor has not procured a building permit or site permit for construction of the project within 30 months of the date of the Department's issuance of a written decision pursuant to subsection (g)(2) of this Section 343. If the Planning Director finds that the project sponsor has demonstrated good faith in its efforts to obtain the first site or building permit for the project, the Planning Director may extend the approval for the project for a maximum of six additional months. Such deadline shall additionally be extended in the event of any appeal of such approval for the duration of the appeal, and in the event of litigation seeking to invalidate the approval for the duration of the litigation.

The additional Board amendments listed in Exhibit 2 are either non-substantive in nature, or are substantive but within the scope of items that were discussed at prior Planning Commission hearings on the Plan. Some notable amendments from this list include:

- Zoning Map: Amend the zoning classification of selected parcels to limit non-residential development. Instead of the CMUO zoning introduced in the original legislation, these parcels would be zoned as follows, as shown in the Zoning Map Graphics in Exhibit 5:
  - Keep the MUR zoning on the portions of Assessor blocks 3725, 3732, 3750, 3751, 3752 and 3753 that are currently zoned MUR (Mixed-Use Residential).
  - Rezone the WMUG- and M-zoned parcels in block 3733 in the Plan Area and the WMUG-zoned parcels in block 3752 to MUR (Mixed-Use Residential).
  - With the exception of parcels that are part of Key Development Sites, rezone the SALI-zoned parcels on blocks 3777, 3778, 3785 to MUG (Mixed-Use General).

- Planning Code Section 151.1: Amend the residential off-street parking requirements to allow up to 0.25 spaces/unit principally permitted, and up to 0.5 spaces/unit with a Conditional Use Authorization (as compared to the original proposal of 0.5 spaces/unit principally permitted).

## **REQUIRED COMMISSION ACTION**

The proposed Ordinances as amended are before the Commission so that it may approve them, reject them, or approve them with modifications.

## **RECOMMENDATION**

The Department recommends that the Commission *approve with modifications* the proposed amended Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District and adopt the attached Draft Resolution to that effect.

The Department proposes the following modifications to the Planning Code and Administrative Code Ordinance (2011.13567T):

### **Material Modifications Introduced at the Board of Supervisors**

1. Section 263.33: If the development on Assessor's Block 3763, Lot 105 seeks a special height exemption to build residential instead of a hotel, require that it meet the entirety of its inclusionary housing requirement through the On-Site Affordable Housing Alternative pursuant to Section 415.5(g)(1)(A).
2. Uncodified Section (Block 3786, Lot 035 / 636 4<sup>th</sup> Street): Staff recommends adding language that the Commission shall evaluate the project design through the Large Project Authorization process pursuant to Section 329 and make recommendations to address its urban design impacts, in order to: (1) limit the visual impact of the larger tower bulk and floorplate; and (2) address the impacts of the limited tower separation between this project and the adjacent development at Block 3786, lot 322 (505 Brannan Street).

### **Other Amendments Introduced at the Board of Supervisors**

3. Section 249.78: Allow proposed hotel projects on the parcels now proposed to be zoned MUR that submitted a development application prior to January 1, 2018 to proceed with their application, subject to Conditional Use Authorization.

### **Additional Amendments Recommended by Staff**

4. Section 134: Clarify that projects in the Central SoMa SUD must meet the applicable lot coverage requirements in Sec. 249.78(d)(4) and that the rear yard requirements of this Section 134 do not apply.

5. Section 135.3: Clarify that open spaces provided to satisfy the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 can satisfy the nonresidential usable open space requirement in Section 135.3.
6. Section 145.4(d)(4): Clarify that projects subject to the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 and the required ground floor commercial uses in Section 145.4 may locate the POPOS along the street frontage subject to 145.4, provided it is lined with active commercial uses.
7. Section 249.78(c)(1)(F): Reduce the ground floor transparency requirement for new PDR businesses from 60% (which is equivalent to the requirement for ground floor retail) to 30% on facades >50' linear feet, and 0% for shorter facades.
8. Section 249.78(c)(5): Clarify that projects with multiple buildings or lots may locate the required PDR uses or community building space anywhere on the subject project site.
9. Section 249.78(d)(3): Clarify the standard for 100% greenhouse-gas free electricity and the process for review, and specify that the requirement shall apply to newly constructed commercial or residential buildings, or major renovations to an existing building, as defined by San Francisco Green Building Code Section 202.
10. Section 249.78(d)(8): Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.
11. Section 263.32(b): Specify that MOHCD shall review land proposed to be dedicated for affordable housing, and the Director of Planning shall review land proposed to be dedicated for parks and open space.
12. Section 263.32(c): Clarify the method of calculating the development capacity of the primary project allowable with the Special Height Exemption.
13. Section 270(h): Modify the bulk requirements to specify that sky plane controls will take precedence over 261.1 controls on Stillman Street. Reduce the sky plane apparent mass control along Stillman Street to 85%.
14. Section 270(h): For projects that are required to provide PDR (pursuant to Sections 202.8 and 249.78(c)(5)), if such PDR is provided on the ground floor or above, add 3 vertical feet to:
  - The Base Height specified in the Apparent Mass Reduction Table 270(h)
  - The height where the upper story setback is required pursuant to Section 261.1
15. Section 329(d)(13)(D): Clarify that the wind exception is available for both wind comfort and wind hazard criterion, subject to Planning Commission review pursuant to 249.78(d)(7)(C)(iii).
16. Section 329(e)(2)(b): On the Key Site identified in Section 329(e)(2)(F) (the Flower Mart), add a section to allow the Planning Commission to grant certain code exceptions, if agreed upon with the City in a development agreement, including:
  - Exception to off-street parking controls of Section 151.1 to allow additional PDR parking solely to serve the Flower Market tenants and customers.
  - Exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i) to allow a cumulative maximum of 20% of the POPOS to be covered by any combination of (a) an inhabitable portion of a building with the POPOS having a minimum clearance height of 20' and maximum depth from face of overhead building of 15', or (b) an inhabitable portion of a building with the POPOS having a minimum clearance height of 50' and minimum horizontal dimension in all directions of 20'.

- Exception to the transparency and fenestration requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.
  - Exception to the protected street frontage requirements of Section 155.1(r) on 5th Street between Brannan and Bryant Streets.
17. Section 329(e)(2)(b)(iv): On the Key Site identified in Section 329(e)(2)(E) (the Park Block), allow exception to the requirement that POPOs be open to the sky in Section 138.
  18. Section 329(e)(2)(b)(vi): On the Key Site identified in Section 329(e)(2)(H) (the Creamery), allow exception to the requirement on protected street frontages in Section 155.1.
  19. Section 426: Clarify that sponsors must pay an in-lieu fee for any open space that does not meet the conditions of Sections 135.3 or 138, unless a Key Site exception is specified in Section 329(e).
  20. Section 840 & 841: Make conforming edits to the MUR and MUG zoning control tables to reflect the zoning map amendments introduced at the Board of Supervisors and to cross reference the Central SoMa SUD.

**BASIS FOR RECOMMENDATION**

The basis for the recommended modifications is as follows:

**TABLE 2: PLANNING DEPARTMENT STAFF RECOMMENDATIONS**

<b>Material Modifications Introduced at the Board of Supervisors</b>			
<b>#</b>	<b>Section</b>	<b>Change</b>	<b>Rationale</b>
1	263.33	If the development on Assessor's Block 3763, Lot 105 seeks a special height exemption to build residential instead of a hotel, require that it meet the entirety of its inclusionary housing requirement through the On-Site Affordable Housing Alternative pursuant to Section 415.5(g)(1)(A).	To ensure that the special height exemption is granted in cases where there is an additional public benefit being provided.
2	Uncodified Section (Block 3786, Lot 035 / 636 4th Street)	Staff recommends adding language that the Commission shall evaluate the project design through the Large Project Authorization process pursuant to Section 329 and make recommendations to address its urban design impacts, in order to: (1) limit the visual impact of the larger tower bulk and floorplate; and (2) address the impacts of the limited tower separation between this project and the adjacent development at Block 3786, lot 322 (505 Brannan Street).	To address the potential urban design impacts of the increased building size and bulk.
<b>Other Amendments Introduced at the Board of Supervisors</b>			
<b>#</b>	<b>Section</b>	<b>Change</b>	<b>Rationale</b>
3	249.78	Allow proposed hotel projects on the parcels now proposed to be zoned MUR that submitted a development application prior to January 1, 2018 to proceed with their application, subject to Conditional Use Authorization.	To allow proposed hotel projects in the development pipeline to proceed to Commission with Conditional Use Authorization, in consideration of the longstanding proposal to rezone these parcels to CMUO.

Additional Amendments Recommended by Staff			
#	Section	Change	Rationale
4	134	Clarify that projects in the Central SoMa SUD must meet the applicable lot coverage requirements in Sec. 249.78(d)(4) and that the rear yard requirements of this Section 134 do not apply.	Clarifying edit to add a cross-reference to the Central SoMa SUD.
5	135.3	Clarify that open spaces provided to satisfy the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 can satisfy the nonresidential usable open space requirement in Section 135.3.	Corrects drafting error in references.
6	249.78(c)	Clarify that projects subject to the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 and the required ground floor commercial uses in Section 145.4 may locate the POPOS along the street frontage subject to 145.4, provided it is lined with active commercial uses.	Clarifying edit.
7	249.78(c)(1)(F)	Reduce the ground floor transparency requirement for new PDR businesses from 60% (which is equivalent to the requirement for ground floor retail) to 30% on facades >50' linear feet, and 0% for shorter facades.	To provide PDR businesses with greater flexibility to accommodate industrial operations that may be more suited to opaque facades.
8	249.78(c)(5)	Clarify that projects with multiple buildings or lots may locate the required PDR uses or community building space anywhere on the subject project site.	Clarifying edit.
9	249.78(d)(3)	Clarify the standard for 100% greenhouse-gas free electricity and the process for review, and specify that the requirement shall apply to newly constructed commercial or residential buildings, or major renovations to an existing building, as defined by San Francisco Green Building Code Section 202.	To align the requirement with the development triggers specified in the City's Green Building Code.
10	249.78(d)(8)	Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.	To ensure that new PDR spaces will be able to flexibly accommodate a range of common industrial uses.
11	263.32(b)	Specify that MOHCD shall review land proposed to be dedicated for affordable housing, and the Director of Planning shall review land proposed to be dedicated for parks and open space.	To ensure that land dedicated will be suitable for provision of public benefits.
12	263.32(c)	Clarify the method of calculating the development capacity of the primary project allowable with the Special Height Exemption.	Clarifying edit.
13	270(h)	Modify the bulk requirements to specify that sky plane controls will take precedence over 261.1 controls on Stillman Street. Reduce the sky plane apparent mass control along Stillman Street to 85%.	The northern side of Stillman Street is the freeway and a bus storage yard and does not have a sidewalk. Reducing the required apparent mass reduction is unlikely to impact many pedestrians or

			other users of the street, and would allow some design flexibility for housing projects and other uses.
14	270(h)	For projects that are required to provide PDR (pursuant to Sections 202.8 and 249.78(c)(5)), if such PDR is provided on the ground floor or above, add 3 vertical feet to: <ul style="list-style-type: none"> <li>• The Base Height specified in the Apparent Mass Reduction Table 270(h).</li> <li>• The height where the upper story setback is required pursuant to Section 261.1.</li> </ul>	To account for the required 17' floor-to-floor height for PDR uses.
15	329(d)(13)(D)	Clarify that the wind exception is available for both wind comfort and wind hazard criterion, subject to Planning Commission review pursuant to 249.78(d)(7)(C)(iii).	Corrects drafting error in references.
16	329(e)(2)(b)	On the Key Site identified in Section 329(e)(2)(F) (Flower Mart site), add a section to allow the Planning Commission to grant certain code exceptions, if agreed upon with the City in a development agreement, including: <ul style="list-style-type: none"> <li>• Exception to off-street parking controls of Section 151.1 to allow additional PDR parking solely to serve the Flower Market tenants and customers.</li> <li>• Exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i) to allow a cumulative maximum of 20% of the POPOS to be covered by any combination of (a) an inhabitable portion of a building with a minimum clearance height of 20' and maximum depth from face of overhead building of 15', or (b) an inhabitable portion of a building with a minimum clearance height of 50' and minimum horizontal dimension in all directions of 20'.</li> <li>• Exception to the transparency and fenestration requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.</li> <li>• Exception to the protected street frontage requirements of Section 155.1(r) on 5th Street between Brannan and Bryant Streets.</li> </ul>	To craft site-specific exceptions for Key Sites tailored to the specific design needs and opportunities of each project.
17	329(e)(2)(b)(iv)	On the Key Site identified in Section 329(e)(2)(iv) (the Park Block), allow exception to the requirement that POPOS be open to the sky in Section 138.	To craft site-specific exceptions for Key Sites tailored to the specific design needs and opportunities of each project.
18	329(e)(2)(b)(vi)	On the Key Site identified in Section 329(e)(2)(vi) (the Creamery), allow exception to the requirement on protected street frontages in Section 155.1.	To craft site-specific exceptions for Key Sites tailored to the specific design needs and opportunities of each project.
19	426	Clarify that sponsors must pay an in-lieu fee for	Corrects drafting error in references.

		any open space that does not meet the conditions of Sections 135.3 or 138, unless a Key Site exception is specified in Section 329(e).	
20	840 & 841	Make conforming edits to the MUR and MUG zoning control tables to reflect the zoning map amendments introduced at the Board of Supervisors and to cross-reference the Central SoMa SUD.	Corrects drafting errors and adds additional cross-references for clarity.

**OTHER ITEMS FOR CONSIDERATION**

**Items Adopted by Planning Commission and Not Incorporated in Legislation as Amended**

The following recommendations were adopted by the Planning Commission and are not incorporated in the legislation as currently amended. As these items were already included in the prior Commission adoption actions, there is no formal staff recommendation to take further action on these items, and these items are restated here for informational purposes only.

1. Planning Code Section 169.3: Amend the TDM language to require projects that submitted applications before September 4, 2016 meet 75% of the TDM requirements.
2. Planning Code Section 329(e)(2): Add Block 3786, Lot 322 (505 Brannan Street) as a Key Site.
3. Planning Code Section 406: Include a waiver that allows land dedication of space for and construction of a public park on Block 3777 (598 Brannan St / Park Block) to count against various fees, including the TSF and Central SoMa Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).
4. Public Benefits Program: The Public Benefits Program adopted by the Planning Commission included funding in the amounts of \$20 million for the restoration of the Old Mint and \$70 million for the Environmental Sustainability and Resilience category. At the July 23<sup>rd</sup> Land Use & Transportation Committee hearing, Supervisor Kim proposed reducing the funding for each of these expenditures by \$5 million (to \$15 million and \$65 million, respectively) in order to create the proposed \$10 million PDR Relocation Assistance Fund described above. Subsequently, the Historic Preservation Commission discussed, at its hearing on August 1, these Board amendments and issued a letter reaffirming their support for the Old Mint and calling for retention of the \$20 million as adopted by Planning Commission (see Exhibit 10 for more information).

**Other Issues for Consideration**

Also enclosed in this case packet is a list of “Issues for Consideration” (Exhibit 9) that are not recommended by staff, but that have been raised by various stakeholders during the Plan Adoption process subsequent to the May 10, 2018 Planning Commission hearing.

**ENVIRONMENTAL REVIEW**

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission certified the Final

Environmental Impact Report on the Central SoMa Plan and adopted CEQA findings on May 10, 2018.

The San Francisco Planning Department's Environmental Planning Division evaluated the Central SoMa Amendments proposed at the July 16, 2018 and July 23, 2018 Land Use and Transportation Committee, and the Planning Department's staff recommendations and Issues for Consideration included in this case report. The Department determined that the proposed amendments would not result in any new or more severe physical environmental effects that have not already been evaluated in the Central SoMa Plan EIR, with one exception: upon review of the Issues for Consideration, the Department has determined that one of the requested amendments that is not recommended by staff could result in increased environmental effects. This determination is documented in the September 5, 2018 memo to the Planning Commission and Board of Supervisors entitled, "Environmental Analysis Addressing Amendments to the Central SoMa Area Plan" (Exhibit 3).

## **ATTACHMENTS**

- Exhibit 1 – Draft Resolution on Substantive Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District
- Exhibit 2 – Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since the May 10, 2018 Planning Commission Adoption Hearing
- Exhibit 3 – Environmental Analysis Addressing Amendments to the Central SoMa Area Plan
- Exhibit 4 – Planning Code and Administrative Code Draft Ordinance (as amended on 7/23/18)
- Exhibit 5 – Zoning Map Graphics (as amended on 7/23/18)
- Exhibit 6 – Zoning Map Draft Ordinance (as amended on 7/23/18)
- Exhibit 7 – Draft Public Benefits Program (as amended on 7/23/18)
- Exhibit 8 – Housing Sustainability District Draft Ordinance (as amended on 7/23/18)
- Exhibit 9 – Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District – Issues for Consideration
- Exhibit 10 – August 1, 2018 Letter from Historic Preservation Commission

**EXHIBIT 1:**  
**DRAFT RESOLUTION ON AMENDMENTS  
TO PLANNING CODE, ADMINISTRATIVE  
CODE, ZONING MAP, IMPLEMENTATION  
PROGRAM, AND HOUSING  
SUSTAINABILITY DISTRICT**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution No. XXXXX

HEARING DATE SEPTEMBER 13, 2018

*Project Name:* Central SoMa Plan – Approval of Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District (Planning Code and Business and Tax Code Ordinance)

*Date:* September 6, 2018

*Record No.:* **2011.1356TZU**

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning  
(415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**RESOLUTION ADOPTING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS WITH MODIFICATIONS TO THE SAN FRANCISCO PLANNING CODE AND ADMINISTRATIVE CODE ORDINANCE, ZONING MAP ORDINANCE, PLANNING CODE AND BUSINESS AND TAX CODE ORDINANCE, AND IMPLEMENTATION PROGRAM DOCUMENT TO GIVE EFFECT TO THE CENTRAL SOUTH OF MARKET AREA PLAN; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE, FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

WHEREAS, on February 27, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced ordinances for Planning Code, Administrative Code, and Zoning Map Amendments, pursuant to the Central South of Market Plan (“Central SoMa Plan”).

WHEREAS, pursuant to Planning Code Section 302(b), on February 27, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code, Administrative Code, and Zoning Map Amendments.

WHEREAS, on April 10, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced a substitute ordinance for Planning Code, Administrative Code, and Zoning Map Amendments pursuant to the Central South of Market Plan.

WHEREAS, pursuant to Planning Code Section 302(b), on April 10, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code, Administrative Code, and Zoning Map Amendments.

WHEREAS, on May 1, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced an ordinance for Planning Code and Business and Tax Regulations Code Amendments to establish and implement the Central South of Market Housing Sustainability District (“Central SoMa HSD”).

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan (“Final EIR”) and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Motion No. R-20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2011.1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission voted to adopt and recommend approval with modifications the Planning Code, Administrative Code, Zoning Map, and Business and Tax Regulations Code Amendments pursuant to Planning Code Section 302(c), as set forth in Planning Commission Resolution Nos. 20185, 20186, and 20188; and, adopt and recommend approval of the Implementation Program, as set forth in Planning Commission Resolution No. 20187.

WHEREAS, on July 16, 2018, after a duly noticed public hearing, the Land Use & Transportation Committee of the Board of Supervisors voted to modify the ordinances amending the Planning Code, Administrative Code, and Zoning Map.

WHEREAS, on July 23, 2018, after a duly noticed public hearing, the Land Use & Transportation Committee of the Board of Supervisors voted to materially modify the ordinances amending the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program, and referred the proposed modifications to the Planning Commission for its consideration pursuant to Planning Code Section 302(d).

WHEREAS, The Planning Code, Administrative Code, Zoning Map, and Business and Tax Regulations Code, and Implementation Program amendments, together with proposed General Plan Amendments, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Planning Commission incorporates by reference the general findings and overview concerning the Central SoMa Plan as set forth in Planning Commission Resolution No. 20184 governing General Plan Amendments.

WHEREAS, The ordinance, attached hereto as Exhibit 4, reflects the amendments proposed by the Land Use & Transportation Committee at its July 16 and July 23, 2018 hearings to revise the Administrative Code and Planning Code to implement the proposed Central SoMa Plan and its related documents. This ordinance amends Administrative Code Section 35; adds Planning Code Sections 128.1, 132.4, 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, 434, and 848; amends Sections 102, 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181, 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 270, 270.2, 303.1, 304, 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 419, 419.6, 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5, 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and 890.124; and removes Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to implement the Area Plan. The City Attorney's Office has reviewed the ordinance and approved it as to form. A memorandum summarizing revisions made to the Planning and Administrative Code Amendments since consideration by the Planning Commission on May 10, 2018 is attached hereto as Exhibit 2.

WHEREAS, The ordinance attached hereto as Exhibit 6, approved as to form by the City Attorney's office, reflects the Zoning Map Amendments proposed by the Land Use & Transportation Committee at its July 16 and July 23, 2018 hearings. A memorandum summarizing revisions made to the Zoning Map Amendments since consideration by the Planning Commission on May 10, 2018 is attached hereto as Exhibit 2.

WHEREAS, the amendments to the Central SoMa HSD ordinance proposed by the Land Use & Transportation Committee at its July 23, 2018 hearing are attached hereto as Exhibit 8.

WHEREAS, the amendments to the Implementation Program proposed by the Land Use & Transportation Committee at its July 23, 2018 hearing are attached hereto as Exhibit 7.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting and recommending that the Board of Supervisors approve with modifications the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments.

WHEREAS, Planning Department staff have determined that the material modifications and other amendments proposed by the Board's Land Use & Transportation Committee, the additional modifications proposed by Planning staff, and all but one of the issues for consideration identified in the September 6, 2018 Executive Summary, if adopted, would not result in increased physical environmental effects beyond that disclosed in the Central SoMa Plan Final EIR.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission finds from the facts presented that the public necessity, convenience, and general welfare require approval of the proposed Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution for the following reasons:

1. The Amendments will enable implementation of the Central SoMa Plan, which will accommodate development capacity for up to 32,500 jobs and 8,550 housing units by removing much of the Plan Area's industrially-protective zoning and increasing height limits on many of the Plan Area's parcels.
2. The Amendments will enable implementation of the Central SoMa Plan, which will maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households, and by requiring that these new units be built in SoMa.
3. The Amendments will enable implementation of the Central SoMa Plan, which will facilitate an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area.
4. The Amendments will enable implementation of the Central SoMa Plan, which will provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
5. The Amendments will enable implementation of the Central SoMa Plan, which will offer parks and recreational opportunities by funding the construction and improvement of parks and recreation centers in the area and requiring large, non-residential projects to provide publicly-accessible open space.
6. The Amendments will enable implementation of the Central SoMa Plan, which will create an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas emitting energy sources. A proposal to include a Mello-Roos Community Facilities District ("CFD") in the Central SoMa Plan is also under consideration. This CFD would provide funding for environmental sustainability and resilience strategies to improve air quality, provide biodiversity, and help manage stormwater. The CFD would also help to create an environmentally sustainable and resilient neighborhood.
7. The Amendments will enable implementation of the Central SoMa Plan, which will preserve and celebrate the neighborhood's cultural heritage by helping to fund the rehabilitation and maintenance of historic buildings. The CFD under consideration for addition to the Central SoMa Plan would provide funding to help preserve the Old Mint and for cultural and social programming for the neighborhood's existing residents and organizations. The CFD would also help to preserve and celebrate the neighborhood's cultural heritage.
8. The Amendments will enable implementation of the Central SoMa Plan, which will ensure that new buildings enhance the character of the neighborhood and the City by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

**AND BE IT FURTHER RESOLVED**, that the Commission finds the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution are in general conformity with the General Plan as set forth in Planning Commission Resolution Nos. 20184 and 20188.

**AND BE IT FURTHER RESOLVED**, that the Commission finds the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments contained in Exhibit 4, 6, 7 and 8 to this Resolution are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution Nos. 20184 and 20188.

**AND BE IT FURTHER RESOLVED**, that the Commission adopts the Planning Code, Administrative Code, Zoning Map, Business and Tax Regulations Code, and Implementation Program Amendments as reflected in ordinances approved as to form by the City Attorney attached hereto as Exhibits 4, 6, 7 and 8, and incorporated herein by reference, and recommends their approval with modifications by the Board of Supervisors. The proposed modifications are attached hereto as Exhibit 1a.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 13, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:  
NOES:  
ABSENT:  
ADOPTED:

## EXHIBIT 1a: Planning Commission Recommended Modifications

The Planning Department recommends the following modifications to the Planning Code and Administrative Code Ordinance (2011.13567T), as approved on September 13, 2016 in Commission resolution no. \_\_\_\_\_, pursuant to Planning Code Section 302(d).

1. Section 263.33: If the development on Assessor's Block 3763, Lot 105 seeks a special height exemption to build residential instead of a hotel, require that it meet the entirety of its inclusionary housing requirement through the On-Site Affordable Housing Alternative pursuant to Section 415.5(g)(1)(A).
2. Uncodified Section (Block 3786, Lot 035 / 636 4<sup>th</sup> Street): Staff recommends adding language that the Commission shall evaluate the project design through the Large Project Authorization process pursuant to Section 329 and make recommendations to address its urban design impacts, in order to: (1) limit the visual impact of the larger tower bulk and floorplate; and (2) address the impacts of the limited tower separation between this project and the adjacent development at Block 3786, lot 322 (505 Brannan Street).
3. Section 249.78: Allow proposed hotel projects on the parcels now proposed to be zoned MUR that submitted a development application prior to January 1, 2018 to proceed with their application, subject to Conditional Use Authorization.
4. Section 134: Clarify that projects in the Central SoMa SUD must meet the applicable lot coverage requirements in Sec. 249.78(d)(4) and that the rear yard requirements of this Section 134 do not apply.
5. Section 135.3: Clarify that open spaces provided to satisfy the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 can satisfy the nonresidential usable open space requirement in Section 135.3.
6. Section 145.4(d)(4): Clarify that projects subject to the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 and the required ground floor commercial uses in Section 145.4 may locate the POPOS along the street frontage subject to 145.4, provided it is lined with active commercial uses.
7. Section 249.78(c)(1)(F): Reduce the ground floor transparency requirement for new PDR businesses from 60% (which is equivalent to the requirement for ground floor retail) to 30% on facades >50' linear feet, and 0% for shorter facades.
8. Section 249.78(c)(5): Clarify that projects with multiple buildings or lots may locate the required PDR uses or community building space anywhere on the subject project site.
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10. Section 249.78(d)(8): Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.
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  - The height where the upper story setback is required pursuant to Section 261.1
15. Section 329(d)(13)(D): Clarify that the wind exception is available for both wind comfort and wind hazard criterion, subject to Planning Commission review pursuant to 249.78(d)(7)(C)(iii).
16. Section 329(e)(2)(b): On the Key Site identified in Section 329(e)(2)(F) (the Flower Mart), add a section to allow the Planning Commission to grant certain code exceptions, if agreed upon with the City in a development agreement, including:
  - Exception to off-street parking controls of Section 151.1 to allow additional PDR parking solely to serve the Flower Market tenants and customers.
  - Exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i) to allow a cumulative maximum of 20% of the POPOS to be covered by any combination of (a) an inhabitable portion of a building with the POPOS having a minimum clearance height of 20' and maximum depth from face of overhead building of 15', or (b) an inhabitable portion of a building with the POPOS having a minimum clearance height of 50' and minimum horizontal dimension in all directions of 20'.
  - Exception to the transparency and fenestration requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.
  - Exception to the protected street frontage requirements of Section 155.1(r) on 5th Street between Brannan and Bryant Streets.
17. Section 329(e)(2)(b)(iv): On the Key Site identified in Section 329(e)(2)(E) (the Park Block), allow exception to the requirement that POPOs be open to the sky in Section 138.
18. Section 329(e)(2)(b)(vi): On the Key Site identified in Section 329(e)(2)(H) (the Creamery), allow exception to the requirement on protected street frontages in Section 155.1.
19. Section 426: Clarify that sponsors must pay an in-lieu fee for any open space that does not meet the conditions of Sections 135.3 or 138, unless a Key Site exception is specified in Section 329(e).
20. Section 840 & 841: Make conforming edits to the MUR and MUG zoning control tables to reflect the zoning map amendments introduced at the Board of Supervisors and to cross reference the Central SoMa SUD.

**EXHIBIT 2:**  
**AMENDMENTS TO THE PLANNING  
CODE, ADMINISTRATIVE CODE, ZONING  
MAP, IMPLEMENTATION PROGRAM, AND  
HOUSING SUSTAINABILITY DISTRICT  
SINCE 5/10/18**

# Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption

HEARING DATE: SEPTEMBER 13, 2018

*Project Name:* **Central SoMa Plan: Approval of Substantive Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance**

*Date:* September 6, 2018

*Record Number:* **2011.1356TZU and 2018-004477PCA**

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning; (415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

This document includes a summary of amendments made to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance after the Central SoMa Plan was adopted at the Planning Commission at the May 10, 2018 hearing and was referred to the Board of Supervisors.

#	Section	Legislation Page/Line	Amendments <sup>1</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
<b>HOUSING SUSTAINABILITY DISTRICT [File no. 180453 - Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District]</b>							
1	343(d)(7)	pg 10, lines 14-21			X	Modify project eligibility to require that projects seeking approval pursuant to this Section 343 elect the On-Site Affordable Housing Alternative under Sections 415.5(g)(1)(A). Projects not subject to Section 415 shall provide no less than 10% of dwelling units as units affordable to very low or low income families.	To incentivize production of on-site affordable housing units.
2	343(g)(5)	pg 13, line 25 to pg 14, line 3			X	Clarify the discretionary review requirement to specify that as long as the Planning Commission has delegated its authority to the Planning Department to review applications for projects subject to this Section 343, the Planning Commission shall not hold a public hearing for discretionary review of projects subject to this Section 343.	This clarifying amendment specifies that the Commission will not hold a hearing for discretionary review of these projects as long as the Planning Commission has delegated its review authority to the Planning Department. This amendment would clarify that the Board of Supervisors is not purporting to unilaterally delegate the Commission's permit review authority.

<sup>1</sup> Amendments reflect the recommendations adopted by the Planning Commission (5/10 CPC) and the legislative amendments introduced at the Land Use & Transportation Committee of the Board of Supervisors (7/16 Board and 7/23 Board).

CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)

EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption

#	Section	Legislation Page/Line	Amendments <sup>1</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
3	343(g)(6)	pg 14, line 18 to pg 16, line 2			X	Establish expiration of approval: Approval of a project pursuant to this Section 343 shall expire if the project sponsor has not procured a building permit or site permit for construction of the project within 30 months of the date of the Department's issuance of a written decision pursuant to subsection (g)(2) of this Section 343. If the Planning Director finds that the project sponsor has demonstrated good faith in its efforts to obtain the first site or building permit for the project, the Planning Director may extend the approval for the project for a maximum of six additional months. Such deadline shall additionally be extended in the event of any appeal of such approval for the duration of the appeal, and in the event of litigation seeking to invalidate the approval for the duration of the litigation.	To reduce delays in housing production by requiring approved projects to commence construction within a reasonable timeline.
<b>ZONING MAP [File no. 180184 - Planning Code, Zoning Map - Central South of Market Special Use District]</b>							
1	Zoning map amendments & various conforming sections in Planning Code	Zoning map ordinance: pg 4, line 17-19; pg 5, line 4-5; p 6, line 20; pg 7, line 15 & 22		X		Modify the proposed zoning as follows: - Keep the MUR zoning on the portions of Assessor blocks 3725, 3732, 3750, 3751, 3752 and 3753 that are currently zoned MUR - Rezone the WMUG- and M-zoned parcels in block 3733 in the Plan Area and the WMUG-zoned parcels in block 3752 to MUR - With the exception of parcels that are part of Key Development Sites, rezone the SALI-zoned parcels on blocks 3777, 3778, 3785 to MUG	To increase housing development by limiting hotels and other non-residential uses.
2	Section 2, subsection (c)	pg 15, line 13			X	Amend Height and Bulk District Map HT01 for the development on Assessor's Block 3777, Lot 052 to increase the permitted height/bulk from 45-X to 50-X.	With a special height exemption pursuant to Section 263.32 (eligible for properties that provide 100% affordable housing), this would allow the affordable housing building at 595 Brannan to achieve a height of 70', thus enabling an extra floor of affordable units.

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

**EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption**

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
<b>PLANNING CODE &amp; ADMINISTRATIVE CODE [File no. 180184 - Administrative, Planning Codes - Central South of Market Area Plan]</b>							
1	Section 2, Finding (d)	pg 8, lines 1-16		X		Add a finding establishing intent for the Board of Supervisors to revise the jurisdiction and composition of Citizen Advisory Committees (CACs) to guide Plan implementation.	To advance future legislation to revise the Eastern Neighborhoods CAC and split it into two bodies, one serving the three SoMa Plan Areas (East, Central, and West SoMa), and one serving the southern Plan Ares (Mission, Showplace Square / Potrero Hill, and Central Waterfront). A process would be developed to incorporate the recommendations of neighborhood stakeholders and community members.
2	Section 2, Finding (e)	pg 8, lines 17-24		X		Add a finding establishing intent for the Board of Supervisors to develop a "Good Jobs Policy."	To advance future legislation to promote good jobs with living wages in the Plan area.
3	128.1(b)	pg 20, line 25; pg 21, line 1-2		X		Clarify the FAR definition for Transferable Development Rights to exclude: - lot area devoted to land dedicated to the City for public parks or recreation centers - lot area devoted to development of affordable housing buildings	Clarifying amendment
4	128.1(c)	pg 21, line 15	X	X		Reverse the terms "Development Lot" and "Transfer Lot".	Corrects drafting error in sequence of terms.
5	132.4(d)(1)(B)(iv)	pg 24, lines 1-2	X	X		Increase allowed streetwall architectural modulation from five feet to eight feet.	Preserves the sense of a substantial edifice while allowing for inset balconies.
6	135.3	pg 32, lines 10-12	X	X		Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.	Corrects drafting error to properly cross-reference Section 138.
7	138(a)(2)	pg 33, lines 2-3	X	X		Clarify that retail uses are not required to provide POPOS.	Corrects drafting error to include retail uses. Retail uses (like institutional uses) would still need to provide usable open space per Section 135.3.
8	138(d)(2)(A)-(B); 138(e)(2)	pg 35, line 14-19; pg 37, line 19-21	X	X		Update references to point to appropriate subsections.	Corrects drafting error in references within Section 138.
9	138(d)(2)(E)(i)	pg 36, lines 4-5	X	X		Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors.

<sup>2</sup> Amendments reflect the recommendations adopted by the Planning Commission (5/10 CPC) and the amendments introduced at the Land Use & Transportation Committee of the Board of Supervisors (7/16 Board and 7/23 Board)

CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)

EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
10	138(d)(2)(F)(ii)	pg 36, lines 13-14	X	X		Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.	This change would facilitate the creation of mezzanines within the POPOS.
11	151.1	pg 42, lines 4-6		X		Change parking requirements to up to 0.25 spaces/unit principally permitted or up to 0.5 spaces/unit with a Conditional Use Authorization.	To limit parking in this transit-rich district, in keeping with the citywide TDM program.
12	155(r)(2)(JJ)	pg 51, line 7	X	X		Update reference to point to 329(e)(3)(B).	Corrects drafting error in references
13	155(u)	pg 52, lines 1-5	X	X		Add to the Driveway Loading and Operations Plan (DLOP) the requirement that projects include a Passenger Loading Plan. Whereas the DLOP focuses on issues within the building, the PLP would focus on on-street loading issues.	The Passenger Loading Plan is a new concept aimed at minimizing the impact of passenger drop-offs, particularly on high injury corridors. All of the projects required to do such a Plan would also be required to undertake the DLOP, so there's synergy in merging the two efforts.
14	249.78(c)(1)	pg 64, lines 18-23	X	X		Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as long there is a doorway every 25 feet.	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
15	249.78(c)(1)(D)	pg 64, line 16-17	X	X		Add that hotels are allowed as an active commercial use per 145.4.	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
16	249.78(c)(4)	pg 65, lines 6-9		X		Modify the Micro-Retail definition to require that spaces measure no less than 100 gross square feet, and modify the requirement so that it applies to new non-residential development only.	To provide a minimum micro-retail size to ensure usable retail space, and to allow maximum flexibility for residential projects.
17	249.78(c)(4)	pg 65, line 9, 12		X		Key site exception - Micro Retail requirements (c)(4) - make it clear that it refers to "lots" not "sites."	Clarifying amendment
18	249.78(c)(5)	pg 66 line 7-12		X		Clarify the PDR replacement language to indicate that the requirement would only apply to the nonresidential portion, and would exclude residential & POPOS.	Clarifying amendment
19	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 19	X	X		Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, Legacy Businesses, and grocery stores.	Like PDR, these uses are beneficial to the community and can only pay limited rent.
20	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 19		X		Amend the eastern boundary of the area where the off-site PDR requirement may be satisfied from Embarcadero Street to Second Street.	To narrow the geographic area where off-site PDR may be provided to conform with the eastern boundary of the Plan Area.

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

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#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
21	249.78(c)(5)(B)	pg 65, line 21; pg 67, lines 8-9 and 14-27			X	Amend the PDR Requirements to: (1) remove grocery stores from the list of uses allowed to fulfill the PDR requirements of large office projects. (2) require that the 25% space reduction for below market rate PDR space only be permitted if the lower rent is provided for the life of the development project (compared to 55 years); and, (3) when a development application is submitted, require the project sponsor to demonstrate that they notified existing PDR tenants about the proposed project and provided them with information about the PDR Relocation Fund (as described in the Central SoMa Implementation Program Document) and PDR Sector Assistance for Displaced Businesses available from the Office of Economic and Workforce Development (OEWD) or its successor agency.	To incentivize provision of below market rate PDR space and to support existing PDR businesses with relocation.
22	249.78(d)(3)(C)	pg 69, lines 14-17		X		Allow projects the flexibility to provide their living and solar roof elements of subsections 249.78(d)(3)(C)(i)-(v) on any rooftops within the subject project, provided the equivalent amount of square footage is provided.	To allow projects some flexibility in meeting requirements while still ensuring environmental performance goals are met.
23	249.78(d)(5)(C)	pg 70, lines 16-17		X		Clarify lot merger restrictions to exempt the Key Site identified in 329(e)(2)(C), consistent with the Key Development Site Guidelines.	Clarifying amendment
24	249.78(d)(7)	pg 72, line 10		X		Wind standard – clarify that projects must meet the Nine Hour Criterion with wind reduction measures.	Clarifying amendment
25	249.78(d)(9)	pg 73, line 1-11	X	X		In the Central SoMa SUD, - allow units above 85’ in height to meet exposure requirements if they are 15’ back from the property line, - allow 10% of units at or below 85’ to have an exposure of 15’x15’ instead of 25’x25’; and, - do not require the increase in setback at every horizontal dimension that increases of 5’ at each subsequent floor.	These changes would make a rule of commonly granted exceptions.
26	263.32, 263.33, 263.34	pg 83, line 17-18, pg 85, lines 4-5 and 19-20	X	X		Clarify that projects that comply with these Special Height Exception sections do not need a Conditional Use approval.	Corrects oversight such that dedicated affordable housing sites can receive the height bonus just as sites that build units or that dedicate land for open space.

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

**EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption**

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
27	263.32(b)(2)	pg 83, lines 7-11	X	X		Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception.	The purpose of this height bonus is to incentive projects to provide sites for affordable housing and open space – provide benefits that are otherwise difficult to site in a dense neighborhood. This change is in keeping with the intent of this section in that it maintains the benefit for projects in 160' height districts.
28	263.32(c)(3)	pg 84, lines 10-12	X	X		Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers.	Clarifying amendment
29	263.33(c)(2)	pg 84, line 24			X	Allow the development on Assessor's Block 3763, Lot 105 to receive the special height exemption for residential use, in addition to hotel.	To encourage housing production by allowing flexibility for this site to be developed as housing in addition to, or instead of, a hotel.
30	Table 270(h)	pg 90, line 11	X	X		For Perry Street, make the Base Height "none".	This is the correct change to effectuate the goal of treating Perry St. like current northern sides of alleys, as discussed in the Central SoMa Plan's Implementation Matrix.
31	329(d)	pg 95, lines 18-21, pg 96, lines 6-7	X	X		Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155, and to allow the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to be used when evaluating this exemption.	These are commonly granted exceptions that are important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
32	329(d)	pg 96, lines 4-5	X	X		Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B).	Corrects drafting error to properly cross-reference 132.4(d)(3)(B) and 329(d).
33	329(d)	pg 96, lines 8-9	X	X		Add a subsection allowing for exceptions for exposure requirements under Section 140/249.78	This is a commonly granted exception that is important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
34	329(d)	pg 96, lines 10-11	X	X		Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7).	Corrects drafting error to properly cross-reference 249.78(d)(7) and 329(d).
35	329(d)	pg 96, lines 12-13		X		Add a subsection allowing for exceptions to lot coverage requirements pursuant to 249.78 for projects that convert from nonresidential to residential.	Clarifying amendment
36	329(e)(3)	pg 97, line 17	X	X		Clarify that Key Sites may utilize the exceptions granted in 329(d).	Extra language needed to make sure intent of this section is clear.
37	329(e)(3)(A)	pg 98, lines 20-23	X		X	Include donation of land for affordable housing in satisfaction of Jobs-Housing Linkage (JHL) fee pursuant to Section 413.7 as a Qualified Amenity	Corrects oversight based on benefits proposed by Key Sites.

CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)

EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
						provided by Key Sites, if the value of the land donated is equal to or greater than the fee amount owed.	
38	329(e)(3)(A)	pg 97, lines 23-25	X	X		Include donation of land for affordable housing per Sec 419.6 (Alternatives to the Inclusionary Housing Component) as qualified amenities to be considered a Key Site, if the value of the land donated is equal to or greater than the fee amount owed.	Corrects oversight based on benefits proposed by Key Sites.
39	329(e)(3)(B)	pg 98, Lines 5-7	X	X		Clarify that Key Sites can have exceptions for tower separation even greater than the exception in 132.4	Clarifying non-substantive amendment
40	329(e)(3)(B)	pg. 98, line 3-10	X	X		Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
41	329(e)(3)(B)(i)	pg 98, lines 13-18		X		On the Key Site identified in Section 329(e)(2)(B), the ground floor non-residential height in Sections 145.1 and 249.78(d)(8) may be reduced to 14'. In addition, the apparent mass reduction controls in Section 270(h)(2) may be reduced as follows: (A) on the building frontage on Harrison Street: 50%; (B) on the building frontage on Fourth Street: None.	
42	329(e)(3)(B)(ii)	pg 98, lines 19-23		X		On the Key Site identified in Section 329(e)(2)(C), exception to the lot coverage limits in Section 249.78(d)(4), the micro-retail requirement in 249.78(c)(4), the active use requirement in Section 145.1, and the ground floor commercial use requirements in Section 145.4. In addition, the site may be permitted to seek a Conditional Use Authorization to establish a Formula Retail Limited Restaurant, pursuant to Section 303.1.	
43	329(e)(3)(B)(iii)	pg 98, lines 24-25		X		On the Key Site identified in Section 329(e)(2)(D), exception to the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.	
44	329(e)(3)(B)(iv)	pg 99, lines 1-4			X	On the Key Site identified in Section 329(e)(2)(E), allow exception to the lot coverage limits in Section 249.78(d)(4), the street frontage requirements in Section 145.1, and the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r).	
45	329(e)(3)(B)(iv)	pg 99, lines 5-6		X		On the Key Site identified in Section 329(e)(2)(G), exception to the PDR space requirements of Section 249.78(c)(5).	

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

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#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
46	329(e)(3)(B)(v)	pg 99, lines 7-14		X	X	(vi) On the Key Site identified in Section 329(e)(2)(H), exception to the street frontage requirements in Section 145.1, the required ground floor commercial uses in Section 145.4, and the requirement that at least two-thirds of the Gross Floor Area of all building area below 160 feet be non-residential in Section 249.78(c)(6). In addition, the usable open space requirement pursuant to Section 135 may be reduced to 60 square feet of usable open space required for each dwelling unit if not publicly accessible.	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
47	413.7(a)	pg 101, lines 21-23			X	Clarify that projects that satisfy all or a portion of the Jobs-Housing Linkage fee via land dedication pursuant to Section 413.7 may receive a credit against such requirements up to the value of the land donated.	The code as introduced was contradictory, as it specified that projects could meet part or all of their Jobs-Housing Linkage fee obligation through land dedication, but later said the proposed land must be equal to or greater in value than the fee obligation. This clarification is consistent with our other land dedication policies.
48	413.7	pg 102, lines 1-5		X		Require the Director of Property to either conduct or approve the land appraisal for land dedication in satisfaction of the Jobs-Housing Linkage Fee requirement	Clarifying amendment
49	418.7	pg 106 line 17 to pg 108 line 21	X	X		Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District and to reference the Central SoMa Implementation Program Document	Change necessary to legalize the funding structure proposed by the Plan.
50	426	pg 119, line 25 to page 12, line 1-3			X	Clarify that projects may pay an in-lieu fee for any POPOS and/or Usable Open Spaces requirements not met in sections 138 and 135.3, respectively.	Clarifying edit.
51	434	pg 132, line 7 to pg 133, line 25	X	X		Add a Section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) include new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and/or non-residential development in Central SoMa Development Tier C; and, (3) the proposed project is greater in size than what would have been allowed without the Central SoMa Plan.	This language was always proposed for inclusion but was not ready for discussion until this time.

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

**EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption**

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
52	840 (Table 840)	pg 186, line 22 to pg 190, line 13			X	Make conforming edits to the MUG General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
53	841 (Table 841)	pg 191, line 20 to pg 195, line 21			X	Make conforming edits to the MUR General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
54	848	pg 208, lines 1-6			X	Correct the residential off-street parking code references in the CMUO District Zoning Control Table.	Corrects cross-references.
55	848	pg 208, line 14 to pg 209, line 2	X	X		Add a cross-reference in the CMUO table to the residential lot coverage requirements in 249.78.	Non-substantive amendment but not included in the Case Report
56	Uncodified section	pg 216, lines 5-18			X	For a residential Tower on Block 3786, Lot 035, the following controls shall apply, provided the project meets its Inclusionary Housing requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site: (a) A 5-foot setback is required for the Tower Portion for the entire frontage along Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest property line frontage directly opposite the property at Block 3786, Lot 322. (b) The residential Tower may have a horizontal separation of not less than 40 feet from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322. (c) The maximum Gross Floor Area of any residential Tower floor shall be 12,500 gross square feet. (d) The maximum plan length of a Residential tower shall be 165 feet.	To facilitate an increase in residential units in the tower at 636 4th Street, provided the project provides affordable housing units on-site.
<b>IMPLEMENTATION PROGRAM DOCUMENT [ADOPTED BY REFERENCE]</b>							
1	Implementation Program Document	Public Benefits Program			X	Amend the Public Benefits Program to create a \$10 million PDR Relocation Fund in the Cultural Preservation and Community Services category.	To support existing PDR businesses and address potential displacement by providing relocation assistance, including business services and support with rent and moving costs.

**CENTRAL SOMA PLAN (Case Number 2011.1356TZU & 2018-004477PCA)**

**EXHIBIT 2: Amendments to the Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District since Planning Commission Adoption**

#	Section	Legislation Page/Line	Amendments <sup>2</sup>			Summary of Amendments	Rationale
			5/10 CPC	7/16 Board	7/23 Board		
2	Implementation Program Document	Public Benefits Program			X	Amend the Public Benefits Program to subtract \$5 million from the Restoration of the US Mint building and \$5 million from the Environmental Sustainability & Resilience category (\$4 million from "Enhanced stormwater management in complete streets" and \$1million from "Water recycling and stormwater management in parks").	To create the PDR Relocation Fund as described above.
3	Implementation Program Document	Key Development Site Guidelines			X	Edit the description of Key Development Site 3 to specify that the hotel may be developed as a residential building, and to remove the reference to 500 hotel rooms.	Conforming amendment with item #6 (Section 263.33) above.

**EXHIBIT 3:**  
**ENVIRONMENTAL ANALYSIS**  
**ADDRESSING AMENDMENTS TO THE**  
**CENTRAL SOMA AREA PLAN**



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

DATE: September 6, 2018

TO: San Francisco Planning Commissioners and Board of Supervisors

FROM: Jessica Range and Elizabeth White, Environmental Planning

RE: Environmental Analysis Addressing Amendments, Staff Recommendations, and Other Issues for Consideration to the Central South of Market (SoMa) Area Plan  
Planning Department Case No. 2011.1356E

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The San Francisco Planning Commission certified the Final Environmental Impact Report (EIR) for the Central South of Market (Central SoMa) Plan in compliance with the California Environmental Quality Act (CEQA) on May 10, 2018. The purpose of this analysis is to determine whether the EIR adequately analyzes:

- 1) the amendments to the Central SoMa Plan introduced by the legislative sponsors at the Board of Supervisor’s Land Use Committee hearings on July 16, 2018 and July 23, 2018;
- 2) Planning Department’s staff recommendations; and
- 3) other issues for consideration.

The amendments, staff recommendations, and other issues for consideration are summarized in the September 6, 2018 Planning Commission Executive Summary for approval of amendments to the Central SoMa Plan.

## Central SoMa Plan Amendments

The Environmental Planning Division has reviewed the proposed amendments to the Central SoMa Plan introduced at the July 16 and 23, 2018 Land Use Committee hearings and determined that the amendments to the Central SoMa Plan were addressed in the Central SoMa Plan Final EIR and accompanying errata, are merely clarifications to the Plan, or are determined not to result in physical environmental effects beyond that disclosed in the Final EIR. The following two amendments to the Central SoMa Plan require additional explanation as to why the proposed amendments would not result in any new physical environmental effects that are not already analyzed in the Central SoMa Plan EIR.<sup>1</sup>

### (1) Increase the allowable height on Block 3777, Lot 052 from 45 feet to 50 feet

*Analysis:* This amendment would modify the proposed Central SoMa Plan zoning map from 45-X to 50-X for a portion of Block 3777, Lot 052. The existing height and bulk limit for this block and lot is

<sup>1</sup> The July 16, 2018 amendments to the Central SoMa Plan also include a proposed change to the allowable zoning for parcels north of the I-80 freeway (Blocks 3733, 3750, 3751, and 3752) that are currently proposed to be zoned CMUO (Central SoMa Mixed Use Office) to MUR (mixed-use residential), which is the existing zoning designation for these sites. This change to the Central SoMa Plan was evaluated in the May 9, 2018 Errata to the EIR and determined not to result in environmental effects beyond that analyzed in the EIR. The May 9, 2018 Errata is available at: [http://sfmea.sfplanning.org/Central\\_SoMa\\_EIR\\_Errata\\_May92018.pdf](http://sfmea.sfplanning.org/Central_SoMa_EIR_Errata_May92018.pdf). Accessed July 16, 2018.

40-X. The proposed amendment would add an additional 5 feet to the allowable heights on this block, for a total height increase of 10 feet. The September 6, 2018 Planning Commission Executive Summary for approval of amendments to the Central SoMa Plan specifies that if the developer of the site takes advantage of the Central SoMa Plan's Special Height Exceptions, this height increase would allow for the development of an additional floor of affordable housing units. Should development on this parcel take advantage of the special height exemption pursuant to section 263.32<sup>2</sup>, the development project would be required to demonstrate that it does not result in a net increase in development potential for the primary project and does not cause any new or substantially increased significant impacts that cannot be mitigated to less-than-significant levels related to wind and shadow that would not have occurred without the additional height. Should a development project **NOT** take advantage of the special height exemption pursuant to section 263.32, a 5 foot increase in the allowable height limit would not allow for an additional developable floor and would not increase development capacity for the site.

Therefore, this proposed amendment to the Central SoMa Plan would not result in growth at levels beyond that evaluated in the EIR. As such, there is no need for further analysis of impacts related to land use (division of a community or conflict with plans adopted to avoid environmental impacts); cultural and paleontological resources (historical, archeological, tribal, cultural and unique paleontological resources and human remains); transportation (traffic, transit, pedestrian and bicycle circulation, loading, and emergency vehicle access); air quality (consistency with the relevant air quality plan, traffic generated emissions and construction emissions of criteria air pollutants and fine particulate matter and toxic air contaminants, and odors); noise (traffic-generated noise, noise generated by stationary sources and construction noise); or hydrology (flooding risk and wastewater generation). Because there would be no change in the intensity of development, there would be no change to the EIR's Initial Study analysis for the following topics: population and housing, recreation, utilities, public services, biology, geology, hazardous materials, minerals, energy, and agricultural and forest resources.

Regarding wind, based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Therefore, an allowable height limit of 50 feet would not result in new wind hazards beyond that disclosed in the EIR.

With regards to shadow, the closest existing public open space to this block and lot is South Park, approximately 1,400 feet (0.25 miles) to the east of this site. A shadow fan analysis of a potential 50-foot tall building on this site was conducted and is included as Attachment A. This analysis finds that a 50-foot tall building would not shade any existing public open spaces. The additional 5 foot height limit increase could result in an incremental amount of shade on the Plan's proposed park on the block bounded by Bryant, Fourth, Brannan, and Fifth Streets. However, as discussed in the EIR (IV.H-38-IV.H-40), this park is proposed as part of the Central SoMa Plan and CEQA does not require an

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<sup>2</sup> Section 263.32. Special Height Exceptions: Permitted Building Heights in the Central SoMa Special Use District

evaluation of the project on itself. Potential shadow impacts that could be cast on this future park are discussed in the EIR for informational purposes only and incremental increases in the amount of shadow on the Plan's proposed open spaces do not affect the adequacy or accuracy of the environmental analysis in the Central SoMa Plan EIR. For the above reasons, increasing the allowable height on Block 3777, Lot 052 by 5 feet would not result in any new or more severe environmental impacts than those identified in the Central SoMa Plan EIR.

**(2) Rezoning of the Western SoMa Service, Arts, and Light Industrial (WS SALI) parcels (exclusive of Central SoMa Key Sites), south of Interstate 80 (I-80) to Mixed-Use General (MUG)**

*Analysis:* The proposed rezoning of the Western SoMa Service, Art, and Light Industrial (WS SALI) parcels (exclusive of Central SoMa Key Sites) located south of I-80 to MUG would reduce potential commercial development by approximately 120,000 square feet. This change would result in a net reduction of 531 jobs and a net gain of 120 residential units in the Central SoMa Plan Area.<sup>3</sup> This modification in zoning would change the Plan's overall growth projections, resulting in a total of 8,570 housing units (8,450 units +120 units) and 33,219 jobs (33,750 jobs – 531 jobs).

As a point of clarification, the total number of units studied in the Central SoMa Draft EIR is 8,320 and the total number of jobs studied is 44,000. However, following publication of the Central SoMa RTC document, the Planning Department analyzed a list of "issues for consideration" (which are proposals for changes to the Central SoMa Plan received from the public during the public review process). One of the issues for consideration involved changing the proposed zoning from Central SoMa Mixed Use Office (CMUO) to MUG or Mixed-Use Residential (MUR) for the area north of Harrison Street. The Planning Department's Environmental Planning Division evaluated this change in the May 9, 2018 errata to the EIR and determined that this potential change would result in a reduction of 10,250 jobs within the Plan Area and a net gain of 130 residential units (8,320 units +130 units =8,450 units). The Department further determined that this change would not result in increased physical environmental effects beyond that studied in the Central SoMa EIR. EIR Appendix G (attachment to the EIR, provided in an errata issued April 5, 2018<sup>4</sup>) and EIR Appendix I (attachment to the EIR, provided in an errata issued May 9, 2018<sup>5</sup>) explain how other changes to the Central SoMa Plan have resulted in changes to the Plan's growth projections.

The proposed rezoning of the WS SALI parcels (exclusive of Central SoMa Key Sites) located south of I-80 to MUG would change the projected amount of jobs and housing units, but would not result

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<sup>3</sup> Chen, Lisa (San Francisco Planning Department), "RE: Central SoMa: Growth Projections". Email communication to Elizabeth White. September 6, 2018.

<sup>4</sup> Errata to the EIR for the Central SoMa Plan – April 5, 2018. This document is available as part of Planning Department Case File No. 2011.1356E and online at: <http://sf-planning.org/area-plan-eirs>. Accessed September 5, 2018.

<sup>5</sup> Errata to the EIR for the Central SoMa Plan – May 9, 2018. This document is available as part of Planning Department Case File No. 2011.1356E and online at: <http://sf-planning.org/area-plan-eirs>. Accessed September 5, 2018.

in an exceedance of the overall growth (amount of jobs *and* housing units) projected under the Plan. The environmental effects of an additional 120 residential units within the Plan Area would be offset by the reduction in environmental effects anticipated to occur as a result of approximately 531 fewer jobs being developed within the Plan Area. Therefore, there would be no substantial change to the EIR's analysis for topics that rely on the EIR's growth projections (noise, air quality, and hydrology and water quality). Similarly, because the overall intensity of development under the Plan would still be within that which was studied in the EIR, there would be no change to impacts identified in the initial study related to population and housing, recreation, utilities, or public services.

In regards to transportation and circulation, residential uses, on a square-foot basis, would result in fewer person trips than office uses based on San Francisco's 2002 Transportation Impact Analysis Guidelines.<sup>6</sup> For residential use, 10 person trips are assumed to occur per 1,000 square feet whereas 18 person trips are assumed to occur per 1,000 square foot of office use. Therefore, the conversion of approximately 120,000 square feet from projected office use to residential use would result in lower overall person trips, resulting in lower overall vehicle, transit, pedestrian, bike and other trips. Therefore, this change would not increase the severity of the significant and unavoidable impacts identified in the EIR related to transit, loading, and crosswalk overcrowding. The reduction in overall person trips would result in a reduction in the amount of vehicle trips anticipated to be generated under the Plan, which would result in a commensurate reduction in traffic noise and air quality impacts resulting from vehicle emissions. As such, this change would not increase the severity of the significant and unavoidable land use and land use planning, noise and air quality impacts identified in the EIR. As the location and amount of projected developed area would not change, there would be no change in the significant and unavoidable historic resource or construction traffic impact identified in the EIR. The proposed amendment would result in a reduction in the overall intensity of development anticipated under the Plan and would therefore not result in more significant impacts than those identified in the EIR or Initial Study for the remaining topics that were determined to be less than significant or less than significant with mitigation (e.g., archeology, tribal cultural resources, human remains, paleontological resources, population and housing, construction related noise and air quality, recreation, utilities, public services, biology, geology, hazardous materials, minerals, energy, and agricultural and forest resources).

Furthermore, the rezoning of WS SALI parcels south of I-80 to MUG would not change height and

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<sup>6</sup> The person trips in the Transportation Impact Analysis Guidelines are a conservative (i.e. "worst-case scenario") assumption meaning that the results are not underreported, but instead provide a reasonably conservative analysis.

bulk proposals studied in the EIR, and therefore, would not result in changes to the aesthetics, shadow, or wind analysis in the EIR.

For the above reasons, the proposal to amend the allowable zoning in the Central SoMa Plan for parcels south of I-80 from WS SALI to MUG would not result in increased physical environmental effects beyond that already studied in the EIR.

### **Staff Recommendations**

In addition to the above amendments, Planning Department staff is recommending a number of additional modifications to the Central SoMa Plan. These additional modifications are clarifying edits or revisions to the Plan that would not result in increased physical environmental effects beyond that disclosed in the Central SoMa Plan Final EIR.

### **Issues for Consideration**

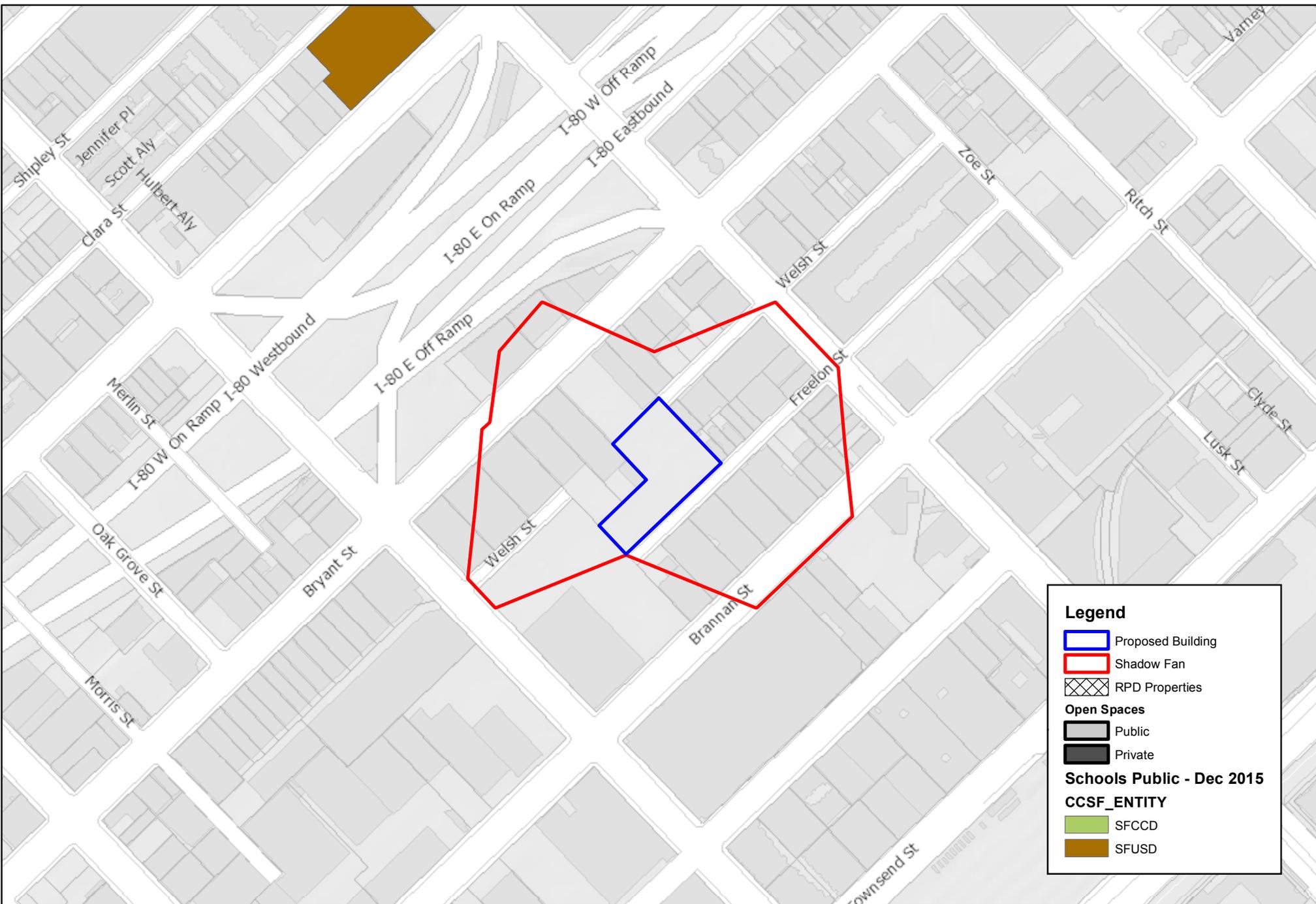
The September 6, 2018 Planning Commission Staff Executive Summary for approval of amendments to the Central SoMa Plan contains a list of Issues for Planning Commission consideration. With the exception of the following, the issues for consideration, if adopted, would not result in increased physical environmental effects beyond that disclosed in the Central SoMa Plan Final EIR.

**Issue not covered in the EIR analysis:** On the Key Site identified in Planning Code Section 329(e)(2)(b)(C), allow an exception to the bulk controls in Section 270(h) to permit the project to include a rooftop bar.

**Rationale:** This modification to the Planning Code would allow for this Key Site to include a rooftop bar above the allowable height limit. Any physical features allowed above the height limit were not analyzed in the Central SoMa Plan's Final EIR and therefore, could result in increased wind and shadow impacts, beyond that disclosed in the Final EIR. Should this amendment be recommended for inclusion in the Central SoMa Plan, Environmental Planning staff recommends that this exception be allowed only if the project does not cause any new or substantially increased significant impacts that cannot be mitigated to less than significant levels related to wind and shadow that would not have occurred without the physical features associated with the rooftop bar.

### **Enclosures**

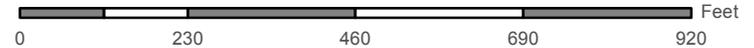
Attachment A. Shadow Fan Analysis for Block 3777, Lot 052



Title: Block 3777 Lot 052: Shadow from 50 foot Height Limit

Comments: July 16, 2018 Proposed Amendments to the Central SoMa Plan, Case No. 2011.1356E

Printed: 16 July, 2018



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**EXHIBIT 4:  
PLANNING CODE AND ADMINISTRATIVE  
CODE DRAFT ORDINANCE (AS  
AMENDED ON 7/23/18)**

[Administrative, Planning Codes - Central South of Market Area Plan]

1  
2  
3 **Ordinance amending the Administrative and Planning Codes to give effect to the**  
4 **Central South of Market Area Plan, encompassing an area generally bounded on its**  
5 **western portion by Sixth Street, on its eastern portion by Second Street, on its northern**  
6 **portion by the border of the Downtown Plan Area (an irregular border that generally**  
7 **jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by**  
8 **Townsend Street; making approval findings under the California Environmental Quality**  
9 **Act, including adopting a statement of overriding considerations; and making findings**  
10 **of consistency with the General Plan, and the eight priority policies of Planning Code,**  
11 **Section 101.1, and findings of public necessity, convenience, and welfare under**  
12 **Planning Code, Section 302.**

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

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

21 Section 1. Environmental and Planning Code Findings.

22 (a) On \_\_\_\_\_, 2018, after a duly noticed public hearing, the Planning  
23 Commission certified the Final Environmental Impact Report (EIR) for the proposed Central  
24 South of Market (SoMa) Area Plan (the Project) by Motion No. \_\_\_\_\_, finding that  
25 the Final EIR reflects the independent judgment and analysis of the City and County of San  
Francisco, is adequate, accurate, and objective, and contains no significant revisions to the

1 Draft EIR, and that the content of the report and the procedures through which the Final EIR  
2 was prepared, publicized, and reviewed comply with the California Environmental Quality Act  
3 (CEQA) (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code  
4 Regs. Section 15000 et seq.), and Chapter 31 of the Administrative Code. Copies of the  
5 Planning Commission Motion and the Final EIR are on file with the Clerk of the Board in File  
6 No. \_\_\_\_\_ and are incorporated herein by reference.

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

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

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

23 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
24 Planning Code Amendment will serve the public necessity, convenience, and welfare for the  
25

1 reasons set forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board  
2 incorporates such reasons herein by reference.

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

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

11 (h) The Board of Supervisors finds that no substantial changes have occurred in the  
12 proposed Project that would require revisions in the Final EIR due to the involvement of new  
13 significant environmental effects or a substantial increase in the severity of previously  
14 identified significant effects, no substantial changes have occurred with respect to the  
15 circumstances under which the proposed Project is to be undertaken that would require major  
16 revisions to the Final EIR due to the involvement of new environmental effects or a substantial  
17 increase in the severity of effects identified in the Final EIR, and no new information of  
18 substantial importance to the proposed Project has become available which indicates that (1)  
19 the Project will have significant effects not discussed in the Final EIR, (2) significant  
20 environmental effects will be substantially more severe, (3) mitigation measure or alternatives  
21 found not feasible that would reduce one or more significant effects have become feasible or  
22 (4) mitigation measures or alternatives that are considerably different from those in the Final  
23 EIR would substantially reduce one or more significant effects on the environment.  
24

25 Section 2. General Findings

1 (a) Findings Regarding Setback Requirement on Fourth Street. The increased  
2 development in Central SoMa is likely to cause congestion and crowding for pedestrians on  
3 the Central SoMa Plan Area's sidewalks, particularly near the intersection of the Central  
4 Subway and Caltrain, due to the increased concentration of commuters using Muni and  
5 Caltrain at that location. In most of the Plan Area, pedestrian congestion will be ameliorated  
6 by widening sidewalks to the widths identified in the Better Streets Plan, pursuant to Planning  
7 Code Section 138.1. However, the sidewalks on 4th Street between Bryant and Townsend  
8 Streets cannot be widened to the extent recommended by the Better Streets Plan because  
9 the Central Subway will run at grade in the middle of the street. Therefore, requiring the  
10 buildings on 4th Street between Bryant Street and Townsend Street be set back five feet at  
11 ground level will alleviate this impact to pedestrian congestion and crowding.

12 (b) Findings Regarding Micro-Retail Uses in the Central SoMa Special Use District.  
13 The Plan seeks to provide small retail spaces, referred to as "micro-retail," to ensure that  
14 space is available for small, non-Formula Retail establishments, which are more likely to offer  
15 non-traditional and unique merchandise for residents and visitors. The micro-retail space  
16 requirements provide for a diversity of retail land uses, which will help preserve Central  
17 SoMa's distinct neighborhood character and help fulfill the City's Priority Policy of the General  
18 Plan that existing neighborhood-serving retail uses be preserved and enhanced and that  
19 opportunities for resident employment in and ownership of neighborhood-serving retail  
20 establishments be enhanced. In addition, the Board hereby incorporates by reference and  
21 adopts the findings set forth in Planning Code Section 303.1(a), which further support the  
22 provision of non-Formula Retail micro-retail spaces in the Central SoMa Plan Area.

23 (c) Findings Regarding Privately-Owned Public Open Space (POPOS).

24 (1) Adequate open space is of vital importance to the desirability of downtown  
25 and South of Market as a place to visit, work or shop.

1           (2) New non-residential development increases demands on the City's existing  
2 limited parks, recreational facilities, and open spaces, contributing to overcrowding of those  
3 facilities.

4           (3) Publicly-accessible open space and recreation facilities are essential to  
5 creating and maintaining an attractive central business district and to generally create an  
6 environment appealing for workers, shoppers, and visitors. The economic sustainability and  
7 well-being of the City is dependent on the reputation of its commercial and visitor areas as  
8 pleasant and amenity-filled. Businesses choose to locate in San Francisco because of its  
9 balance of high-accessibility to other businesses and services and its livability. The skilled  
10 and creative workforce sought by businesses growing in San Francisco values spending time  
11 in an interesting and amenity-filled walkable urban environment. These spaces directly  
12 enhance the economic value of the commercial properties themselves.

13           (4) New non-residential development increases the demand for parks,  
14 recreational facilities, and open space. These amendments provide for open space  
15 demanded as a result of new non-residential development. These amendments also provide  
16 for a reduction in open space requirements where recreational and open space amenities are  
17 provided by other means. Also, to ensure that these publicly accessible spaces mitigate the  
18 impacts described above, truly supplement the public open space system, and provide  
19 welcoming environments to all members of the public, indoor and upper-story spaces are  
20 discouraged in favor of outdoor, street-level spaces, except where a specific recreational  
21 amenity is provided that is necessarily indoors or the project location makes outdoor space  
22 undesirable (e.g., adjacent to a freeway). Further, limited amounts of food and beverage  
23 service retail are permitted in larger spaces created pursuant to this ordinance to ensure that  
24 these spaces are active and attractive to workers, visitors, and shoppers, as well as provide  
25 some revenue for the property owners.

1 (5) To ensure that the requirements of this ordinance provide sufficient flexibility  
2 for project sponsors to address the context of their particular sites and address the impacts of  
3 their developments, project sponsors are given options to meet the requirements other than  
4 by setting aside space on their project sites. These options include (depending on zoning  
5 district) provision of off-site open space and payment of fees in lieu of providing any space.  
6 Reasonable geographic latitude is given in provision of off-site spaces. In-lieu fee amounts  
7 are set based on the reasonably comparable costs of acquiring land in the area of the  
8 development and improving the property to the same high standard of investment as would be  
9 expected in a highly-trafficked public space in a high-density urban area (i.e., significantly  
10 higher cost per square foot for more intensive amenity, hardscape, and engineering  
11 investment than relatively cheaper expansive lawns and landscape areas common in less  
12 dense more outlying neighborhoods). These in-lieu fees are based on costs identified in  
13 Downtown San Francisco Park, Recreation, and Open Space Development Impact Fee  
14 Nexus Study by Hausrath Economics from April 2012.

15 (6) The San Francisco Infrastructure Level of Service Analysis (2014) (“LOS  
16 Analysis”), p. 22, concludes that four acres of open space are necessary for every 1,000  
17 “Service Population Units.” Each employee is equivalent to 0.19 “Service Population Units”  
18 (Hausrath Economics Group, “Phoenix Park and EDU Factors Study,” A Report to City of  
19 Phoenix Planning Department, Sept. 1998, cited in San Francisco Citywide Nexus Analysis  
20 (2014) at p. 14 n. 22.) Thus, every 1,000 additional employees creates a demand for 0.76  
21 acres of open space (4.0 acres/1,000 employees x 0.19 = 0.76 acres/1,000 workers).

22 (7) Development under the Central SoMa Plan is expected to add 8.5 million  
23 gross square feet (gsf) of new non-residential building space, based on the Planning  
24 Department's *Buildout Analysis for Central SoMa* (January 25, 2018).

1 (8) This 8.5 million gsf would result in approximately 40,000 jobs (assuming an  
2 employment density of approximately 220 gsf per worker). ("Central SoMa Growth Allocation  
3 by TAZ - August 2016.")

4 (9) Because, as noted above, every 1,000 additional employees creates a  
5 demand for 0.76 acres of open space, the Central SoMa Plan would create demand for an  
6 additional 30.4 acres of open space.

7 (10) The San Francisco Citywide Nexus Analysis (2014) ("Citywide Nexus  
8 Analysis"), at p. 15, states that the cost to construct new open space is approximately \$10.3  
9 million per acre. Therefore providing 30.4 acres of new open space in Central SoMa would  
10 cost the City approximately \$313 million.

11 (11) Non-residential development projects in Central SoMa pay the Eastern  
12 Neighborhoods Infrastructure Impact Fee (Fee), of which 6% is dedicated to open space. As  
13 of 2018, the maximum Fee paid by non-residential uses was \$19.81 per gsf; 6% of which is  
14 \$1.19 per gsf. As such, non-residential projects in Central SoMa are expected to generate  
15 approximately \$10 million towards open space, leaving an unfunded portion of nearly \$300  
16 million.

17 (12) The Central SoMa Plan POPOS program would yield approximately four  
18 acres of open space, based on the proposed requirement of 1 gsf of POPOS for every 50 gsf  
19 of non-residential development and the expectation of 8.5 million of gsf of non-residential  
20 development. At a cost of \$10.3 million per acre, these four acres of POPOS would be the  
21 equivalent of approximately \$40 million of additional open space fees.

22 (13) Therefore, expanding the POPOS requirement to the Central SoMa Plan  
23 Area is an essential part of the City's overall strategy to meet the demand for open space  
24 generated by new residents and workers.

25

1           (d) Findings Regarding the Establishment of Citizens Advisory Committees to Guide  
2 Plan Implementation. Through the Eastern Neighborhoods planning process, the City  
3 established the Eastern Neighborhoods Citizens Advisory Committee (CAC) to advise on the  
4 implementation of the Eastern Neighborhoods Plans and community improvements  
5 programming within the Central Waterfront, East SoMa, Western SoMa, Mission, and  
6 Showplace Square/Potrero Hill areas. However, with the addition of the Central SoMa Area  
7 Plan and its related implementation and community improvements programming, it is evident  
8 that a single CAC can no longer provide the appropriate community input necessary to serve  
9 these growing areas. The Board of Supervisors intends to revise the composition and  
10 jurisdiction of the Eastern Neighborhoods CAC, such that it is split into two CACs, one which  
11 serves the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one  
12 which serves the southern Plan Areas (Mission, Showplace Square/Potrero Hill, and Central  
13 Waterfront). Any process of modifying existing and proposed CACs should incorporate  
14 community input. Therefore it is the Board's intent to create a process which incorporates the  
15 recommendations of neighborhood stakeholders and community members as they develop  
16 the necessary details of restructuring these bodies.

17           (e) Findings Regarding Access to Good Jobs. While accommodating the growth of  
18 jobs is important, it is just as important that these are jobs that pay a living wage. Many of the  
19 office jobs in the technology sector and even the PDR jobs are certain to be good jobs,  
20 particularly in that they pay well relative to education. However, it is important that the City  
21 supports good jobs across all sectors, including construction workers, hotel workers, and  
22 other professions. Therefore, it is the intent of the Board of Supervisors to develop a "Good  
23 Jobs Policy" to help enable permanent jobs at good living wages with benefits within the future  
24 development.

1 Section 3. The Administrative Code is hereby amended by revising Chapter 35, to  
2 read as follows:

3  
4 **CHAPTER 35: RESIDENTIAL, HOTEL, AND ~~INDUSTRIAL~~PDR COMPATIBILITY AND**  
5 **PROTECTION**

6 **SEC. 35.1. SHORT TITLE.**

7 This Chapter 35 may be referred to as the Residential and ~~Industrial~~PDR Compatibility  
8 and Protection Ordinance.

9 **SEC. 35.2. DECLARATION OF POLICY.**

10 It shall be the policy of the City and County of San Francisco (City) to protect its  
11 existing and future ~~industrial businesses~~Production, Distribution, and Repair (PDR) Uses from  
12 potentially incompatible adjacent and nearby development provided that such ~~industrial~~Uses  
13 are conducted and maintained ~~in a manner consistent with proper and accepted customs and~~  
14 ~~standards and~~ in accordance with all applicable federal, state, and local laws and regulations.  
15 The City ~~and County of San Francisco~~ encourages the use of best available control technologies  
16 and best management practices whenever possible to further reduce the potential for  
17 incompatibility with other uses, including residential.

18 Furthermore, it shall be the policy of the City ~~and County of San Francisco~~ to support the  
19 health, safety, and welfare of~~protect~~ the future residents of and overnight visitors to  
20 ~~industrial~~Industrial, PDR, and mixed-use neighborhoods by providing for a notification process  
21 so that such residents and overnight visitors are made aware of some of the possible  
22 consequences of moving to or staying in an industrial or mixed use such neighborhoods and by  
23 ~~encouraging and, if possible,~~ requiring, features in any new residential or hotel construction  
24 designed to promote the compatibility of residential and hotel and adjacent or nearby ~~industrial~~  
25 PDR uses.

1           **SEC. 35.3. DEFINITIONS.**

2           For the purposes of this Chapter 35, the following definitions shall apply.

3           ~~(a) "Adjacent Property" means all real property inside or within 150 feet of an Industrial Use~~  
4 ~~Zoning District.~~

5           ~~(b) "Eligible IndustrialPDR Use" means any legally existing, including legally non-~~  
6 ~~conforming, or future IndustrialPDR Use, conducted or maintained for industrialPDR purposes,~~  
7 ~~in a manner consistent with proper and accepted customs and standards, as established and followed~~  
8 ~~by similar industrialPDR uses in the same neighborhood if such uses exist, and in accordance with all~~  
9 applicable federal, state, and local laws and regulations.

10           ~~"Hotel Use" is as defined in Planning Code Section 102.~~

11           ~~(c) "IndustrialPDR Use" means any industrial use as defined in the Planning Code~~  
12 ~~Section 102., including, but not limited to, Automotive as defined in Planning Code Section 223, Animal~~  
13 ~~Services as defined in Planning Code Section 224, Wholesaling, Storage, Distribution and Open Air~~  
14 ~~Handling of Materials and Equipment as defined in Planning Code Section 225, Manufacturing and~~  
15 ~~Processing as defined in Planning Code Section 226. Other Uses as defined in Planning Code Section~~  
16 ~~227, and Light Manufacturing. Wholesale Sales, Storage as defined in Planning Code Section 890.54.~~  
17 ~~Upon adoption of the permanent Eastern Neighborhoods Zoning Controls. "Industrial Use" shall also~~  
18 ~~include Production, Design, and Repair Uses ("PDR Uses"), as defined in the zoning controls,~~  
19 ~~including, but not limited to, Publishing, Audio/Visual, Arts, Fashion, Transport, Food/Event, Interior~~  
20 ~~Design, Construction, Equipment, Motor Vehicles, and Other PDR uses.~~

21           ~~(d) "IndustrialPDR Use Zoning District" means a zoning district designated in Planning~~  
22 ~~Code Section 201 as an Industrial District, Production Distribution Repair District, or Eastern~~  
23 ~~Neighborhoods Mixed Use District C-M (Heavy Commercial), M-1 (Light Industrial), M-2 (Heavy~~  
24 ~~Industrial), SPD (South Park), RSD (Residential/Service Mixed Use), SLR (Service/Light~~  
25 ~~Industrial/Residential Mixed Use), SLI (Service/Light Industrial), SSO (Service/Secondary Office), or~~

1 ~~MB-CI (Mission Bay Commercial Industrial). Upon adoption of the permanent Eastern Neighborhoods~~  
2 ~~Zoning Controls, "Industrial Use Zoning District" shall also include a zoning district within the~~  
3 ~~Eastern Neighborhoods Plan Area in which PDR is a principally permitted use, including, but not~~  
4 ~~limited to, zoning districts designated PDR Zone, Employment and Business Development Zone, or~~  
5 ~~Urban Mixed Use Zone.~~

6 "Property" means all real property inside a PDR Use Zoning District.

7 ~~(e) "Residential Use" is as defined in Planning Code Section 102 means the use of any real~~  
8 ~~property as a dwelling unit or units, regardless of whether it is a primary residence.~~

9 ~~(f) "Transfer" means, but is not limited to, the following: sale or lease.~~

10 "Transferee" means a purchaser or lessee of all or any portion of a Property, and includes but  
11 is not limited to the purchaser or lessee's partners, assigns, successors, representatives, and heirs.

12 "Transferee" shall not mean a guest at a Hotel or Motel.

13 "Transferor" means an owner of a Property who sells or leases all or any portion of the  
14 structure to a Transferee, and includes but is not limited to the owner's partners, assigns, successors,  
15 and representatives.

16 **SEC. 35.4. PROTECTION OF ~~INDUSTRIAL~~PDR USES.**

17 No Eligible ~~Industrial~~PDR Use shall be or become a public or private nuisance if the  
18 PDR Use operates in compliance with the Municipal Code and state and federal law, and with the  
19 terms of its permits due to any changed condition in Adjacent Property after the Industrial Use has been  
20 in operation for more than two years if it was not a nuisance at the time it was established.

21 **SEC. 35.5. EXEMPTIONS AND NONAPPLICATION.**

22 (a) The provisions of Section 35.4 shall not apply whenever a nuisance results from  
23 the negligent, improper, or illegal operation of any ~~Industrial~~PDR Use.

1 (b) This Chapter 35 is not intended to super~~e~~cede or limit any other provisions of the  
2 Municipal Code with regard to the regulation and control of ~~Industrial~~PDR Uses, including, but  
3 not limited to, Article 11 of the Health and Safety Code.

4 \* \* \* \*

5 **SEC. 35.6. NOTICE REQUIREMENTS FOR TRANSFER OF REAL PROPERTY FOR**  
6 **RESIDENTIAL USE.**

7 (a) **Notice Requirement.** The ~~Transferor~~ of ~~Adjacent~~ Property for Residential Use or  
8 Hotel Use must provide notice to the ~~Transferee~~ as follows.

9 (1) Timing of Disclosure. For all transfers of ~~Adjacent~~ Property having any  
10 Residential Use or Hotel Use, the ~~Transferor~~ shall provide the disclosure described in  
11 ~~Sub~~subsection 35.6(a)(2) on a written document. This notice shall be provided for a lease prior to  
12 the tenant(s) signing ~~at the~~ lease, or for a purchase agreement for the transfer of the ~~Adjacent~~  
13 Property at the time required by California Civil Code Section 1102.3.

14 (2) ~~Disclosure~~Contents of Disclosure Notice. The disclosure shall include a  
15 citation to this Section 35.6, a copy of this Chapter 35 as is in effect when the disclosure notice is  
16 provided, and a written statement containing substantially the following language in at least 12-  
17 point font:

18 **"DISCLOSURE OF ~~ADJACENT~~NEIGHBORING INDUSTRIAL~~PDR~~ USES**

19 You are purchasing or leasing property in an area that permits Production, Distribution, and  
20 Repair (PDR) Uses, as defined in Planning Code Section 102~~that may be adjacent to an existing~~  
21 ~~industrial use.~~ Industrial~~PDR~~ Uses may subject you to inconveniences or discomfort arising  
22 from ~~Industrial~~their operations, which may include, but are not limited to: noise, odors, dust,  
23 chemicals, smoke, operation of machinery, and loading and unloading operations, which may  
24 occur throughout the day and night. One or more of these types of inconveniences may occur  
25 even if the ~~industrial~~PDR Use is operating in conformance with existing laws and regulations

1 and locally accepted customs and standards for operations of such use. ~~If you live near~~  
2 ~~industrial uses, you~~You should be prepared to accept such inconveniences or discomfort as  
3 normal and a necessary aspect of living in a neighborhood with mixed ~~industrial~~PDR and  
4 residential ~~Uses~~. A PDR Use shall not be considered a public or private nuisance if it operates in  
5 compliance with the Municipal Code and state and federal law, and with the terms of its  
6 permits~~Transferor shall maintain a copy of this disclosure in the transferor's records for not less than~~  
7 ~~two years, and a copy shall be provided to the City or the transferee upon request."~~

8 (b) **Affidavit of Disclosure.**

9 (1) Contents of Affidavit. The ~~t~~Transferor shall make and sign, upon penalty of  
10 perjury, an affidavit containing the following information, with appropriate terms to be inserted in  
11 place of the bracketed language, as specified: stating that the transferor provided the disclosure  
12 required by this Section and shall attach a copy of the notice actually provided; provided, however,  
13 that the attachment need not also include a copy of the then-current text of this Chapter. This affidavit,  
14 with the attached notice provided, shall be maintained in the transferor's records for not less than two  
15 years, and a copy shall be provided to the City or the transferee upon request.

16 (A) the identities of the Transferor and any entity on whose behalf the  
17 Transferor is acting;

18 (B) the identity of the Transferee;

19 (C) the address, including unit number, of the portion of the Project being  
20 transferred;

21 (D) whether the Transfer is a sale or lease; and

22 (E) the following language:

23 "I have provided to the [purchaser or lessee] the disclosure required by San Francisco  
24 Administrative Code Chapter 35. Attached is a true and correct copy of the notice provided to the  
25 [purchaser or lessee].

1           I declare under penalty of perjury under the laws of the State of California that the foregoing is  
2 true and correct. Executed on [date] in [city and state]."

3           (2) Affidavit Transmitted to the Planning Department. The Transferor shall transmit  
4 to the Planning Department, by any means acceptable to the Planning Department, the affidavit and a  
5 copy of the disclosure notice provided to each Transferee; provided however, that the attachment need  
6 not also include a copy of the then-current text of this Chapter 35. This transmittal must occur within  
7 90 days of the transfer. Upon request of the Transferee, the Transferor shall also provide a copy of this  
8 affidavit, with an attached copy of the disclosure notice referenced in the affidavit, to the Transferee.

9           (3) Affidavits Available to the Public. Pursuant to state and local law, upon request,  
10 the Planning Department shall provide a copy of the affidavit and attached notice to any member of the  
11 public.

12           (4) Covenants, Conditions, and Restrictions for Condominium Projects. If the  
13 Property will be subdivided into condominiums, the requirements of this Section 35.6(b) shall be  
14 included as terms of the Covenants, Conditions, and Restrictions ("CC&Rs") that will be filed with the  
15 State and that govern owners of the property. Upon request, a copy of the CC&Rs shall be provided to  
16 the Planning Department.

17           \* \* \* \*

18           ~~(e) This Chapter shall not create any private right of action against the City. The City shall~~  
19 ~~have no duty or liability based on any failure to achieve the disclosure required by this Chapter or~~  
20 ~~based on the City's failure to prosecute.~~Enforcement. The Planning Department shall enforce this  
21 Section 35.6 through the application of Planning Code Sections 176 and 176.1.

22           **SEC. 35.7. PLANNING DEPARTMENT AND COMMISSION REVIEW OF**  
23 **RESIDENTIAL PROJECTS.**

24           The Planning Department and Commission shall consider, among other  
25 considerationsfactors, the compatibility of uses when approving Residential Uses and Hotel Uses

1 in PDR Use Zoning Districts adjacent to or near existing Industrial Uses and to shall take all  
2 reasonably available means through the City's design review and approval processes to  
3 ensure that the design of such new residential and hotel development projects is sensitive to  
4 both the existing and future Industrial PDR Uses in these Districts and the future residents and  
5 overnight visitors of the new development. Such considerations factors may include, among  
6 others:

- 7 (a) The proposed project's consistency with the Industrial Area Design Guidelines;
- 8 (b) The proposed project's overall design, acoustical treatment, and ventilation to  
9 achieve interior noise levels and ventilation compatible with residential standards; and
- 10 (c) The location of non-habitable spaces or spaces such as closets, bathrooms,  
11 kitchens, and/or landscaping so that such spaces may provide a buffer between the proposed  
12 habitable residential areas and any common property line with Industrial PDR Uses.

13 **SEC. 35.8. SEVERABILITY.**

14 In the event that a court or agency of competent jurisdiction holds that a Federal or  
15 State law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this  
16 Chapter 35 or the application thereof to any person or circumstances, it is the intent of the  
17 Board of Supervisors that the court or agency sever such clause, sentence, paragraph, or  
18 section or application thereof so that the remainder of this ordinance Chapter shall remain in  
19 effect.

20 **SEC. 35.9. NO PRIVATE RIGHT OF ACTION AGAINST CITY.**

21 This Chapter 35 shall not create any private right of action against the City. The City shall have  
22 no duty or liability based on any failure to achieve the disclosure required by this Chapter or based on  
23 the City's failure to enforce or prosecute pursuant to this Chapter.

1 Section 4. The Planning Code is hereby amended by adding Sections 128.1, 132.4,  
2 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, 434, and 848; revising Sections 102,  
3 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181,  
4 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 263, 270, 270.2,  
5 303.1, 304, 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 418.7, 419, 419.6,  
6 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5,  
7 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and 890.124;  
8 and deleting Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to read as follows:

9 **SEC. 102. DEFINITIONS.**

10 \* \* \* \*

11 **Floor Area, Gross.** In Districts other than C-3, ~~CMUO~~the Central SoMa Special Use  
12 District, and the Van Ness Special Use District, the sum of the gross areas of the several floors of  
13 a building or buildings, measured from the exterior faces of exterior walls or from the  
14 centerlines of walls separating two buildings. Where columns are outside and separated from  
15 an exterior wall (curtain wall) that encloses the building space or are otherwise so arranged  
16 that the curtain wall is clearly separate from the structural members, the exterior face of the  
17 curtain wall shall be the line of measurement, and the area of the columns themselves at each  
18 floor shall also be counted.

19 In the C-3 and CMUO Central SoMa Districts and the Van Ness Special Use Districts,  
20 the sum of the gross areas of the several floors of a building or buildings, measured along the  
21 glass line at windows at a height of four feet above the finished floor and along a projected  
22 straight line parallel to the overall building wall plane connecting the ends of individual  
23 windows, provided, however, that such line shall not be inward of the interior face of the wall.

24 (a) Except as specifically excluded in this definition, "Gross Floor Area" shall include,  
25 but not be limited to, the following:

1 \* \* \* \*

2 (7) In districts other than the C-3 and CMUO Central SoMa Special Use  
3 Districts, floor space in accessory buildings; and

4 (8) In the C-3 and CMUO Central SoMa Special Use Districts, any floor area  
5 dedicated to accessory or non-accessory parking, except for bicycle parking, required  
6 off-street loading, and accessory parking as specified in subsection (b)(7); and

7 \* \* \* \*

8 (b) "Gross Floor Area" shall not include the following:

9 \* \* \* \*

10 (4) Mechanical equipment, appurtenances, and areas necessary to the  
11 operation or maintenance of the building itself (A) if located at an intermediate story of the  
12 building and forming a complete floor level; or (B) in the C-3 and CMUO Central SoMa Special  
13 Use Districts, if located on a number of intermediate stories occupying less than a full floor  
14 level, provided that the mechanical equipment, appurtenances, and areas are permanently  
15 separated from occupied floor areas and in aggregate area do not exceed the area of an  
16 average floor as determined by the Zoning Administrator;

17 \* \* \* \*

18 (7) In C-3 and CMUO Districts, floor space dedicated to parking which does not  
19 exceed the amount principally permitted as accessory, and is located underground.

20 \* \* \* \*

21 (13) Ground floor area in the C-3-O, C-3-O(SD), C-3-S, C-3-S(SU), ~~and~~ and C-  
22 3-G Districts and CMUO in the Central SoMa Special Use Districts devoted to building or  
23 pedestrian circulation and building service;

24 \* \* \* \*

1 (16) Floor area in C-3, ~~South of Market Mixed Use Districts,~~ and Eastern  
2 Neighborhoods Mixed Use Districts devoted to child care facilities, provided that:

3 (A) Allowable indoor space is no less than 3,000 square feet and no  
4 more than 6,000 square feet, ~~and;~~

5 (B) The facilities are made available rent free, ~~and;~~

6 (C) Adequate outdoor space is provided adjacent, or easily accessible, to  
7 the facility. Spaces such as atriums, rooftops, or public parks may be used if they meet  
8 licensing requirements for child care facilities; ~~and~~

9 (D) The space is used for child care for the life of the building as long as  
10 there is a demonstrated need. No change in use shall occur without a finding by the Planning  
11 Commission that there is a lack of need for child care and that the space will be used for a  
12 facility described in ~~§~~subsection (b)(17) below dealing with cultural, educational, recreational,  
13 religious, or social service facilities;

14 (17) Floor area in C-3, ~~South of Market Mixed Use Districts,~~ and Eastern  
15 Neighborhoods Mixed Use Districts permanently devoted to cultural, educational, recreational,  
16 religious, or social service facilities available to the general public at no cost or at a fee  
17 covering actual operating expenses, provided that such facilities are:

18 (A) Owned and operated by a nonprofit corporation or institution; or

19 (B) Are made available rent free for occupancy only by nonprofit  
20 corporations or institutions for such functions. Building area subject to this ~~§~~subsection shall  
21 be counted as Occupied Floor Area, except as provided in ~~§~~subsections(a) through (f) in the  
22 definition for Floor Area, Occupied, for the purpose of calculating the freight loading  
23 requirements for the project;

24 \* \* \* \*

25 **SEC. 124. BASIC FLOOR AREA RATIO.**

1 (a) Except as provided in ~~S~~subsections (b), (c), (d), (e), and (l) of this Section 124, the  
 2 basic Floor Area Ratio limits specified in the Zoning Control Table for the district in which the  
 3 lot is located, or in Table 124 below, shall apply to each building or development in the  
 4 districts indicated.

5

6 **TABLE 124**

7 **BASIC FLOOR AREA RATIO LIMITS**

<i>District</i>	<i>Basic Floor Area Ratio Limit</i>
* * * *	
<del>RSD</del> , SPD, NC-1, NCT-1, NC-S	1.8 to 1
Haight	
Inner Clement	
Inner Sunset	
North Beach	
Outer Clement	
Sacramento	
24th Street-Noe Valley	
West Portal	
* * * *	
<del>SLR</del> , <del>SLI</del>	2.5 to 1

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SSO and in a 40 or 50 foot height district	3.0 to 1
SSO and in a 65 or 80 foot height district	4.0 to 1
SSO and in a 130 foot height district	4.5 to 1
* * * *	

\* \* \* \*

(j) Within ~~the any RSD, SPD, SLR, SLI or SSO~~ District, Live/Work Units constructed above the floor area ratio limits in Section 102 (Floor Area Ratio, subsection (b)(19)) of this Code shall be subject to the following conditions and standards:

(1) Considering all Dwelling Units and all Live/Work Units on the lot, existing and to be constructed, there shall be no more than one Live/Work Unit and/or Dwelling Unit per 200 square feet of lot area, ~~except that, for projects in the RSD District which will exceed 40 feet in height, and therefore are required to obtain conditional use approval, the allowable density for Dwelling Units and Live/Work Units shall be established as part of the conditional use determination;~~ and

\* \* \* \*

**SEC. 128.1. TRANSFER OF DEVELOPMENT RIGHTS IN THE CENTRAL SOMA SPECIAL USE DISTRICT.**

**(a) Purpose.** *The purpose of this Section is to use Transferable Development Rights to facilitate the economic viability of buildings that are of civic importance, that are not built to their full development potential, and that are within the Central SoMa Special Use District, established in Section 249.78.*

**(b) Definitions.**

**"Development Lot."** *A lot within the Central SoMa Special Use District to which Transferable Development Rights may be transferred. The Development Lot shall not include any*

1 land dedicated to the City for affordable housing pursuant to Section 249.78 or for publicly-  
2 owned parks or publicly-owned recreation centers.

3 "**Preservation Lot.**" A parcel of land within the Central SoMa Special Use District on  
4 which exists (1) a Significant or Contributory Building, as designated pursuant to Article 11 of this  
5 Code; or (2) a structure designated as an individual landmark or as contributory to a historic district  
6 designated pursuant to Article 10 of this Code. The boundaries of the Preservation Lot shall be the  
7 boundaries of the Assessor's Lot on which the building is located at the time the ordinance making the  
8 designation is adopted, unless boundaries are otherwise specified in that ordinance.

9 "**Transfer Lot.**" A lot within the Central SoMa Special Use District from which  
10 Transferable Development Rights may be transferred.

11 "**Transferable Development Rights (TDR).**" Units of allowable Gross Floor Area that  
12 may be transferred, pursuant to the provisions of this Section and Article 11 of this Code, from a  
13 Transfer Lot to increase the allowable Gross Floor Area of a development on a Development Lot.

14 "**Unit of TDR.**" One unit of TDR is one square foot of Gross Floor Area.

15 (c) **Applicability.** TDR may be transferred from a Transfer Lot to a Development Lot, subject  
16 to the requirements set forth in this Section 128.1.

17 (1) The maximum TDR available for transfer from a Transfer Lot consists of the  
18 difference between the allowable Gross Floor Area on the Transfer Lot and the actual Gross Floor  
19 Area of the development located on the Transfer Lot. For purposes of this Section, the allowable Gross  
20 Floor Area of the Transfer Lot is as follows:

21 (A) 3.0 Floor Area Ratio for projects in height districts of 40 to 49 feet;

22 (B) 4.0 Floor Area Ratio for projects in height districts of 50 to 59 feet;

23 (C) 5.0 Floor Area Ratio for projects in height districts of 60 to 69 feet;

24 (D) 6.0 Floor Area Ratio for projects in height districts of 70 to 85 feet; and

25 (E) 7.5 Floor Area Ratio for projects in height districts over 85 feet.

1                   (2) TDR may not be transferred for use on any lot on which there is a Significant or  
2 Contributory building designated pursuant to Article 11 or any building designated pursuant to Article  
3 10; provided that this restriction shall not apply if the Historic Preservation Commission finds that the  
4 additional space resulting from the transfer of TDR is essential to make economically feasible the  
5 reinforcement of a Significant or Contributory building designated pursuant to Article 11 to meet the  
6 standards for seismic loads and forces of the Building Code, in which case TDR may be transferred for  
7 that purpose, provided that the project sponsor has satisfied all other requirements of this Section and  
8 Article 11, including but not limited to the requirements of Sections 1111 through 1111.6.

9                   (3) Notwithstanding any other provision of this Section 128.1, development on a  
10 Development Lot is limited by the provisions of this Code, other than those on floor area ratio,  
11 governing the approval of projects, including but not limited to the requirements relating to height,  
12 bulk, setback, sunlight access, and separation between towers, and any limitations imposed pursuant to  
13 Section 329 review applicable to the Development Lot.

14                   (d) Controls. The transfer of TDR shall be allowed only under the following circumstances:

15                   (1) The Transfer Lot is a Preservation Lot or consists of a building all of the housing  
16 units of which are Affordable Housing Units as defined in Section 401.

17                   (2) The purchaser of the TDR is a Development Lot as defined in Section 128 and  
18 128.1.

19                   (e) Additional Requirements. Projects transferring TDR pursuant to this Section 128.1 are  
20 subject to the requirements of Planning Code Section 128(e) through (l).

21                   **SEC. 132.4. SETBACKS, STREETWALL ARTICULATION, AND TOWER SEPARATION**  
22 **IN THE CENTRAL SOMA SPECIAL USE DISTRICT.**

23                   (a) Purpose. The controls in this Section 132.4 are intended to ensure that new buildings in the  
24 Central SoMa Special Use District contribute to the activation, safety, and dynamism of the  
25

1 neighborhood, help create a strong urban room, and facilitate a substantial amount of light and air to  
2 the neighborhood's major streets.

3 (b) Definitions. The definitions of Section 102 shall apply, as well as the following additional  
4 definitions.

5 "Mid-Rise Building." A building above 85 feet and up to 160 feet in Height.

6 "Mid-Rise Portion." The portion of a Mid-Rise Building above 85 feet in Height.

7 "Separation." The distance, measured horizontally, between the outside surfaces of the  
8 exterior walls of the subject buildings.

9 "Tower." Any building taller than 160 feet in Height.

10 "Tower Portion." The portion of a Tower above 85 feet in Height.

11 (c) Applicability. The controls in this Section 132.4 apply within the Central SoMa Special Use  
12 District, established in Section 249.78.

13 (d) Controls.

14 (1) Streetwall.

15 (A) Requirements. Buildings shall be built up to the street- or alley-facing  
16 property line up to 65 feet in Height, subject to the controls of Section 261.1 as applicable, except as  
17 provided in subsection (B) below.

18 (B) Permitted Streetwall Setbacks. Notwithstanding the requirements of  
19 subsection (A), any building may be recessed from the property line as follows:

20 (i) To the extent necessary to accommodate any setback required by this  
21 Code;

22 (ii) For portions of residential buildings with walk-up dwelling units that  
23 have setbacks in accordance with the Ground Floor Residential Guidelines;

24 (iii) For publicly-accessible open space built pursuant to the  
25 requirements of Section 138; or

1 (iv) For building façade architectural articulation and modulation up to  
2 a maximum depth of 58 feet.

3 (2) Setbacks.

4 (A) For Mid-Rise Buildings in the CS Bulk District, as defined in Section 270(h),  
5 the following requirements apply:

6 (i) Along all street- and alley-facing property lines, a 15-foot setback is  
7 required for the Mid-Rise Portion for at least 60 percent of the frontage length. This setback may be  
8 reduced for obstructions permitted by Section 136:

9 (ii) Along all interior property lines, a 15-foot setback is required for the  
10 Mid-Rise Portion for the entire frontage. This setback may be reduced for obstructions permitted  
11 according to Section 136.

12 (B) For Towers in the CS Bulk District, along all property lines, a 15-foot  
13 setback is required for the Tower Portion for the entire frontage. This setback may be reduced for  
14 obstructions permitted according to Section 136.

15 (C) Along 4th Street between Bryant Street and Townsend Street, building  
16 facades on new development shall be set back from the street-facing property line by a minimum depth  
17 of five feet to a minimum height of 25 feet above sidewalk grade. This setback shall be designed as an  
18 extension of the sidewalk, free of columns or other obstructions, except as allowed according to Section  
19 136, and shall generally be available to the public at all times for pedestrian circulation.

20 (3) Building Separation.

21 (A) The Tower Portion of a project shall have a horizontal separation of at least  
22 115 feet from the Tower Portion of any other Tower.

23 (B) Through the procedures of Section 329, the Planning Commission may  
24 reduce the separation required under subsection (A) if it finds that a Tower project meets all of the  
25 following criteria:

1 (i) The Tower Portion of the project has, at a minimum, a horizontal  
2 separation of at least 85 feet from the Tower Portion of any other Tower;

3 (ii) The maximum floor area of any floor of the Tower Portion of the  
4 project is no more than 10,000 gross square feet;

5 (iii) The maximum height of the uppermost building element or mass,  
6 occupied or unoccupied, of the Tower has a difference of at least 50 feet in Height from the maximum  
7 height of the uppermost element of any other Tower within 115 feet of horizontal distance; and

8 (iv) The Tower Portion of the project is designed so as to maximize  
9 apparent distance and architectural differentiation from any other nearby Tower.

10 (C) The Tower Portion of a project shall have a horizontal separation of at least  
11 30 feet from any Mid-Rise Portion on the same development lot, except that a bridge between the  
12 Tower Portion and the Mid-Rise Portion may be permissible up to a height of 130 feet if the bridge is  
13 no more than one story in height, is set back a minimum of 15 feet from any property line, and is  
14 visually subordinate to the buildings it connects.

15 (D) Any development containing both a Tower Portion and Mid-Rise Portion  
16 shall be designed to emphasize a visual distinction between the Tower and Mid-Rise Portions as  
17 separate structures.

18 \* \* \* \*

19 **SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED,**  
20 **AND RED-MX, RSD, SLR, SLI AND SSO DISTRICTS.**

21 The rear yard requirements established by this Section 134 shall apply to every  
22 building in the districts listed below. To the extent that these provisions are inconsistent with  
23 any Special Use District or Residential Character District, the provisions of the Special Use  
24 District or Residential Character District shall apply. These requirements are intended to  
25 assure the protection and continuation of established midblock, landscaped open spaces, and

1 maintenance of a scale of development appropriate to each district, consistent with the  
2 location of adjacent buildings.

3 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the  
4 districts indicated:

5 (1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-3, RC-4, NC Districts other**  
6 **than the Pacific Avenue NC District, C, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-**  
7 **MX, and SPD, ~~RSD, SLR, SLL and SSO~~ Districts.** The minimum rear yard depth shall be equal  
8 to 25% of the total depth of the lot on which the building is situated, but in no case less than  
9 15 feet. For buildings containing only SRO Units in the ~~South of Market Mixed Use and~~ Eastern  
10 Neighborhoods Mixed Use Districts, the minimum rear yard depth shall be equal to 25% of the  
11 total depth of the lot on which the building is situated, but the required rear yard of SRO  
12 buildings not exceeding a height of 65 feet shall be reduced in specific situations as described  
13 in ~~S~~subsection (c) below.

14 \* \* \* \*

15 (C) **RC-3, RC-4, NC-3, NCT-3, Broadway, Fillmore Street NCT, Hayes-**  
16 **Gough NCT, Japantown, SoMa NCT, Mission Street NCT, Polk Street, Pacific Avenue, C,**  
17 **M, SPD, ~~RSD, SLR, SLL, SSO,~~ MUR, MUG, MUO, and UMU Districts.** Rear yards shall be  
18 provided at the lowest story containing a Dwelling Unit, and at each succeeding level or story  
19 of the building. In the Hayes-Gough NCT, lots fronting the east side of Octavia Boulevard  
20 between Linden and Market Streets (Central Freeway Parcels L, M, N, R, S, T, U, and V) are  
21 not required to provide rear yards at any level of the building, provided that the project fully  
22 meets the usable open space requirement for Dwelling Units *per pursuant to* Section 135 of  
23 this Code, the exposure requirements of Section 140, and gives adequate architectural  
24 consideration to the light and air needs of adjacent buildings given the constraints of the  
25 project site.

1 \* \* \* \*

2 (c) **Reduction of Requirements in RH-2, RH-3, RTO, RTO-M, RM-1, and RM-2**  
3 **Districts.** The rear yard requirement stated in *Paragraph subsection (a)(2)* above and as stated  
4 in *Paragraph subsection (a)(1)* above for SRO buildings located in *either the South of Market*  
5 *Mixed Use or the* Eastern Neighborhoods Mixed Use Districts not exceeding a height of 65 feet,  
6 shall be reduced in specific situations as described in this §subsection (c), based upon  
7 conditions on adjacent lots. Except for those SRO buildings referenced above in this  
8 paragraph whose rear yard can be reduced in the circumstances described in §subsection (c)  
9 to a 15-foot minimum, under no circumstances, shall the minimum rear yard be thus reduced  
10 to less than a depth equal to 25 percent of the total depth of the lot on which the building is  
11 situated, or to less than 15 feet, whichever is greater.

12 \* \* \* \*

13 **SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP**  
14 **HOUSING, R, NC, MIXED USE, C, AND M DISTRICTS.**

15 Except as provided in Sections 134.1, 172, and 188 of this Code, usable open space  
16 shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use,  
17 and M Districts according to the standards set forth in this Section 135 unless otherwise  
18 specified in specific district controls elsewhere in this Code.

19 \* \* \* \*

20 (d) **Amount Required.** Usable open space shall be provided for each building in the  
21 amounts specified herein and in Tables 135A and B for the district in which the building is  
22 located; provided, however, that in the Downtown Residential (DTR) Districts, open space  
23 shall be provided in the amounts specified in Section 825 of this Code.

24 In Neighborhood Commercial Districts, the amount of usable open space to be  
25 provided shall be the amount required in the nearest Residential District, but the minimum

1 amount of open space required shall be in no case greater than the amount set forth in Table  
2 135A for the district in which the building is located. The distance to each Residential District  
3 shall be measured from the midpoint of the front lot line or from a point directly across the  
4 street therefrom, whichever requires less open space.

5 \* \* \* \*

6 **(5) Eastern Neighborhoods Mixed Use Districts.**

7 **(A) Minimum amount.**

8 **(i) Dwelling units, excluding SRO dwelling units.** The minimum  
9 amount of usable open space to be provided for use by each dwelling unit shall be as  
10 specified in Table 135B.

11 **(ii) ~~For group housing structures and, including SRO dwelling~~**  
12 **units.** ~~The~~ The minimum amount of usable open space provided for use by each bedroom shall  
13 be one-third the amount required for a dwelling unit as specified in Table 135B.

14 **(B) Compliance.**

15 **(i) Privately-owned public open space.** Usable open space  
16 requirements in these areas may be fulfilled by providing privately-owned public open space  
17 as specified in Table 135B.

18 **(ii) Towers in the ~~GMUO~~ Central SoMa Special Use District.**  
19 **Residential developments taller than 160 feet shall provide on-site at least 36 square feet per unit or**  
20 **bedroom of the open space requirement of Table 135B. Any additional open space required pursuant to**  
21 **Table 135B may be satisfied through payment of the fee established in Section 427.**

22 **(iii) Payment in case of Variance or exception. Projects granted a**  
23 **usable open space Variance pursuant to Section 305 or an exception through Section 329 shall pay the**  
24 **fee established in Section 427 for each square foot of useable open space not provided.**

25 \* \* \* \*

**TABLE 135 A**  
**MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING**  
**OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT**

District	Square Feet <del>Of</del> Usable Open Space Required <del>For</del> <u>for</u> Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
* * * *		
C-3, <del>C-M, SLR, SLI, SSO</del> , M-1, M-2	36	1.33
* * * *		

\* \* \* \*

(h) **Publicly-Accessible Usable Open Space Standards.** In DTR Districts and the Eastern Neighborhoods Mixed Use Districts, some or all of the usable open space requirements may be fulfilled by providing privately-owned public open space. Any space credited as publicly-accessible usable open space, where permitted or required by this Code, shall meet the following standards:

(1) **Types of Open Space.** Open space shall be of one or more of the following types:

(A) An unenclosed park or garden at street grade or following the natural topography, including improvements to hillsides or other unimproved public areas;

(B) An unenclosed plaza at street grade, with seating areas and landscaping and no more than 10 percent of the total floor area devoted to facilities for food or beverage service, exclusive of seating areas as regulated in Section 138(d)(5);

1 (C) An unenclosed pedestrian pathway which complies with the  
2 standards of Section 270.2 and which is consistent with applicable design guidelines.

3 (D) Streetscape improvements with landscaping and pedestrian  
4 amenities that result in additional pedestrian space beyond the pre-existing sidewalk width  
5 and conform to the Better Streets Plan and any other applicable neighborhood streetscape  
6 plans *perpursuant to* Section 138.1 or other related policies such as those associated with  
7 sidewalk widenings or building setbacks, other than those intended by design for the use of  
8 individual ground floor residential units; and

9 (2) **Standards of Open Space.** Open space shall meet the standards  
10 described in Section 138(d)~~(1) through (11)~~ of this Code.

11 (3) **Maintenance.** Maintenance requirements for open space in these areas are  
12 subject to Section 138(h) of this Code.

13 (4) **Informational Plaque.** Signage requirements for open space in these areas  
14 are subject to Section 138(i) of this Code.

15 (5) **Open Space Provider.** Requirements regarding how to provide and  
16 maintain open space are subject to Section 138(f) of this Code.

17 (6) **Approval of Open Space Type and Features.** Approval of open space in  
18 these areas is subject to requirements of Section 138(d) of this Code.

19 \* \* \* \*

20 **SEC. 135.3. USABLE OPEN SPACE FOR USES OTHER THAN DWELLING UNITS,**  
21 **GROUP HOUSING AND LIVE/WORK UNITS WITHIN THE ~~SOUTH OF MARKET,~~ EASTERN**  
22 **NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS.**

23 (a) **Amount of Open Space Required.** All newly constructed structures, all structures  
24 to which ~~gross floor area~~Gross Floor Area equal to ~~20% percent~~ or more of existing ~~gross floor~~  
25 ~~area~~Gross Floor Area is added, and all structures in the ~~SSO and~~ Eastern Neighborhoods Mixed

1 Use Districts within which floor area is converted to office use other than office use accessory  
 2 to a non-office use shall provide and maintain usable open space for that part of the new,  
 3 additional or converted square footage which is not subject to Sections 135.1 and 135.2 as  
 4 follows:

5 **MINIMUM USABLE OPEN SPACE REQUIREMENTS FOR USES OTHER THAN**  
 6 **DWELLING UNITS, GROUP HOUSING AND LIVE/WORK UNITS IN THE ~~SOUTH OF~~**  
 7 **~~MARKET~~, EASTERN NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS**

Use	Square Feet of Useable Open Space Required
* * * *	
<i><del>Manufacturing and light industrial, storage without distribution facilities, and like uses in the South of Market Mixed Use Districts</del></i>	<i><del>1 sq. ft. per 120 gross sq. ft. of occupied floor area of new or added square footage</del></i>
* * * *	
<i><del>Office uses, as defined in 890.70, in the South of Market Mixed Use Districts</del></i>	<i><del>1 sq. ft. per 90 sq. ft. of occupied floor area of new, converted or added square footage</del></i>
* * * *	

18 \* \* \* \*

19 (2) **Eastern Neighborhoods Mixed Use Districts.** In the Eastern  
 20 Neighborhoods Mixed Use Districts, the open space requirements of this Section 135.3 may  
 21 be fulfilled by providing privately-owned public open space. Such open space is subject to the  
 22 following:

23 (A) The amount of open space required pursuant to Table 135.3 may be  
 24 reduced by 33% percent if it is publicly accessible usable open space.

1 (B) Publicly accessible usable open space is required to meet all  
2 requirements specified in Section 135(h) of this Code.

3 (C) Up to 50%~~percent~~ of the publicly accessible open space may be  
4 provided off-site, subject to Section 329 ~~of this Code~~ for projects to which that Section applies  
5 and Section 307(h) for other projects. Any such space shall meet the publicly accessible open  
6 space standards set forth in Section 135(h) and be provided within 800 feet of the project. The  
7 publicly accessible off-site usable open space shall be constructed, completed, and ready for  
8 use no later than the project itself, and shall receive its Certificate of Final Completion from  
9 the Department of Building Inspection prior to the issuance of any Certificate of Final  
10 Completion or Temporary Certificate of Occupancy for the project itself. This subsection (C)  
11 shall not apply to projects in the ~~CMUO~~Central SoMa Special Use District, and instead such  
12 projects shall comply with Section 138.

13 \* \* \* \*

14 **SEC. 138. PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS**  
15 **IN C-3 DISTRICTS.**

16 (a) Requirement-Applicability. The following projects shall provide open space in the amount  
17 and in accordance with the standards set forth in this Section:

18 (1) In C-3 Districts, any project proposing new construction of An applicant for a  
19 permit to construct a new a Non-Residential building or an addition of Gross Floor Area equal to  
20 20 percent or more of an existing Non-Residential building (hereinafter "building"). Institutional  
21 uses in C-3 Districts are exempt from the requirements of this Section 138.in C-3 Districts shall provide  
22 open space in the amount and in accordance with the standards set forth in this Section. All  
23 determinations concerning the adequacy of the amount of open space to be provided and its compliance  
24 with the requirements of this Section shall be made in accordance with the provisions of Section 309.  
25



1 entirely within the C-3 District. Projects within the ~~CMUO~~Central SoMa Special Use District may  
2 provide the open space required by this Section within one-half mile of the project if the required open  
3 space is on publicly-owned land underneath or adjacent to the I-80 freeway. Open space is within  
4 900 feet of the building for which the permit is sought within the meaning of this Section if any  
5 portion of the buildingproject is located within 900 feet of any portion of the open space. Off-  
6 site open space shall be developed and open for use prior to issuance of a first certificate of  
7 occupancy, as defined in Section 401 of this Code, of the buildingproject whose open space  
8 requirement is being met off-site. Failure to comply with the requirements of this subsection  
9 shall be grounds for enforcement under this Code, including but not limited to the provisions of  
10 Sections 176 and 176.1.

11 (d) **Types and Standards of Open Space.**

12 (1) C-3 Districts. In C-3 Districts, ~~Ex~~cept as otherwise provided in ~~S~~subsection  
13 (ef), the project-~~applicant~~ may satisfy the requirements of this Section by providing one or more  
14 of the following types of open space: A plaza, an urban park, an urban garden, a view terrace,  
15 a sun terrace, a greenhouse, a small sitting area (a "snippet"), an atrium, an indoor park, or a  
16 public sitting area in a galleria, in an arcade, in a public street or alley, or in a pedestrian mall  
17 or walkway, as more particularly defined in the table entitled "Guidelines for Open Space" in  
18 the Open Space Section of the Downtown Plan, or any amendments thereto, provided that the  
19 open space meets the following minimum standards. The open space shall:

20 (1A) Be of adequate size;

21 (2B) Be situated in such locations and provide such ingress and egress  
22 as will make the area easily accessible to the general public;

23 (3C) Be well-designed, and where appropriate, be landscaped;

24 (4D) Be protected from uncomfortable wind;

1                   (~~5E~~) Incorporate various features, including ample seating and, if  
2 appropriate, access to food service, which will enhance public use of the area;

3                   (~~6F~~) Have adequate access to sunlight if sunlight access is appropriate  
4 to the type of area;

5                   (~~7G~~) Be well-lighted if the area is of the type requiring artificial  
6 illumination;

7                   (~~8H~~) Be open to the public at times when it is reasonable to expect  
8 substantial public use;

9                   (~~9I~~) Be designed to enhance user safety and security;

10                   (~~10J~~) If the open space is on private property, provide toilet facilities open  
11 to the public; *and*

12                   (~~11K~~) Have at least 75 percent of the total open space approved be open  
13 to the public during all daylight hours.

14                   (2) ~~GMUO~~ **Central SoMa Special Use District.** *In the ~~GMUO~~ **Central SoMa***  
15 *Special Use District, a project shall satisfy the requirements listed below, as well as the approval*  
16 *process described in subsection (e):*

17                   (A) *Projects shall meet the minimum standards of subsection (e)(1).*

18                   (B) *Projects may provide open spaces outdoors or indoors, or may pay the in-*  
19 *lieu fee as set forth in Section 4276 and subject to Commission review pursuant to (e) below, except*  
20 *that development on sites of 40,000 square feet or more and located south of Bryant Street shall*  
21 *provide the required open space outdoors and may not pay an in-lieu fee.*

22                   (C) *All open space provided shall be at street grade up to an amount that equals*  
23 *15 percent of the lot area. Any additional required open space may be provided above street grade.*

24                   (D) *All open space shall be publicly accessible, at a minimum, from 7AM to*  
25 *6PM every day.*

1 (E) All outdoor open space provided at street grade, except space provided  
2 underneath the I-80 freeway, shall meet the following requirements:

3 (i) The open space shall be open to the sky, except for obstructions  
4 permitted by Section 136 and up to 10% of space that may be covered by a cantilevered portion  
5 of the building if the space has a minimum height of 20 feet;

6 (ii) Any buildings on the subject property that directly abut the open  
7 space shall meet the active space requirements of Section 145.1; and

8 (iii) The open space shall be maximally landscaped with plantings on  
9 horizontal and vertical surfaces, subject to the appropriate design for circulation routes and any  
10 recreational or public amenities provided.

11 (F) All indoor open spaces provided at street grade shall:

12 (i) Have a minimum area of 2,500 square feet;

13 (ii) Have a minimum floor-to-ceiling height of 20 feet for at least 75%  
14 of the space;

15 (iii) Provide openings directly to a sidewalk or other publicly-accessible  
16 outdoor space and, weather permitting, be accessible without the need to open doors;

17 (iv) Be situated, designed, and programmed distinctly from building  
18 lobbies or other private entrances to the building;

19 (G) All spaces shall include at least one publicly-accessible potable water  
20 source convenient for drinking and filling of water bottles.

21 (H) Any food service area provided in the required open space shall occupy no  
22 more than 20% of the open space;

23 (I) Any restaurant seating shall not take up more than 20% of the seating and  
24 tables provided in the required open space; and

25 (J) All spaces shall facilitate three-stream waste sorting and collection.

1           (e) **Approval of Open Space Type and Features.**

2           (1) In C-3 Districts, the type, size, location, physical access, seating and table  
3 requirements, landscaping, availability of commercial services, sunlight and wind conditions  
4 and hours of public access shall be reviewed and approved in accordance with the provisions  
5 of Section 309, and shall generally conform to the "Guidelines for Open Space" in the Open  
6 Space Section of the Downtown Plan, or any amendments thereto.

7           The Commission may, by resolution, declare certain types of open space ineligible to  
8 meet the requirements of this Section 138, either throughout C-3 Districts, or in certain defined  
9 areas, if it determines that a disproportionate number of certain types of open space, or ~~that~~  
10 an insufficient number of parks and plazas, is being provided ~~in order~~ to meet the public need  
11 for open space and recreational uses. Such resolution may exempt from its application  
12 projects whose permit applications are on file with the Planning Department.

13           Over time, no more than 20 percent of POPOS in the space provided under this Section  
14 138C-3 Districts shall be indoor space and at least 80 percent shall be outdoor space. Once an  
15 indoor space has been approved, another such feature may not be approved until the total  
16 square footage of outdoor open space features approved under this ~~subsection~~Section exceeds  
17 80 percent of the total square footage of all open spaces approved under this  
18 ~~subsection~~Section.

19           (2) In the CMUO Central SoMa Special Use District, all determinations concerning  
20 the adequacy of the location, amount, amenities, design, and implementation of open space required by  
21 this Section shall be made in accordance with the provisions of Section 329 and subsection (d(2)).  
22 above. As part of this determination, the Planning Commission shall consider the ability of the open  
23 space to meet the open space, greening, and community needs of the neighborhood, as follows:

24           (A) Location. The provision of outdoor space, including off-site, should be  
25 given preference over the provision of indoor space and/or the payment of the in-lieu fee. The

1 Commission may approve the provision of indoor space and/or the payment of the in-lieu fee only  
2 where the provision of outdoor space would:

3 (i) Be subject to substantially negative or unpleasant environmental  
4 conditions, such as noise, wind, or lack of access to direct sunlight; and/or

5 (ii) Where provision of the open space outdoors would substantially  
6 degrade the street wall or otherwise undermine the pedestrian experience.

7 (B) Amenities. The type of amenities provided shall take into consideration and  
8 complement the amenities currently and foreseeably provided in nearby publicly-accessible open  
9 spaces and recreational facilities, both publicly and privately owned, with a preference given to  
10 provision of amenities and types of spaces lacking or over-utilized in the area.

11 \* \* \* \*

12 **SEC. 140. ALL DWELLING UNITS IN ALL USE DISTRICTS TO FACE ON AN OPEN**  
13 **AREA.**

14 (a) **Requirements for Dwelling Units.** *With the exception of Dwelling Units in SRO*  
15 *buildings in the South of Market Mixed Use Districts, i*n each Dwelling Unit in any use district, the  
16 required windows (as defined by Section 504 of the San Francisco Housing Code) of at least  
17 one room that meets the 120-square-foot minimum superficial floor area requirement of  
18 Section 503 of the Housing Code shall face directly onto an open area of one of the following  
19 types:

20 (1) A public street, public alley at least 20 feet in width, side yard at least 25 feet  
21 in width, or rear yard meeting the requirements of this Code; provided, that if such windows  
22 are on an outer court whose width is less than 25 feet, the depth of such court shall be no  
23 greater than its width; or

24 (2) An open area (whether an inner court or a space between separate  
25 buildings on the same lot) which is unobstructed (except for fire escapes not projecting more

1 than necessary for safety and in no case more than four feet six inches, chimneys, and those  
2 obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code) and  
3 is no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in  
4 question is located and the floor immediately above it, with an increase of five feet in every  
5 horizontal dimension at each subsequent floor, except for SRO buildings in the Eastern  
6 Neighborhoods Mixed Use Districts, which are not required to increase five feet in every  
7 horizontal dimension until the fifth floor of the building.

8 \* \* \* \*

9 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,**  
10 **RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

11 (a) **Purpose.** The purpose of this Section is to preserve, enhance, and promote  
12 attractive, clearly defined street frontages that are pedestrian-oriented and fine-grained, and  
13 which that are appropriate and compatible with the buildings and uses in Neighborhood  
14 Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use  
15 Districts.

16 \* \* \* \*

17 (c) **Controls.** The following requirements shall generally apply, except for those  
18 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling  
19 Height, which only apply to a "development lot" as defined above.

20 In NC-S Districts, the applicable frontage shall be the primary facade(s) which that  
21 contain<sub>s</sub> customer entrances to commercial spaces.

22 \* \* \* \*

23 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere in  
24 this Code:

1 (A) All ground floor uses in UMU Districts shall have a minimum floor-to-  
2 floor height of 17 feet, as measured from grade. Ground floor Residential Uses shall also be  
3 designed to meet the City's Ground Floor Residential Design Guidelines.

4 (B) Ground floor Non-Residential Uses in all C-3, NCT, DTR, Chinatown  
5 Mixed Use, ~~RSD, SLR, SLL~~, SPD, ~~SSO~~, RED-MX, WMUG, MUG, MUR, WMUO<sub>2</sub> and MUO  
6 Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade.

7 \* \* \* \*

8 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

9 (a) **Purpose.** To support active, pedestrian-oriented commercial uses on important  
10 commercial streets.

11 (b) **Applicability.** The requirements of this Section apply to the following street  
12 frontages.

13 \* \* \* \*

14 (7) Fourth Street, between ~~Folsom Bryant~~ and Townsend ~~Streets~~ in the ~~SLI~~ and  
15 ~~CMUO~~ Central SoMa Special Use Districts;

16 \* \* \* \*

17 (28) Any street frontage that is in the Polk Street Neighborhood Commercial  
18 District; ~~and,~~

19 (29) Pacific Avenue, between Van Ness Avenue and Jones Street, on lots  
20 where the last known ground floor use was a commercial or retail use;:

21 (30) Folsom Street, between 4th and 6th Streets in the CMUO and MUG Central SoMa  
22 Special Use Districts;

23 (31) Second Street, on the west side, between Dow Place and Townsend Street in the  
24 CMUO Central SoMa Special Use District;



1	at least two bedrooms and at least 1,000	procedures of Section 151.1(e) or (f); NP
2	square feet of Occupied Floor Area	above one car for each Dwelling Unit.
3	* * * *	
4	<u>Dwelling Units in <del>MUG</del> District within the</u>	<u>P up to one car for each <del>two</del>four Dwelling</u>
5	<u>Central SoMa SUD and the <del>CMUO</del> Districts</u>	<u>Units; <del>NP</del>C above 0.250 and up to 0.5 cars for</u>
6		<u>each Dwelling Unit.</u>
7	* * * *	
8	<b>NON-RESIDENTIAL USES IN DISTRICTS OTHER THAN C-3</b>	
9	* * * *	
10	<b>Entertainment, Arts, and Recreation Uses Category</b>	
11	Arts Activities, except theaters and	P up to one for each 2,000 square feet of
12	auditoriums	Occupied Floor Area. <i>In South of Market</i>
13		<i>Mixed Use Districts, participation in</i>
14		<i>transportation programs may be required per</i>
15		<i>Section 151.1(j).</i>
16	* * * *	
17	<b>Sales and Services Category</b>	
18	* * * *	
19	All retail in the Eastern Neighborhoods	P up to one for each 1,500 square feet of
20	Mixed Use Districts where any portion of the	Gross Floor Area.
21	parcel is <u>within the <del>CMUO</del>Central SoMa</u>	
22	<u>Special Use District or is</u> less than 1/4 mile	
23	from Market, Mission, 3rd Streets and 4th	
24	Street north of Berry Street, except grocery	
25	stores of over 20,000 gross square feet.	

* * * *	
Office uses in DTR, <del>SSO</del> , SPD, MUG, WMUG, MUR, WMUO, and MUO Districts	P up to 7% of the Occupied Floor Area of such uses and subject to the pricing conditions of Section 155(g); NP above.
<u>Office uses in the <del>CMUO</del> Central SoMa Special Use District</u>	<u>P up to one car per 3,500 square feet of Occupied Floor Area.</u>
* * * *	

\* \* \* \*

(f) **Small Residential Projects in MUG, WMUG, MUR, MUO, CMUO, WMUO, RED, RED-MX and SPD Districts.** Any project that is not subject to the requirements of Section 329 and that requests residential accessory parking in excess of what is principally permitted in Table 151.1 shall be reviewed by the Zoning Administrator subject to Section 307(i). The Zoning Administrator may grant parking in excess of what is principally permitted in Table 151.1, not to exceed the maximum amount stated in Table 151.1, only if the Zoning Administrator determines that:

\* \* \* \*

**SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES IN DISTRICTS OTHER THAN C-3, AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS, ~~OR SOUTH OF MARKET MIXED USE DISTRICTS.~~**

In districts other than C-3, and Eastern Neighborhoods Mixed Use Districts, ~~and the South of Market Mixed Use Districts~~, off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 152.2 and Section 161 of this Code. The measurement of Occupied Floor Area shall be as defined in this Code, except that nonaccessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.



Table 152.1

**OFF-STREET FREIGHT LOADING SPACES REQUIRED (IN C-3, AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS, ~~AND SOUTH OF MARKET MIXED USE DISTRICTS~~)**

Use or Activity	Gross Floor Area of Structure or Use (sq. ft.)	Number of Off-Street Freight Loading Spaces Required
* * * *		
Wholesaling, manufacturing, and all other uses primarily engaged in handling goods, and Live/Work Units within existing buildings, within Eastern Neighborhoods Mixed Use Districts, <del>and South of Market Mixed Use Districts</del>	0 – 10,000	0
	10,001 – 50,000	1
	Over 50,000	0.21 spaces per 10,000 sq. ft. of Occupied Floor Area (to closest whole number <i>perpursuant to</i> Section 153)
* * * *		

\* \* \* \*

**SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES.**

(a) In the calculation of off-street parking, freight loading spaces, and bicycle parking spaces required under Sections 151, 152, 152.1, 155.2, 155.3 and 155.4 of this Code, the following rules shall apply:

\* \* \* \*

1 (6) In C-3, MUG, MUR, MUO, CMUO, and UMU, ~~and South of Market Districts,~~  
2 substitution of two service vehicle spaces for each required off-street freight loading space  
3 may be made, provided that a minimum of 50 percent of the required number of spaces are  
4 provided for freight loading. Where the 50 percent allowable substitution results in a fraction,  
5 the fraction shall be disregarded.

6 \* \* \* \*

7 **SEC. 154. DIMENSIONS FOR OFF-STREET PARKING, FREIGHT LOADING AND**  
8 **SERVICE VEHICLE SPACES.**

9 (a) Parking Spaces. Required parking spaces may be either independently accessible  
10 or space-efficient as described in 154(a)(4) and 154(a)(5), except as required elsewhere in  
11 the Building Code for spaces specifically designated for persons with physical disabilities.  
12 Space-efficient parking is encouraged.

13 (1) Each independently accessible off-street parking space shall have a  
14 minimum area of 144 square feet (8 feet by 18 feet) for a standard space and 112.5 square  
15 feet for a compact space (7.5 feet by 15 feet), except for the types of parking spaces  
16 authorized by Paragraph (a)(4) below and spaces specifically designated for persons with  
17 physical disabilities, the requirements for which are set forth in the Building Code. Every  
18 required space shall be of usable shape. The area of any such space shall be exclusive of  
19 driveways, aisles and maneuvering areas. The parking space requirements for the Bernal  
20 Heights Special Use District are set forth in Section 242.

21 (2) Any ratio of standard spaces to compact spaces may be permitted, so long  
22 as compact car spaces are specifically marked and identified as a compact space. Special  
23 provisions relating to the Bernal Heights Special Use District are set forth in Section 242.

24 (3) Off-street parking spaces in DTR, C-3, RTO, NCT, Eastern Neighborhoods  
25 Mixed Use, PDR-1-D, and PDR-1-G Districts shall have no minimum area or dimension

1 requirements, except as required elsewhere in the Building Code for spaces specifically  
2 designated for persons with physical disabilities. For all uses in all Districts for which there is  
3 no minimum off-street parking requirement, per Section 151.1, refer to 151.1(c) for rules  
4 regarding calculation of parking spaces.

5 (4) Parking spaces in mechanical parking structures that allow a vehicle to be  
6 accessed without having to move another vehicle under its own power shall be deemed to be  
7 independently accessible. Parking spaces that are accessed by a valet attendant and are  
8 subject to such conditions as may be imposed by the Zoning Administrator to insure the  
9 availability of attendant service at the time the vehicle may reasonably be needed or desired  
10 by the user for whom the space is required, shall be deemed to be independently accessible.  
11 Any conditions imposed by the Zoning Administrator pursuant to this Section shall be  
12 recorded as a Notice of Special Restriction.

13 (5) Space-efficient parking is parking in which vehicles are stored and  
14 accessed by valet, mechanical stackers or lifts, certain tandem spaces, or other space-  
15 efficient means. Tandem spaces shall only count towards satisfying the parking requirement if  
16 no more than one car needs to be moved to access the desired parking space. Space-  
17 efficient parking is encouraged, and may be used to satisfy minimum-parking requirements so  
18 long as the project sponsor can demonstrate that all required parking can be accommodated  
19 by the means chosen.

20 (6) Ground floor ingress and egress to any off-street parking spaces provided  
21 for a structure or use, and all spaces to be designated as preferential carpool or van pool  
22 parking, and their associated driveways, aisles and maneuvering areas, shall maintain a  
23 minimum vertical clearance of seven feet.

1 (b) Freight Loading and Service Vehicle Spaces. Every required off-street freight  
2 loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a  
3 minimum vertical clearance including entry and exit of 14 feet, except as provided below.

4 (1) Minimum dimensions specified herein shall be exclusive of platform,  
5 driveways and maneuvering areas except that minimum vertical clearance must be  
6 maintained to accommodate variable truck height due to driveway grade.

7 (2) The first such space required for any structure or use shall have a minimum  
8 width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including  
9 entry and exit, of 12 feet.

10 (3) Each substituted service vehicle space provided under Section 153(a)(6) of  
11 this Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a  
12 minimum vertical clearance of seven feet.

13  
14 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF**  
15 **OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES.**

16 Required off-street parking and freight loading facilities shall meet the following  
17 standards as to location and arrangement. In addition, facilities which are not required but are  
18 actually provided shall meet the following standards unless such standards are stated to be  
19 applicable solely to required facilities. In application of the standards of this Code for off-street  
20 parking and loading, reference may be made to provisions of other portions of the Municipal  
21 Code concerning off-street parking and loading facilities, and to standards of the Better  
22 Streets Plan and the Bureau of Engineering of the Department of Public Works. Final authority  
23 for the application of such standards under this Code, and for adoption of regulations and  
24 interpretations in furtherance of the stated provisions of this Code shall, however, rest with the  
25 Planning Department.

1 \* \* \* \*

2 (d) **Enclosure of Off-Street Loading and Service Vehicle Spaces Required.** All off-  
3 street freight loading and service vehicle spaces in the C-3, DTR, MUO, CMUO, WMUO,  
4 MUG, WMUG, and MUR, ~~and South of Market Mixed Use Districts~~ shall be completely enclosed,  
5 and access from a public Street or Alley shall be provided by means of a private service  
6 driveway, ~~which that~~ is totally contained within the structure. Such a private service driveway  
7 shall include adequate space to maneuver trucks and service vehicles into and out of all  
8 provided spaces, and shall be designed so as to facilitate access to the subject property while  
9 minimizing interference with street and sidewalk circulation. Any such private service driveway  
10 shall be of adequate width to accommodate drive-in movement from the adjacent curb or  
11 inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an  
12 adjacent Street or Alley is determined by the Zoning Administrator to be primarily used for  
13 building service, up to four off-street freight or loading spaces may be allowed to be  
14 individually accessible directly from such a Street or Alley, pursuant to the provisions of  
15 Section 309 in a C-3 District, ~~the provisions of Section 307(g) in a South of Market Mixed Use~~  
16 ~~District~~, the provisions of Section 309.1 in a DTR District, the provisions of Section 329 for  
17 projects subject to Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District, or  
18 by administrative decision of the Zoning Administrator for projects that are not subject to  
19 Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District.

20 \* \* \* \*

21 (g) **Parking Pricing Requirements.** In order to discourage long-term commuter  
22 parking, any off-street parking spaces provided for a structure or use other than Residential or  
23 Hotel in a C-3, DTR, ~~SSO~~-SPD, MUG, WMUG, MUR, CMUO, WMUO, or MUO District,  
24 whether classified as an accessory or Conditional Use, ~~which that~~ are otherwise available for  
25 use for long-term parking by downtown workers shall maintain a rate or fee structure for their

1 use such that the rate charge for four hours of parking duration is no more than four times the  
2 rate charge for the first hour, and the rate charge for eight or more hours of parking duration is  
3 no less than 10 times the rate charge for the first hour. Additionally, no discounted parking  
4 rate shall be permitted for weekly, monthly or similar time-specific periods.

5 \* \* \* \*

6 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In  
7 order to preserve the pedestrian character of certain downtown and neighborhood commercial  
8 districts and to minimize delays to transit service, garage entries, driveways or other vehicular  
9 access to off-street parking or loading (except for the creation of new publicly-accessible  
10 Streets and Alleys) shall be regulated on development lots as follows on the following Street  
11 frontages:

12 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except  
13 as set forth in Section 827.

14 (2) Not permitted:

15 \* \* \* \*

16 (N) 3rd Street, in the UMU districts for 100 feet north and south of  
17 Mariposa and 100 feet north and south of 20th Streets, ~~and 4th Street between Bryant and~~  
18 ~~Townsend in the SLI and MUO District,~~

19 \* \* \* \*

20 (Y) 2nd Street from Market to ~~Folsom~~ Townsend Streets,

21 \* \* \* \*

22 (CC) Buchanan Street from Post Street to Sutter Street,

23 (DD) Grant Avenue between Columbus Avenue and Filbert Street,

24 (EE) Green Street between Grant Avenue and Columbus/Stockton,  
25

1 (FF) All Alleys within the North Beach NCD and the Telegraph Hill-North  
2 Beach Residential SUD<sub>1</sub>.

3 (GG) Howard Street from 5th Street to 13th Street.

4 (HH) Folsom Street from 2nd Street to 13th Street.

5 (II) Brannan Street from 2nd Street to 6th Street.

6 (JJ) Townsend Street from 2nd Street to 6th Street, except as set forth  
7 in permitted pursuant to Section 329(e)(3)(B)249.78(e)(3).

8 (KK) 3rd Street from Folsom Street to Townsend Street.

9 (LL) 4th Street from Folsom Street to Townsend Street, and

10 (MM) 6th Street from Folsom Street to Brannan Street.

11 (3) Not permitted except with a Conditional Use authorization, except that in the  
12 C-3-O(SD) and the CMUO Central SoMa Special Use Districts, the Planning Commission may  
13 grant such permission as an exception pursuant to Sections 309 or 329 in lieu of a Conditional  
14 Use authorization where the amount of parking proposed does not exceed the amounts  
15 permitted as accessory according to Section 151.1.

16 \* \* \* \*

17 (I) 1st, Fremont and Beale Streets from Market to Folsom Street, and

18 (J) The eastern (water) side of The Embarcadero between Townsend  
19 and Taylor Streets<sub>2</sub>.

20 (K) Harrison Street from 2nd Street to 6th Street.

21 (L) Bryant Street from 2nd Street to 6th Street, and

22 (M) 5th Street from Howard Street to Townsend Street.

23 \* \* \* \*

24 (u) Driveway and Loading Operations Plan (DLOP) in the Central SoMa Special Use  
25 District.

1                    (1) Purpose. The purpose of a Driveway and Loading and Operations Plan (DLOP) is  
2 to reduce potential conflicts between driveway and loading operations, including passenger and  
3 freight loading activities, and pedestrians, bicycles, and vehicles, to maximize reliance of on-site  
4 loading spaces to accommodate new loading demand, and to ensure that off-site loading activity is  
5 considered in the design of new buildings.

6                    (2) Applicability. Development projects of more than 100,000 net new gross square  
7 feet in the Central SoMa Special Use District.

8                    (3) Requirement. Applicable projects shall prepare a DLOP for review and approval  
9 by the Planning Department and the SFMTA. The DLOP shall be written in accordance with any  
10 guidelines issued by the Planning Department.

11                    \* \* \* \*

12                    **SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND**  
13 **TRANSPORTATION BROKERAGE SERVICES IN COMMERCIAL AND MIXED USE**  
14 **DISTRICTS.**

15                    (a) **Purpose.** This Section 163 is intended to ~~assure~~ ensure that adequate services are  
16 undertaken to minimize the transportation impacts of added office employment and residential  
17 development in the downtown and South of Market area, in a manner consistent with the  
18 objectives and policies of the General Plan, by facilitating the effective use of transit,  
19 encouraging ridesharing, and employing other practical means to reduce commute travel by  
20 single-occupant vehicles.

21                    (b) **Applicability.** The requirements of this Section apply to any project meeting one  
22 of the following conditions:

23                    \* \* \* \*

1 (4) In the case of the ~~SSO, WMUO, CMUO~~ Central SoMa Special Use  
2 District or MUO District, where the occupied square feet of new, converted or added floor  
3 area for office use equals at least 25,000 square feet.

4 \* \* \* \*

5 **SEC. 169. TRANSPORTATION DEMAND MANAGEMENT PROGRAM.**

6 Sections 169 through 169.6 (hereafter referred to collectively as "Section 169") set forth  
7 the requirements of the Transportation Demand Management Program (TDM Program).

8 \* \* \* \*

9 **SEC. 169.3. APPLICABILITY.**

10 \* \* \* \*

11 (e) Operative Date.

12 (1) Except as described in subsection (3) below. Development Projects with a  
13 Development Application filed or an Environmental Application deemed complete on or before  
14 September 4, 2016 shall be subject to 50% of the applicable target, as defined in the Planning  
15 Commission's Standards.

16 (2) Except as described in subsection (3) below. Development Projects with no  
17 Development Application filed or an Environmental Application deemed complete on or before  
18 September 4, 2016, but that file a Development Application on or after September 5, 2016,  
19 and before January 1, 2018, shall be subject to 75% of such target.

20 (3) Development Projects with a Development Application filed on or after  
21 January 1, 2018 shall be subject to 100% of such target.

22 (4) Development Projects within the Central SoMa Special Use District that have a  
23 Central SoMa Development Fee Tier of A, B, or C, as defined in Section 423.2, regardless of the  
24 date filed of any Development Application or Environmental Application, shall be subject to 100% of  
25 such target.

1  
2 \* \* \* \*

3 **SEC. 175.1. EFFECTIVE DATE OF THE CENTRAL SOMA ZONING CONTROLS.**

4 **(a) Intent.** *It is the intent of this Section 175.1 to provide for an orderly transition from prior*  
5 *zoning and planning requirements to the requirements under the Central SoMa Controls, without*  
6 *impairing the validity of prior actions by the City or frustrating completion of actions authorized prior*  
7 *to the effective date of those Controls.*

8 **(b) Definitions.** *The following definitions shall apply to this Section 175.1:*

9 **(1) "Central SoMa Controls"** *shall mean all Ordinances adopted in furtherance of the*  
10 *Central SoMa Area Plan, including but not limited to Ordinance Nos. \_\_\_\_\_, and associated*  
11 *amendments to the Planning Code, Zoning Map, and Administrative Code.*

12 **(2) "Development Application"** *is defined in Planning Code Section 401.*

13 **(3) "Project Approval"** *shall mean any required approval or determination on a*  
14 *Development Application that the Planning Commission, Planning Department, or Zoning*  
15 *Administrator issues.*

16 **(4) "Code Conforming Project"** *shall mean a development project for which all*  
17 *required Development Applications could have received Project Approval under the Planning Code*  
18 *immediately prior to the effective date of the Central SoMa Controls.*

19 **(c) Applicability.** *A Code Conforming Project within the Central SoMa Special Use District*  
20 *may elect to be exempt from the Central SoMa Controls and instead be subject to those controls in*  
21 *place immediately prior to the effective date of the Central SoMa Controls, if at least one Development*  
22 *Application for such project was filed before February 15, 2018 and the project receives its first*  
23 *Project Approval by December 31, 2019.*

24 **SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND**  
25 **RECONSTRUCTION.**

1 The following provisions shall apply to nonconforming uses with respect to  
2 enlargements, alterations and reconstruction:

3 \* \* \* \*

4 (f) **Nighttime Entertainment Uses in Certain Mixed-Use Districts.** A nighttime  
5 entertainment use within the ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts may be enlarged, intensified,  
6 extended, or expanded, including the expansion to an adjacent lot or lots, provided that: (1)  
7 the enlargement, intensification, extension, or expansion is approved as a conditional use  
8 pursuant to Sections 303 and 316 of this Code; (2) the use as a whole meets the parking and  
9 signage requirements, floor area ratio limit, height and bulk limit, and all other requirements of  
10 this Code ~~which~~that would apply if the use were a permitted one; and (3) the provisions of  
11 Section 803.5(b) of this Code are satisfied.

12 \* \* \* \*

13 **SEC. 182. NONCONFORMING USES: CHANGES OF USE.**

14 The following provisions shall apply to nonconforming uses with respect to changes of  
15 use:

16 (a) A nonconforming use shall not be changed or modified so as to increase the  
17 degree of nonconformity under the use limitations of this Code, with respect to the type of use  
18 or its intensity except as provided in Section 181 for Nighttime Entertainment uses within the  
19 ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts. The degree of nonconformity shall be deemed to be  
20 increased if the new or modified use is less widely permitted by the use districts of the City  
21 than the nonconforming use existing immediately prior thereto. For purposes of this Section,  
22 intensification of a Formula Retail use as defined in Section 178(c) is determined to be a  
23 change or modification that increases the degree of nonconformity of the use.

24 (b) Except as limited in this ~~S~~subsection, a nonconforming use may be reduced in size,  
25 extent or intensity, or changed to a use that is more widely permitted by the use districts of the

1 City than the existing use, subject to the other applicable provisions of this Code. Except as  
2 otherwise provided herein, the new use shall still be classified as a nonconforming use.

3 \* \* \* \*

4 ~~(3) A nonconforming use in any South of Market Mixed Use District may not be~~  
5 ~~changed to an Office, Retail, Bar, Restaurant, Nighttime Entertainment, Adult Entertainment, Hotel,~~  
6 ~~Motel, inn, hostel, or Movie Theater use in any district where such use is otherwise not permitted or~~  
7 ~~conditional, except as provided in Subsection (f) below.~~

8 \* \* \* \*

9 (f) Once a nonconforming use has been changed to a principal or ~~e~~Conditional ~~u~~Use  
10 permitted in the district in which the property is located, or brought closer in any other manner  
11 to conformity with the use limitations of this Code, the use of the property may not thereafter  
12 be returned to its former nonconforming status, ~~except that within any South of Market Mixed Use~~  
13 ~~District, any area occupied by a nonconforming Office use that is changed to an arts, home and/or~~  
14 ~~business service use falling within the definition of an Arts Activity in Section 102 or zoning categories~~  
15 ~~816.42 through 816.47 or a wholesale, storage, or light manufacturing use falling within zoning~~  
16 ~~categories 816.64 through 816.67 shall be allowed to return to its former nonconforming Office use.~~  
17 Upon restoration of a previous nonconforming use as permitted above, any modification,  
18 enlargement, extension, or change of use, from circumstances that last lawfully existed prior  
19 to the change from office use, shall be subject to the provisions of this Article, and the  
20 restored nonconforming use shall be considered to have existed continuously since its original  
21 establishment, prior to the change to Office use, for purposes of this Article.

22 \* \* \* \*

23 **SEC. 201. CLASSES OF USE DISTRICTS.**

24 In order to carry out the purposes and provisions of this Code, the City is hereby  
25 divided into the following classes of use districts:

\* \* \* \*

***-South of Market Use Mixed Use Districts***

*(Also see Sec. 802.5)*

<i>RSD</i>	<i>Residential Service District (Defined in Sec. 815)</i>
<i>SLR</i>	<i>Service/Light Industrial/Residential District (Defined in Sec. 816)</i>
<i>SLI</i>	<i>Service/Light Industrial District (Defined in Sec. 817)</i>
<i>SSO</i>	<i>Service/Secondary Office District (Defined in Sec. 818)</i>

\* \* \* \*

***Eastern Neighborhoods Mixed Use Districts***

*(Also see Sec. 802.4)*

<i>CMUO</i>	<i>Central SoMa Mixed Use – Office District (Defined in Sec. 848)</i>
<i>SPD</i>	<i>South Park District (Defined in Sec. 814)</i>
<i>* * * *</i>	

\* \* \* \*

In addition to the classes of use districts in the above table, the following terms shall apply:

"R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RTO, RTO-M, RC-1, RC-2, RC-3 or RC-4 District;

"M District" shall mean any M-1 or M-2 District;

"PDR District" shall mean any PDR-1-B, PDR-1-D, PDR-1-G or PDR-2 District;

"RH District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 District;

"RM District" shall mean any RM-1, RM-2, RM-3, or RM-4 District;

"RTO District" shall mean any RTO or RTO-M District;

"C-3 District" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S District. For the purposes of Section 128 and Article 11 of this Code, the term "C-3 District" shall also include the South

1 of Market Extended Preservation District designated on Section Map SU03 of the Zoning  
2 Map;

3 "NCT District" shall mean any district listed in Section 702.1(b), including any NCT-1,  
4 NCT-2, NCT-3, and any Neighborhood Commercial Transit District identified by street or area  
5 name; and

6 "Mixed Use District" shall mean all Chinatown Mixed use, ~~South of Market Mixed Use~~,  
7 Eastern Neighborhood Mixed use, and Downtown Residential Districts.

8 \* \* \* \*

9 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

10 (a) **Purpose and Findings.** This Section 206.~~34~~ describes the 100 Percent Affordable  
11 Housing Bonus Program, or "100 Percent Affordable Housing Program". In addition to the  
12 purposes described in Section 206.1, the purpose of the 100 Percent Affordable Housing  
13 Program is to facilitate the construction and development of projects in which all of the  
14 residential units are affordable to Low and Very-Low Income Households. Projects pursuing a  
15 development bonus under this 100 Percent Affordable Program would exceed the City's  
16 shared Proposition K housing goals that 50% of new housing constructed or rehabilitated in  
17 the City by 2020 be within the reach of working middle class San Franciscans, and at least  
18 33% affordable for low and moderate income households.

19 \* \* \* \*

20 (b) **Applicability.** A 100 Percent Affordable Housing Bonus Project under this Section  
21 206.~~34~~ shall be a Housing Project that:

22 \* \* \* \*

23 (3) is not seeking and receiving a density or development bonus under the  
24 provisions of California Government Code Sections 65915 et seq., Planning Code Sections  
25

1 207, 124(f), 304, ~~803.8~~ or any other state or local program that provides development  
2 bonuses;

3 \* \* \* \*

4 **SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.**

5 (a) The dwelling unit density in the Chinatown Mixed Use District shall be at a density  
6 ratio not exceeding the amount set forth in the specific district tables in Article 8.

7 (b) ~~Except as indicated in Paragraph (c) below, the dwelling unit density in the South of~~  
8 ~~Market Mixed Use Districts shall be as specified in the specific district tables in Article 8.~~

9 (c) ~~There shall be no density limit for single room occupancy (SRO) units in any South of~~  
10 ~~Market Mixed Use District.~~

11 (d) ~~There shall be no density limit for any residential use, as defined by Section~~  
12 ~~890.88 in any DTR district.~~

13 (e) There shall be no density limits for any residential use, as defined by Section  
14 890.88, in the Eastern Neighborhoods Mixed Use Districts.

15 \* \* \* \*

16 **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING OR HOMELESS**  
17 **SHELTERS.**

18 ~~Except for Single Room Occupancy Units in the South of Market Mixed Use Districts, t~~  
19 density limitations for Group Housing or Homeless Shelters, as described in Sections 102,  
20 790.88(b) and (c) and 890.88(b) and (c) of this Code, shall be as follows:

21 (a) For Group Housing, the maximum number of Bedrooms on each Lot shall be as  
22 specified in the Zoning Control Table for the District in which the Lot is located, except that in  
23 RTO, RTO-M, RCD, UMU, MUG, WMUG, MUR, MUO, CMUO, WMUO, RED, RED-MX, SPD,  
24 DTR, and all NCT Districts the density of Group Housing shall not be limited by lot area, and  
25 except that for Lots in NC Districts, the group housing density shall not exceed the number of

1 Bedrooms permitted in the nearest R District provided that the maximum density not be less  
2 than the amount permitted by the ratio specified for the NC District in which the lot is located.  
3 For Homeless Shelters, the maximum number of beds on each lot shall be regulated  
4 ~~per~~pursuant to the requirements of the Standards of Care for City Shelters contained in  
5 Administrative Code, Chapter 20, Article XIII, in addition to the applicable requirements of the  
6 Building Code and Fire Code.

7 \* \* \* \*

8 **SEC. 211.2. CONDITIONAL USES, P DISTRICTS.**

9 The following uses shall require Conditional Use authorization from the Planning  
10 Commission, as provided in Section 303 of this Code, unless otherwise permitted under  
11 Section 211.1 of this Code:

12 \* \* \* \*

13 (b) For P Districts located within the right-of-way of any State or federal  
14 highway:

15 (1) Parking lot or garage uses when: (A) adjacent to any Eastern  
16 Neighborhoods Mixed Use Districts, ~~or the South of Market Mixed Use District,~~ or (B) within the  
17 Market and Octavia Plan Area.

18 \* \* \* \*

19 **SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**

20 (a) **Purpose.** The Life Science and Medical Special Use District is intended to support  
21 uses that benefit from proximity to the University of California, San Francisco (UCSF) campus  
22 at Mission Bay. These uses include medical office and life science (biotechnology) uses.

23 (b) **Geography.** The boundaries of the Life Science and Medical Special Use District  
24 are shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders  
25

1 Mariposa St. on the north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east.  
2 Within this area, the Dogpatch Historic District is generally excluded.

3 (c) **Controls.** All provisions of the Planning Code currently applicable shall continue to  
4 apply, except as otherwise provided in this Section:

5 (1) **Medical Services.** Medical services, including medical offices and clinics,  
6 as defined in Section 890.114, are a principally permitted use and are exempted from use size  
7 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
8 controls (Sec. 803.9(~~hf~~)). For the purposes of this Section, a medical service use may be  
9 affiliated with a hospital or medical center as defined in 890.44.

10 (2) **Life Science Offices.** Office uses that contain Life Science facilities, as  
11 defined in Section 890.53, are a principally permitted use and are exempted from use size  
12 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
13 controls (Sec. 219.1 and 803.9(~~hf~~)).

14 (3) **Life Science Laboratories.** Laboratories that engage in life science  
15 research and development, as defined in Section 890.52, are a principally permitted use and  
16 are exempted from use size limitation, PDR replacement requirements (Sec. 230), and  
17 vertical (floor-by-floor) zoning controls (Sec. 219.1 and 803.9(~~hf~~)).

18 \* \* \* \*

19 **SEC. 249.40. POTRERO CENTER MIXED-USE SPECIAL USE DISTRICT.**

20 (a) **Purpose.** The Potrero Center Mixed-Use Special Use District is intended to  
21 facilitate the continued operation of the shopping center located at 2300 16th Street, which is  
22 characterized by large formula retail sales and services, while providing an appropriate  
23 regulatory scheme for a potential phased mixed-use redevelopment of the shopping center in  
24 the future.

1           **(b) Geography.** The boundaries of the Potrero Center Mixed-Use Special Use District  
2 shall consist of Assessor's Block 3930A, Lot 002 as designated on the Zoning Map of the City  
3 and County of San Francisco and generally bound by Bryant Street to the west, 16th Street to  
4 the south, Potrero Avenue to the east, and Assessor's Blocks 3931A, 3921A and 3922A to the  
5 north.

6           **(c) Controls.** All provisions of the Planning Code shall continue to apply, except for  
7 the following:

8                   **(1) Floor Area Ratio.** The maximum floor area ratio (FAR) set forth in Section  
9 124 shall not apply to Retail Sales and Services uses or to Gym uses. The maximum FAR for  
10 Retail Sales and Service uses and Gym uses shall not exceed 3.0:1.

11                   **(2) Use Size Limitations for Retail Sales and Services and Gyms.** The use  
12 size limitations and ratio requirements applicable to Retail Sales and Service uses and Gym  
13 uses of Sections 121.6(a), 803.9(*ig*), 843.45 and 843.51 shall not apply. Retail Sales and  
14 Service uses and Gym uses are principally permitted, and the replacement of one such use or  
15 tenant by another such use or tenant in an existing store or gym, regardless of its size, is  
16 permitted. Newly constructed space for Retail Sales and Service uses or Gym uses larger  
17 than 25,000 gross square feet per use or the expansion of an existing Retail Sales and  
18 Services use or Gym use by more than 25,000 new gross square feet per use shall require  
19 conditional use authorization pursuant to the provisions of Section 303.

20           \* \* \* \*

21           **SEC. 249.45. VISITACION VALLEY/SCHLAGE LOCK SPECIAL USE DISTRICT.**

22           A Special Use District entitled the "Visitacion Valley/Schlage Lock Special Use District"  
23 is hereby established for a portion of the Visitacion Valley neighborhood and the Schlage Lock  
24 site within the City and County of San Francisco, the boundaries of which are designated on  
25 Sectional Map SU10 of the Zoning Maps of the City and County of San Francisco, and which

1 includes properties generally fronting Bayshore Boulevard between Tunnel Avenue in the  
2 north and the San Francisco/San Mateo County line in the south, and properties fronting  
3 Leland Avenue between Bayshore Boulevard and Cora Street. The following provisions shall  
4 apply within the Special Use District:

5 \* \* \* \*

6 (e) **Controls in Zone 1.** Development in Zone 1 of the Special Use District shall be  
7 regulated by the controls contained in this Section 249.45(e) and the Design for Development.  
8 Where not explicitly superseded by definitions and controls established in this Section  
9 249.45(e) or the Design for Development, the definitions and controls in this Planning Code  
10 shall apply except where those controls conflict with the Development Agreement. The  
11 following shall apply only in Zone 1 of the Special Use District:

12 \* \* \* \*

13 (2) **Use Requirements.**

14 \* \* \* \*

15 (C) **Prohibited Uses.** The following uses shall be prohibited within this Special  
16 Use District:

17 (i) Auto repair services;

18 (ii) Office, except in existing buildings or as an accessory use to other  
19 permitted uses. The floor controls set forth in Section 803.9(~~hf~~) for the MUG zoning  
20 designation shall not apply to office use in the Old Office Building or to the existing building  
21 located on Assessor's Block and Lot No. 5100-007;

22 \* \* \* \*

23 **SEC. 249.78. CENTRAL SOMA SPECIAL USE DISTRICT.**

1           (a) Purpose. In order to implement the goals, objectives, and policies of the Central SoMa  
2 Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board of Supervisors in File No.  
3 \_\_\_\_\_), the Central SoMa Special Use District (SUD) is hereby established.

4           (b) Geography. The SUD is within the South of Market (SoMa) neighborhood, and its  
5 boundaries generally run from 2nd Street to the east to 6th Street to the west, and from Townsend  
6 Street to the south to an irregular border that generally follows Folsom, Howard, and Stevenson Streets  
7 to the north, as more specifically shown on Sectional Maps 1SU and 8SU of the Zoning Map.

8           (c) Land Use Controls.

9           (1) Active Uses. The controls of Section 145.1 and 145.4 shall apply, except as  
10 specified below:

11                   (A) Active uses, as defined in Section 145.1, are required along any outdoor  
12 publicly-accessible open space;

13                   (B) An office use, as defined in Section 890.70, is not an “active use” on the  
14 ground floor;

15                   (C) POPOS, as defined in Section 138, is an “active use” on the ground floor;

16                   (D) Hotels and Production, Distribution, and Repair uses, both as defined in  
17 Section 102, shall be considered “Active commercial uses,” as defined in Section 145.4(c).

18                   (E) Active uses shall be required within the first 10 feet of building depth if  
19 any of the following conditions apply:

20                           (i) The use is a Micro-Retail use located on a Narrow Street as  
21 defined in Section 261.1(b)(1); or

22                           (ii) The use is along a Narrow Street provided there is a doorway  
23 provided every 25 feet along the street frontage, at minimum.

24                   (F) Notwithstanding the PDR exemption found in Section 145.1(c)(6), PDR uses  
25 shall meet the transparency and fenestration requirements contained in that Section.

1                   (2) **Nighttime Entertainment.** *Nighttime Entertainment uses are principally permitted,*  
2 *regardless of the underlying zoning district, in the area bounded by 4th Street, 6th Street, Bryant Street,*  
3 *and Townsend Street.*

4                   (3) **Hotels.** *Hotels in the CMUO District shall not be subject to the land use ratio*  
5 *requirements of Section 803.9(g).*

6                   (4) **Micro-Retail.** *“Micro-Retail” shall mean a Retail Use, other than a Formula Retail*  
7 *Use, measuring no less than 100 gross square feet and no greater than 1,000 gross square feet.*

8                   (A) **Applicability.** *Micro-Retail controls shall apply to new non-residential*  
9 *development projects on lots of 20,000 square feet or more.*

10                   (B) **Controls.**

11                   (i) **Amount.** *Applicable development projects are required to have at*  
12 *least one Micro-Retail unit for every 20,000 square feet of lot area, rounded to the nearest unit.*

13                   (ii) **Location and Design.** *All Micro-Retail units shall be on the ground*  
14 *floor, independently and directly accessed from a public right-of-way or publicly-accessible open*  
15 *space, and designed to be accessed and operated independently from other spaces or uses on the*  
16 *subject property.*

17                   (iii) **Type.** *Formula Retail uses, as defined in Section 303.1, are not*  
18 *permitted as Micro-Retail.*

19                   (5) **PDR and Community Building Space Requirements.**

20                   (A) For purposes of this subsection, “Community Building Space” shall  
21 *mean space provided for a Social Service, Institutional Community, Grocery Store,*  
22 *Community Facility, or Public Facility Use or for a Legacy Business.*

23                   (B) *In addition to the requirements of Section 202.8, the following shall apply*  
24 *to any newly constructed project that contains at least 50,000 gross square feet of office shall provide*  
25 *one of the following:*

1 (A) ~~The project shall provide a~~ (i) An amount of PDR space for PDR  
2 Uses or Community Building Space, or a combination thereof, that is the greater of the following:

3 (i)a. the square footage of PDR space required by the controls of  
4 Section 202.8, or

5 (ii)b. on-site dedication of space for PDR Uses or Community  
6 Building Space, or a combination thereof, that is equivalent to 40 percent of the lot area, in which  
7 case for purposes of this Section 249.78(b)(5), the following areas are exempted from the  
8 calculation of the lot area: land dedicated to a building whose housing units consist entirely of  
9 Affordable Housing Units as defined in Section 401; publicly accessible open space and mid-block  
10 alleys that are fully open to the sky except for obstructions permitted pursuant to Section 136 or under  
11 a cantilevered portion of the building for up to 10% of space pursuant to Section 138(d)(2);  
12 any portion of the lot or lots containing a building dedicated primarily to residential use; and  
13 ground floor space dedicated to a Child Care Facility.

14 (B) ~~(ii) In the alternative, the project sponsor may provide either of~~  
15 ~~the following:~~

16 ~~\_\_\_\_\_ (i) Establishment off-site, through new construction, addition, or change~~  
17 ~~of use, of a minimum of 150 percent of gross square feet of the on-site PDR requirement for PDR~~  
18 ~~Uses or for Community Building Space. Such off-site PDR space shall be located within the area~~  
19 ~~bounded by Market Street, the Embarcadero, Second Street, King Street, Division Street, and South~~  
20 ~~Van Ness Avenue; or~~

21 ~~(iii) Preservation of existing PDR uses off-site, at a minimum of 200~~  
22 ~~percent of the on-site requirement, for the life of the project that is subject to the requirements of this~~  
23 ~~subsection (6) or for 55 years, whichever is less. This off-site PDR shall be located on one or more~~  
24 ~~lots in the area bounded by Market Street, the Embarcadero, Second Street, King Street, Division~~

1 Street, and South Van Ness Avenue. The PDR space preserved off-site shall not include any space  
2 already required to be preserved pursuant to this Section or Section 202.8.

3 (C) The PDR and Community Building Space requirements of this subsection  
4 may be reduced by 25 percent for any project subject to any contract or agreement meeting the  
5 requirements of California Civil Code Section 1954.28(d), including but not limited to a development  
6 agreement approved by the City under California Government Code Section 65864 et seq. if, pursuant  
7 to the terms of such agreement, the required replacement space is rented, leased, or sold at 50 percent  
8 below market rate for PDR space for a period of not less than 55 years or the life of the project,  
9 whichever is less. Such restrictions on the rent, lease, or sale price shall be recorded on the subject  
10 property as a Notice of Special Restrictions.

11 (D) Any project that meets the requirements of this Section 249.78 and the PDR  
12 replacement requirements of Section 202.8 shall not be subject to the Conditional Use Authorization  
13 required by Section 202.8.

14 (E) Any development application submitted to the Planning Department  
15 for a project that is subject to the PDR and Community Building Space requirements of this  
16 Section 249.78 or the PDR replacement requirements of Section 202.8 shall include the  
17 following materials:

18 (i) Documentation demonstrating that the applicant has provided  
19 written notification to all existing PDR tenants that the applicant intends to develop the  
20 property pursuant to this Section 249.78.

21 (ii) Documentation demonstrating that the applicant has provided  
22 all existing PDR tenants with information regarding the Central SoMa PDR Relocation Fund  
23 described in the Central SoMa Implementation Program Document, and PDR Sector  
24 Assistance for Displaced Businesses available from the Office of Economic and Workforce  
25 Development (OEWD) or its successor agency.

1                    **(6) Use on Large Development Sites.**

2                    **(A) Applicability.** *South of Harrison Street on sites larger than 40,000 square*  
3 *feet that entail new construction or an addition of 100,000 square feet or more.*

4                    **(B) Requirement.** *At least two-thirds of the Gross Floor Area of all building*  
5 *area below 160 feet in height shall be non-residential.*

6                    **(d) Urban Design and Density Controls.**

7                    **(1) Design of Buildings.** *New construction shall comply with the “Central SoMa Guide*  
8 *to Urban Design” as adopted and periodically amended by the Planning Commission.*

9                    **(2) Floor Area Ratio.** *There shall be no maximum Floor Area Ratio limit for lots*  
10 *within the CMUO, MUR, MUG, and WMUO Districts in this SUD.*

11                    **(3) Living and Solar Roofs and Renewable Energy.**

12                    **(A) Definitions.** *For the purpose of this subsection, all terms shall be as defined*  
13 *in Sections 102 and 149.*

14                    **(B) Applicability.** *Any development that meets all of the following criteria:*

15                    **(i)** *The development lot is 5,000 square feet or larger; and*

16                    **(ii)** *The building constitutes a Large Development Project or Small*  
17 *Development Project under the Stormwater Management Ordinance (Public Works Code Secs. 147-*  
18 *147.6); and*

19                    **(iii)** *The building height is 160 feet or less.*

20                    **(C) Requirements.**

21                    **(i)** *Notwithstanding the requirements of Section 149, at least fifty*  
22 *percent of the roof area shall be covered by one or more Living Roofs.*

23                    **(ii)** *Residential projects subject to this subsection (d)(3) shall comply*  
24 *with Green Building Code Section 4.201.2, which sets forth requirements for solar photovoltaic systems*  
25 *and/or solar thermal systems.*

1 (iii) Non-residential projects shall comply with Green Building Code  
2 Section 5.201.1.2, which sets forth requirements for solar photovoltaic systems and/or solar thermal  
3 systems.

4 ~~(iv) All projects shall commit, as a condition of approval, to~~  
5 ~~sourcing electricity from 100% greenhouse gas-free sources.~~

6 (v) The Living Roof shall be considered in determining compliance with  
7 the Stormwater Management Ordinance.

8 (v) The Planning Department, after consulting with the Public Utilities  
9 Commission and the Department of the Environment, shall adopt rules and regulations to implement  
10 this subsection 249.78(d)(3) and shall coordinate with those departments to ensure compliance with the  
11 Stormwater Management Ordinance.

12 (vi) All projects shall commit, as a condition of approval, to  
13 sourcing electricity from 100% greenhouse gas-free sources.

14 (vii) Projects that consist of multiple buildings may choose to locate  
15 the required elements in this subsection 249.78(d)(3)(i)-(v) on any rooftops within the subject  
16 project, including on buildings that are not subject to these requirements, provided the  
17 equivalent amount of square footage is provided elsewhere on the project site.

18 (D) Waiver. If the project sponsor demonstrates to the Zoning Administrator's  
19 satisfaction that it is physically infeasible to meet the Living Roof requirements as written for the  
20 project in question, the Zoning Administrator may, in his or her sole discretion and pursuant to the  
21 procedures set forth in Planning Code Section 307(h), reduce the requirements stated in subsection (C)  
22 from fifty percent to thirty-three percent.

23 (4) Lot Coverage. For residential uses, the rear yard requirements of Section 134 of  
24 this Code shall not apply. Lot coverage is limited to 80 percent at all residential levels, except that on  
25 levels in which all residential units face onto a public right-of-way, 100 percent lot coverage may

1 occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in  
2 yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for  
3 adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open  
4 space.

5 **(5) Lot Merger Restrictions.**

6 **(A) Applicability.** Lots that meet both of the following criteria shall be subject  
7 to the lot merger restrictions of this Section:

8 (i) Lots containing one or more buildings with California Historic  
9 Resources Status Code 1, 2, 3, 4, 5, or 6L, as identified in a survey adopted by the Historic  
10 Preservation Commission; and

11 (ii) Lots with any single street frontage under 200 feet in length.

12 **(B) Control.** Any lot to which this subsection is applicable shall not merge with  
13 an adjacent lot in such a way that any existing street frontage of under 200 feet is increased to 200 feet  
14 in length or longer.

15 **(C) Exemptions.**

16 (i) The street frontages of lots abutting the north side of Perry Street and  
17 the street frontages along Harrison Street on Block 3763 in lots 099 and 100 are exempt from  
18 this control.

19 (ii) On blocks of less than 200 feet in length between streets or alleys, an  
20 applicable lot may merge with an adjacent non-applicable lot if the non-applicable lot is a corner lot.

21 **(6) Open Space.** A project whose housing units consist entirely of Affordable Housing  
22 Units, as defined in Section 401, shall provide at least 36 square feet of usable Open Space, as set forth  
23 in Section 135, per unit unless the project is located directly adjacent to a publicly-owned park in  
24 which case such project shall not be required to provide usable Open Space.

25 **(7) Wind.**

1                    (A) Applicability. This subsection shall apply to new buildings above 85 feet in  
2 Height and additions to existing buildings that result in a building above 85 feet in Height.

3                    (B) Definitions.

4                    “Comfort Level” means ground-level equivalent wind speeds of 11 miles  
5 per hour in areas of substantial pedestrian use and seven miles per hour in public seating areas  
6 between 7:00 a.m. and 6:00 p.m. when occurring for more than 15 percent of the time year round.

7                    “Equivalent Wind Speed” means an hourly mean wind speed adjusted to  
8 incorporate the effects of gustiness or turbulence on pedestrians.

9                    “Nine-Hour Hazard Criterion” means a ground-level equivalent wind  
10 speed of 26 miles per hour for more than nine hours per year per test location.

11                    “One-Hour Hazard Criterion” means a ground-level equivalent wind  
12 speed of 26 miles per hour for more than one hour per year per test location.

13                    “Substantial Increase” means an increase in wind speeds of more than  
14 six miles per hour for more than 15 percent of the time year round.

15                    (C) Controls for Wind Comfort.

16                    (i) Projects may not result in wind speeds that exceed the Comfort Level  
17 at any location.

18                    (ii) Projects may not cause a Substantial Increase in wind speed at any  
19 location where the existing or resulting wind speed exceeds the Comfort Level.

20                    (iii) Pursuant to Section 329, the Planning Commission may grant an  
21 exception to the standards of subsections (i) and (ii) above as applied to a project if it finds that the  
22 project meets the following criteria:

23                    (aa) It has undertaken all feasible measures to reduce wind  
24 speeds through such means as building sculpting and appurtenances, permanent wind baffling  
25 measures, and landscaping; and

1 (bb) Reducing wind speeds further would substantially detract  
2 from the building design or unduly restrict the square footage of the project.

3 (D) Controls for Hazardous Winds.

4 (i) Projects shall not result in net new locations with an exceedance of  
5 the One-Hour Hazard Criterion, except as allowed by the Planning Commission based on criteria  
6 described in subsection (ii) below.

7 (ii) Pursuant to Section 329, the Planning Commission may grant an  
8 exception to the standard of subsection (i) above as applied to a proposed project if it finds that the  
9 proposed project meets all of the following criteria:

10 (aa) The project with mitigations does not result in net new  
11 locations with an exceedance of the Nine-Hour Hazard Criterion;

12 (bb) The project has undertaken all feasible measures to reduce  
13 hazardous wind speeds, such as building sculpting and appurtenances, permanent wind baffling  
14 measures, and landscaping; and

15 (cc) Meeting the requirements of subsection (i) would detract  
16 from the building design or unduly restrict the square footage of the project.

17 (iii) No exception shall be granted and no building or addition shall be  
18 permitted for any project that causes net new locations with an exceedance in the Nine-Hour Hazard  
19 Criterion.

20 (E) Guidelines. Procedures and methodologies for implementing this  
21 subsection shall be issued by the Department.

22 (8) Ground Floor Heights. PDR space provided at the ground floor that is subject to  
23 the requirements of Section 202.8 or 249.78(c)(5) shall have a minimum floor-to-floor height of 17 feet,  
24 as measured from grade.

1                   (9) Dwelling Unit Exposure. The requirements of Section 140 shall apply,  
2 except that the required windows (as defined by Section 504 of the San Francisco Housing  
3 Code) of at least one room that meets the 120-square-foot minimum superficial floor area  
4 requirement of Section 503 of the Housing Code shall face on an open area as follows:

5                   (A) For units constructed above 85 feet in height, the required windows  
6 shall face directly on an open area that is no less than 15 feet by 15 feet;

7                   (B) 10% of units constructed at or below 85 feet may face directly onto  
8 an open area that is no less than 15 feet by 15 feet; and

9                   (C) Where required windows are built on an open area, pursuant to  
10 140(a)(2), the requirements to increase the horizontal dimension at each subsequent floor do  
11 not apply.

12                   (e) Community Development Controls.

13                   (1) Affordable Housing Funds. Affordable Housing Fees for projects within the  
14 Central SoMa Special Use District shall be deposited in the Central SoMa Affordable Housing Fund  
15 and shall be expended within a limited geographic area, as specified in Administrative Code Section  
16 10.100-46.

17                   (2) Land Dedication.

18                   (A) Residential projects in this SUD may opt to fulfill the Inclusionary Housing  
19 requirement of Section 415 through the Land Dedication alternative contained in Section 419.6.

20                   (B) Non-Residential projects in this Special Use District may opt to fulfill their  
21 Jobs-Housing Linkage Fee requirement of Section 413 through the Land Dedication alternative  
22 contained in Section 413.7.

23  
24                   (3) TDR Requirements for Large Development Sites.

25                   (A) Applicability. This control applies to projects that:

1 (i) Are located in Central SoMa Development Fee Tier C, as defined in  
2 Section 423.2;

3 (ii) Contain new construction, or addition, of 50,000 non-residential  
4 gross square feet or greater; and

5 (iii) Have a Floor Area Ratio of 3:1 or greater.

6 **(B) Requirement.**

7 (i) A project subject to this subsection (4) will be considered a  
8 “Development Lot,” pursuant to Section 128.1;

9 (ii) To exceed a Floor Area Ratio of 3:1, a Development Lot shall  
10 acquire one Unit of TDR from a Transfer Lot, as defined in Sections 128 and 128.1, per square foot  
11 of development up to a Floor Area Ratio of 4.25:1. Above 4.25:1, the acquisition of additional TDR is  
12 not required.

13 \* \* \* \*

14 **SEC. 260. HEIGHT LIMITS: MEASUREMENT.**

15 \* \* \* \*

16 (b) **Exemptions.** In addition to other height exceptions permitted by this Code, the  
17 features listed in this subsection (b) shall be exempt from the height limits established by this  
18 Code, in an amount up to but not exceeding that which is specified.

19 (1) The following features shall be exempt; provided the limitations indicated for  
20 each are observed; provided further that the sum of the horizontal areas of all features listed  
21 in this subsection (b)(1) shall not exceed 20 percent of the horizontal area of the roof above  
22 which they are situated, or, in C-3 Districts, and in the Rincon Hill Downtown Residential  
23 District, where the top of the building has been separated into a number of stepped elements  
24 to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and  
25 provided further that in any R, RC-3, or RC-4 District the sum of the horizontal areas of all

1 such features located within the first 10 feet of depth of the building, as measured from the  
2 front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such  
3 first 10 feet of depth.

4 As an alternative, the sum of the horizontal areas of all features listed in this  
5 subsection (b)(1) may be equal to but not exceed 20 percent of the horizontal area permitted  
6 for buildings and structures under any bulk limitations in Section 270 of this Code applicable  
7 to the subject property.

8 Any such sum of 20 percent heretofore described may be increased to 30  
9 percent by unroofed screening designed either to obscure the features listed under (A) and  
10 (B) below or to provide a more balanced and graceful silhouette for the top of the building or  
11 structure.

12 \* \* \* \*

13 (E) In any C-3 District ~~and~~ the CMUO District, and any MUR or MUG District  
14 within the Central SoMa Special Use District, enclosed space related to the recreational use  
15 of the roof, not to exceed 16 feet in height.

16 (F) Rooftop enclosures and screening for features listed in subsections (b)(1)(A)  
17 and (B) above that add additional building volume in any C-3 District except as otherwise  
18 allowed in the S-2 Bulk district according to subsection (M) below; ~~or the Eastern~~  
19 ~~Neighborhoods Mixed Use Districts, or South of Market Mixed Use District.~~ The rooftop  
20 enclosure or screen creating the added volume:

21 (i) shall not be subject to the percentage coverage limitations  
22 otherwise applicable to this Section 260(b) but shall meet the requirements of Section 141;

23 (ii) shall not exceed 20 feet in height, measured as provided in  
24 subsection (a) above;

1 (iii) may have a volume, measured in cubic feet, not to exceed  
2 three-fourths of the horizontal area of all upper tower roof areas multiplied by the maximum  
3 permitted height of the enclosure or screen;

4 (iv) shall not be permitted within the setbacks required by  
5 Sections 132.1, 132.2, and 132.3;

6 (v) shall not be permitted within any setback required to meet the  
7 sun access plane requirements of Section 146; and

8 (vi) shall not be permitted within any setback required by Section  
9 261.1.

10 \* \* \* \*

11 (L) ~~[Reserved.]~~ In the Central SoMa Special Use District, additional building  
12 volume used to enclose or screen from view the features listed in subsections (b)(1)(A) and (b)(1)(B)  
13 above. The rooftop form created by the added volume shall not be subject to the percentage coverage  
14 limitations otherwise applicable to the building, but shall meet the requirements of Section 141; shall  
15 not exceed 10 percent of the total height of any building taller than 200 feet; shall have a horizontal  
16 area not more than 100 percent of the total area of the highest occupied floor; and shall contain no  
17 space for human occupancy. The features described in subsection (b)(1)(B) shall not be limited to 16  
18 feet for buildings taller than 200 feet, but shall be limited by the permissible height of any additional  
19 rooftop volume allowed by this subsection (L).

20 \* \* \* \*

21 (2) The following features shall be exempt, without regard to their horizontal  
22 area, provided the limitations indicated for each are observed:

23 \* \* \* \*

1                                   (O) ~~Additional building height, up to a height of five feet above the otherwise~~  
2 ~~applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work~~  
3 ~~units located within a South of Market District.~~

4                                   (P) Enclosed recreational facilities up to a height of 10 feet above the  
5 otherwise applicable height limit when located within a 65-U Height and Bulk District and ~~either~~  
6 an MUO ~~or SSO~~ District, and only then when authorized by the Planning Commission as a  
7 Conditional Use pursuant to Section 303 of this Code, provided that the project is designed in  
8 such a way as to reduce the apparent mass of the structure above a base 50-foot building  
9 height.

10                                  (QP) Historic Signs and Vintage Signs permitted pursuant to Article 6 of  
11 this Code.

12                                  (RQ) In the Eastern Neighborhoods Mixed Use Districts, enclosed utility  
13 sheds of not more than 100 square feet, exclusively for the storage of landscaping and  
14 gardening equipment for adjacent rooftop landscaping, with a maximum height of 8 feet above  
15 the otherwise applicable height limit.

16                                  (SR) Hospitals, as defined in this Code, that are legal non-complying  
17 structures with regard to height, may add additional mechanical equipment so long as the new  
18 mechanical equipment 1) is not higher than the highest point of the existing rooftop enclosure,  
19 excluding antennas; 2) has minimal visual impact and maximum architectural integration; 3) is  
20 necessary for the function of the building; and 4) no other feasible alternatives exist. Any  
21 existing rooftop equipment that is out of service or otherwise abandoned ~~must~~shall be removed  
22 prior to installation of new rooftop equipment.

23                                  \* \* \* \*

1           **SEC. 261.1. ADDITIONAL HEIGHT LIMITS FOR NARROW STREETS AND ALLEYS**  
2 **IN, RTO, NC, NCT, AND EASTERN NEIGHBORHOODS MIXED USE, ~~AND SOUTH OF~~**  
3 **~~MARKET MIXED USE~~ DISTRICTS.**

4           (a) **Purpose.** The intimate character of narrow streets (rights-of-way 40 feet in width  
5 or narrower) and alleys is an important and unique component of the City and certain  
6 neighborhoods in particular. The scale of these streets should be preserved to ensure they do  
7 not become overshadowed or overcrowded. Heights along alleys and narrow streets are  
8 hereby limited to provide ample sunlight and air, as follows:

9           (b) **Definitions.**

10           (1) "Narrow Street" shall be defined as a public right of way less than or equal  
11 to 40 feet in width, or any mid-block passage or alley that is less than 40 feet in width created  
12 under the requirements of Section 270.2.

13           (2) "Subject Frontage" shall mean any building frontage in an RTO, NC, NCT or  
14 Eastern Neighborhood Mixed Use District that abuts a Narrow Street and that is more than 60  
15 feet from an intersection with a street wider than 40 feet.

16           (3) "East-West Narrow Streets" shall mean all Narrow Streets, except those  
17 created pursuant to Section 270.2, that are oriented at 45 degrees or less from a true east-  
18 west orientation or are otherwise named herein: Elm, Redwood, Ash, Birch, Ivy, Linden,  
19 Hickory, Lily, Rose, Laussat, Germania, Clinton Park, Brosnan, Hidalgo, and Alert Streets.

20           (4) "North-South Narrow Streets" shall mean all Narrow Streets, except those created  
21 pursuant to Section 270.2, that are oriented at 45 degrees or less from a true north-south orientation.

22           (c) **Applicability.** The controls in this Section shall apply in all RTO, NC, NCT, and  
23 Eastern Neighborhoods Mixed Use, ~~and South of Market Mixed Use~~ Districts. Notwithstanding the  
24 foregoing, in the CS Bulk District these controls shall only apply on certain frontages as described in  
25 Section 270(h).

1 (d) **Controls.**

2 (1) **General Requirement.** Except as described below, all sSubject fFrontages  
3 shall have upper stories set back at least 10 feet at the property line above a height equivalent  
4 to 1.25 times the width of the abutting nNarrow sStreet.

5 (2) **Southern Side of East-West Narrow Streets and, within the Central SoMa**  
6 **Special Use District, all North-South Narrow Streets.** All sSubject fFrontages on the southerly  
7 side of an East-West Narrow Street and, within the Central SoMa Special Use District, all Subject  
8 **Frontages on a North-South Narrow Street** shall have upper stories which are set back at the  
9 property line such that they avoid penetration of a sun access plane defined by an angle of 45  
10 degrees extending from the most directly opposite northerly property line (as illustrated in  
11 Figure 261.1A.) No part or feature of a building, including but not limited to any feature listed  
12 in Sections 260(b), may penetrate the required setback plane.

13 (3) **Northern Side of all Narrow Streets with the Central SoMa Special Use District.**  
14 **Subject Frontages in a 65- or 85- foot Height district are required to meet Apparent Mass Reduction**  
15 **requirements, as defined in Section 270(h), as follows:**

16 (A) **All Subject Frontages in a 65-foot Height district are required to have an**  
17 **Apparent Mass Reduction of fifty percent, as measured utilizing a Base Height of 35 feet.**

18 (B) **All Subject Frontages in a 85-foot Height district are required to have an**  
19 **Apparent Mass Reduction of seventy percent, as measured utilizing a Base Height of 35 feet.**

20 (34) **Mid-block Passages.** Subject fFrontages abutting a mid-block passage  
21 provided perpursuant to the requirements of Section 270.2 shall have upper story setbacks as  
22 follows:

23 \* \* \* \*

24 **SEC. 263. HEIGHT LIMITS: SPECIAL EXCEPTIONS.**

1 In the height and bulk districts indicated in the following Sections, buildings and  
2 structures exceeding the prescribed height limits may be approved by the Planning  
3 Commission according to the procedures for conditional use approval in Section 303 of this  
4 Code unless otherwise specified herein; provided, however, that such Any exceptions  
5 granted may be permitted only in the areas specified and only to the extent stated in each  
6 Section.

7 ~~**SEC. 263.11. SPECIAL HEIGHT EXCEPTIONS: SOUTH OF MARKET RSD 40-X/85-B**~~  
8 ~~**HEIGHT DISTRICT.**~~

9 ~~*(a) General. In the 40-X/85-B Height and Bulk District, as designated on Sectional Map No.*~~  
10 ~~*HT01 of the Zoning Map, located within the boundaries of the South of Market RSD District, height*~~  
11 ~~*exceptions above the 40-foot base height to a maximum of 85 feet may be approved in accordance with*~~  
12 ~~*the Conditional Use procedures and criteria provided in Sections 303 of this Code, and the criteria and*~~  
13 ~~*conditions set forth below.*~~

14 ~~*(b) Reduction of Shadows on Certain Public, Publicly Accessible, or Publicly Financed or*~~  
15 ~~*Subsidized Private Open Space.*~~

16 ~~*(1) New buildings or additions subject to this Section shall be shaped to reduce*~~  
17 ~~*substantial shadow impacts on public plazas, parks or other nearby publicly accessible or publicly*~~  
18 ~~*financed private open spaces. The criteria set forth in Section 147 of this Code shall be used to assess*~~  
19 ~~*the shadow impacts of new building development over 40 feet in height.*~~

20 ~~*(2) To the extent that height above 40 feet on lots 14, 16, 18, 19, 20, 20A, 21, 22, 24, 25,*~~  
21 ~~*26, 28, 29, 30, 31, 34, 91 and 92 of Assessor's Block 3733 and on lots 14, 15, 17, 18, 19, 23, 24, 26, 27,*~~  
22 ~~*28, 32, 33, 36 and 95 of Assessor's Block 3752 would create adverse impact on light and air to*~~  
23 ~~*adjacent residential uses and/or sunlight access to residential open spaces, such additional height shall*~~  
24 ~~*not be permitted.*~~

1 ~~(c) **Reduction of Ground Level Wind Currents.** New buildings or additions subject to this~~  
2 ~~Section shall be shaped, or other wind baffling measures shall be adopted, so that the development will~~  
3 ~~not cause ground level wind currents to exceed, more than 10 percent of the time year-round, between~~  
4 ~~7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial~~  
5 ~~pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing~~  
6 ~~ambient wind speeds exceed the comfort level, the building or addition shall be designed to reduce the~~  
7 ~~ambient wind speeds to meet the requirements.~~

8 ~~If it is shown that a building or addition cannot be shaped or wind baffling measures cannot be~~  
9 ~~adopted to meet the foregoing requirements without creating an unattractive and ungainly building~~  
10 ~~form and without unduly restricting the development potential of the building site in question, and/or it~~  
11 ~~is concluded that, because of the limited amount by which the comfort level is exceeded, the limited~~  
12 ~~location in which the comfort level is exceeded, the limited time during which the comfort level is~~  
13 ~~exceeded, or the addition is insubstantial, an exception may be granted as part of the conditional use~~  
14 ~~process, allowing the building or addition to add to the amount of time that the comfort level is~~  
15 ~~exceeded by the least practical amount.~~

16 ~~No exception shall be allowed and no building or addition shall be permitted that causes~~  
17 ~~equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the~~  
18 ~~year.~~

19 ~~For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly mean~~  
20 ~~wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.~~

21 ~~(d) **Construction of Live/Work Units Above the 40-Foot Base Height Limit.** Live/work units~~  
22 ~~may be relied upon to qualify for a height exception under this Section only if:~~

23 ~~(1) Each non-residential use within each individual live/work unit is limited to an~~  
24 ~~activity permitted within the district or conditional within the district and specifically approved as a~~  
25 ~~conditional use;~~

1           ~~(2) Each live/work unit is sufficiently insulated for noise attenuation between units to~~  
2 ~~insure that noise shall not exceed the acceptable decibel levels established for residential use as~~  
3 ~~specified in the San Francisco Noise Control Ordinance; and~~

4           ~~(3) The project satisfies the open space, parking and freight loading provisions of this~~  
5 ~~Code without administrative exceptions.~~

6           ~~(e) **Affordability.** In determining whether to allow a height exception under this Section the~~  
7 ~~Planning Commission shall, in addition to the criteria set forth in Section 303(e) of this Code, consider~~  
8 ~~the extent to which the project seeking the exception will include residential and live/work units~~  
9 ~~affordable to low-income and moderate-income households. The City Planning Commission may~~  
10 ~~impose conditions on the approval of additional height pursuant to this Subsection to assure housing~~  
11 ~~affordability and the enforceability and enforcement of housing affordability and use provisions, which~~  
12 ~~may include, but need not be limited to, a requirement that a minimum stated percentage of the total~~  
13 ~~number of units approved pursuant to this Section remain affordable to households whose incomes are~~  
14 ~~not greater than a stated percentage of a defined median income for a period of not less than a stated~~  
15 ~~number of years.~~

16           ~~(1) The property owner shall submit an annual report to the City, along with a fee~~  
17 ~~whose amount shall be determined periodically by the City Planning Commission, to cover costs of the~~  
18 ~~enforcement of the affordability of designated units. The fee shall not exceed the amount of those costs.~~  
19 ~~The report shall state rents, annual household income, number of adults and children living in each~~  
20 ~~designated unit, and such other information as the City may require.~~

21           \* \* \* \*

22           **SEC. 263.32. SPECIAL HEIGHT EXCEPTIONS: PERMITTED BUILDING HEIGHTS IN**  
23 **THE CENTRAL SOMA SPECIAL USE DISTRICT.**

24           (a) **Purpose.** The provision of affordable housing, public open space, and recreational  
25 amenities are encouraged in the Central SoMa Special Use District to achieve the policy objectives of

1 the Central SoMa Plan. To facilitate the creation of these amenities, additional height may be allowed,  
2 as long as it does not result in a net increase in development potential for the primary project as set  
3 forth in subsection (c), below.

4 (b) Applicability. This Section shall apply to any project that:

5 (1) Provides housing units consisting entirely of on-site or off-site Affordable Housing  
6 Units as defined in Section 401;

7 (2) Dedicates land pursuant to Sec. 249.78(e) for housing consisting entirely of  
8 Affordable Housing Units as defined in Section 401, which land the City deems suitable for  
9 such use, taking into consideration size, configuration, physical characteristics, physical and  
10 environmental constraints, access, location, adjacent use, and other relevant planning criteria;

11 or

12 (3) Provides land for publicly-owned parks or publicly-owned recreational amenities,  
13 which land the City deems suitable for such use, taking into consideration size, configuration, physical  
14 characteristics, physical and environmental constraints, access, location, adjacent use, and other  
15 relevant planning criteria.

16 (c) Controls. An additional 25 feet of height above the otherwise applicable height limit is  
17 permitted for applicable development projects without requiring conditional use authorization by  
18 the Planning Commission subject only if it meets the following conditions:

19 (1) The development capacity of the primary project shall not be increased due to the  
20 provision of the additional height as compared to the development capacity achievable without the  
21 special height exception. For purposes of this section, the development capacity of the primary project  
22 shall be calculated as the Gross Floor Area of development proposed on the site, less:

23 (A) Any Gross Floor Area constructed in the project providing housing units  
24 consisting entirely of Affordable Housing Units, as defined in Section 401;

1 (B) Any Gross Floor Area of potential development of land dedicated to the City  
2 for affordable housing pursuant to Section 249.78(e)(2), as determined by the Planning Department;

3 (C) Any Gross Floor Area of potential development of land dedicated to the City  
4 for publicly-owned parks or publicly-owned recreation centers, as determined by the Planning  
5 Department; and

6 (D) Any Gross Floor Area constructed as a publicly-owned recreation center.

7 (2) The additional height shall not cause any new or substantially increased significant  
8 impacts that cannot be mitigated to less than significant levels related to wind and shadow that would  
9 not have occurred without the additional height, as determined by the Environmental Review Officer.

10 (3) A project using a special height exception pursuant to this Section 263.32  
11 shall be subject to Sections 132.4 and 270(h), based on the otherwise applicable Height limit  
12 for the lot.

13 (4) A project ~~utilizing~~ using a special height exemption ~~exception~~ pursuant to this  
14 Section 263.32 may add 25 feet above the otherwise applicable Height limit for purposes of calculating  
15 its Apparent Mass Reduction pursuant to Section 270(h).

16 **SEC. 263.33. SPECIAL HEIGHT EXCEPTIONS: VASSAR AND HARRISON STREETS.**

17 (a) Purpose. To facilitate the provision of increased affordable housing and a large hotel  
18 proximate to the Moscone Convention Center.

19 (b) Applicability. Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099, 100, 101,  
20 and 105.

21 **(c) Controls.**

22 (1) The applicable lots shall have a base Height limit of 130 feet.

23 (2) For development on Assessor's Block No. 3763, Lot 105, the Height limit shall be  
24 200 feet for a project that includes a hotel and/or residential uses of not less than 400 guest rooms.

1                   (3) For development on Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099,  
2 100, and 101, the Height limit shall be 350 feet for a project that includes affordable housing in an  
3 amount that is equal to or greater than 110% of the requirement set forth in Section 415.

4                   (4) Conditional use authorization by the Planning Commission shall not be  
5 required for use of this special height exception.

6  
7                   **SEC. 263.34. SPECIAL HEIGHT EXCEPTIONS: FOURTH AND HARRISON STREETS**

8                   (a) Purpose. To facilitate the provision of affordable housing or other public benefits.

9                   (b) Applicability. Assessor's Block No. 3762, Lots 106, 108, 109, 112, 116, and 117.

10                  (c) Controls.

11                   (1) Lots 108, 109, 117, and portions of Lot 116 shall have a base height limit of 85 feet,  
12 as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of San  
13 Francisco.

14                   (2) Lots 106, 113 and portions of Lots 112 and 116 shall have a base height limit of  
15 130 feet, as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of  
16 San Francisco.

17                   (3) The Height limit shall be 160 feet for a project that dedicates land for the provision  
18 of affordable housing, pursuant to Section 419.5(a)(2)(A) and (C) through (J).

19                   (4) Conditional use authorization by the Planning Commission shall not be  
20 required for use of this special height exception.

21  
22                   **SEC. 270. BULK LIMITS: MEASUREMENT.**

23                   (a) The limits upon the bulk of buildings and structures shall be as stated in this  
24 Section and in Sections 271 and 272. The terms "height," "plan dimensions," "length" and  
25 "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the

1 maximum plan dimensions shall be as specified in the following table, at all horizontal cross-  
 2 sections above the height indicated.

3 4 5 6 7 8			
TABLE 270			
BULK LIMITS			
District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)	
		Length	Diagonal Dimension
9 * * * *			
10 CS	This table not applicable. But see Section 270(h).		

11 \* \* \* \*

12 *(h) CS Bulk District. In the CS Bulk District, the bulk limits contained in this subsection*  
 13 *270(h) shall apply.*

14 *(1) Definitions. For purposes of this subsection, the definitions of Section 102 and the*  
 15 *following definitions apply unless otherwise specified in this Section:*

16 *Apparent Mass Reduction. The percentage of the Skyplane that does not include*  
 17 *the Projected Building Mass from the subject lot. For purposes of calculating Apparent Mass*  
 18 *Reduction, any portion of the Projected Building Mass that projects above the Height limit shall be*  
 19 *added to the projection within the Skyplane.*

20 *Base Height. The lowest Height from which the Skyplane is measured.*

21 *Lower Tower. The lower two-thirds of the Tower Portion of a Tower, rounded*  
 22 *to the nearest floor.*

23 *Major Street. 2nd Street, 3rd Street, 4th Street, 5th Street, 6th Street, Mission*  
 24 *Street, Howard Street, Folsom Street, Harrison Street, Bryant Street, Brannan Street, and Townsend*  
 25 *Street.*

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Mid-Block Passage. Any passage created pursuant to Section 270.2.

Narrow Street. A right-of-way with a width of 40 feet or less and more than 60 feet from an intersection with a street wider than 40 feet.

Projected Building Mass. The portion of the subject building that projects into the Skyplane as viewed from the most directly opposite property line. This volume includes all parts and features of a building, including but not limited to any feature listed in Section 260(b).

Skyplane.

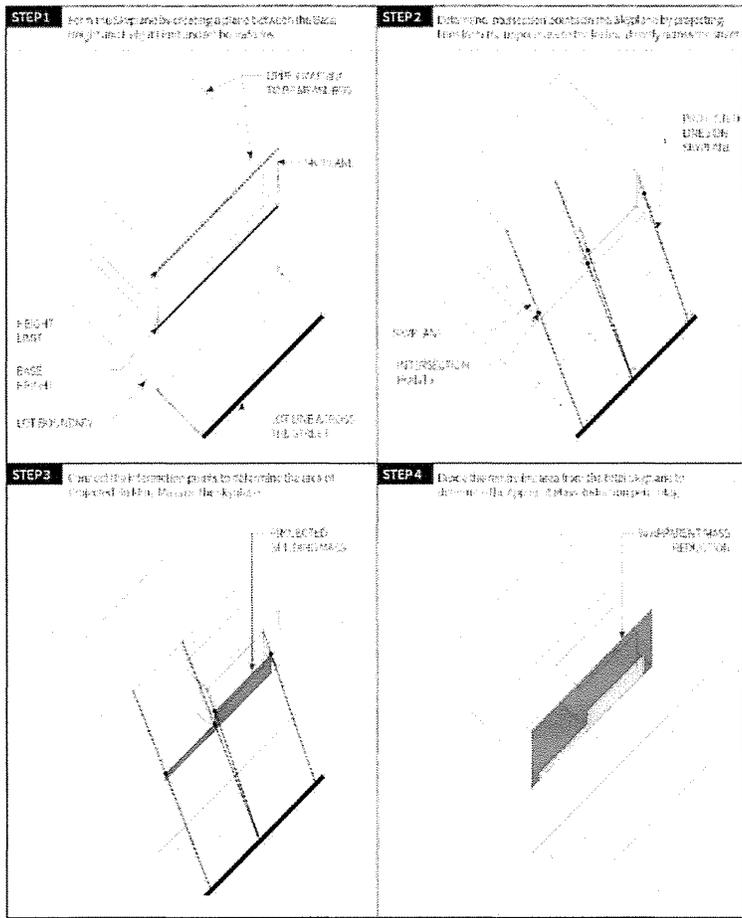
(i) A plane along each street-facing property line of the subject lot extending:

(aa) Vertically from the Base Height up to the Height limit for the subject lot; and

(bb) Horizontally for the length of the street-facing property line.

(ii) The figure below illustrates how a skyplane is to be measured:

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**Tower. Any building taller than 160 feet in Height.**

**Tower Portion. The portion of a Tower above 85 feet in Height.**

**Upper Tower. The upper one-third of the Tower Portion of a Tower, rounded to the nearest floor.**

**(2) Apparent Mass Reduction. Projects in the CS Bulk District are subject to the Apparent Mass Reduction controls of Table 270(h), as well as the setback requirements of Section 132.4.**

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Table 270(h)

Apparent Mass Reduction

<u>Building Frontage</u>	<u>Side of the Street</u>	<u>Height District</u>	<u>Base Height</u>	<u>Apparent Mass Reduction</u>
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>67%</u>
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>80%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>50%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>70%</u>
<u>Major Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>85 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u>
<u>Narrow Street</u>	<u>Southeast and southwest</u>	<u>160 feet and less</u>	<u>35 feet</u>	<u>The controls of Section 261.1(d)(2) shall apply.</u>
<u>Narrow Street</u>	<u>Northeast and northwest</u>	<u>135 feet and 160 feet</u>	<u>35 feet</u>	<u>85%</u>

1 2 3 4 5 6 7	<u>Narrow Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>35 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 85% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u>
8 9	<u>Mid- Block Passage</u>	<u>All</u>	<u>All</u>	<u>None</u>	<u>The controls of Section 261.1(d)(3) shall apply.</u>
10 11	<u>Perry Street</u>	<u>Northwest</u>	<u>All</u>	<u>35 feet</u> <u>None</u>	<u>The controls of Section 261.1(d)(1) shall apply.</u>
12 13 14 15 16 17	<u>Other Street</u>	<u>All</u>	<u>All</u>	<u>Width of the abutting street</u>	<u>Same as the Apparent Mass Reduction for projects along Major Streets in the same height district and on the same side of the street.</u>

18 **(3) Bulk Controls for Buildings Towers.**

19 **(A) Maximum Floor Area for the Tower Portion.**

20 (i) For residential and hotel uses, the maximum Gross Floor Area of any  
21 floor is 12,000 gross square feet.

22 (ii) For all other uses, the maximum Gross Floor Area of any floor is  
23 17,000 gross square feet and the average Gross Floor Area for all floors in the Tower Portion shall not  
24 exceed 15,000 gross square feet.

25 **(B) Maximum Plan Dimensions for the Tower Portion.**

1 (i) The maximum length shall be 150 feet.

2 (ii) The maximum diagonal shall be 190 feet.

3 (iii) For buildings with a Height of 250 feet or more, the average Gross  
4 Floor Area of the Upper Tower shall not exceed 85 percent of the average Gross Floor Area of the  
5 Lower Tower, and the average diagonal of the Upper Tower shall not exceed 92.5 percent of the  
6 average diagonal of the Lower Tower.

7 (4) Exceptions. Except as specifically described in this subsection (h) and in Section  
8 329(e), no exceptions to the controls in the CS Bulk District shall be permitted. The procedures for  
9 granting special exceptions to bulk limits described in Section 272 shall not apply.

10 \* \* \* \*

11 **SEC. 270.2. SPECIAL BULK AND OPEN SPACE REQUIREMENT: MID-BLOCK**  
12 **ALLEYS IN LARGE LOT DEVELOPMENT IN THE EASTERN NEIGHBORHOODS MIXED**  
13 **USE DISTRICTS, SOUTH OF MARKET NEIGHBORHOOD COMMERCIAL TRANSIT**  
14 **DISTRICT, FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT,**  
15 **REGIONAL COMMERCIAL DISTRICT, ~~SOUTH OF MARKET MIXED USE DISTRICT, C-3~~**  
16 **DISTRICT, AND DTR DISTRICT.**

17 \* \* \* \*

18 (c) **Applicability.** This Section 270.2 applies to all new construction on parcels that  
19 have one or more street or alley frontages of over 200 linear feet on a block face longer than  
20 400 feet between intersections, and are in the C-3 Districts, if located south of Market Street,  
21 or in the ~~South of Market Mixed Use Districts~~, South of Market Neighborhood Commercial  
22 Transit District, Folsom Street Neighborhood Commercial Transit District, Regional  
23 Commercial District, Eastern Neighborhoods Mixed Use Districts, or DTR Districts, except for  
24 parcels in the RH DTR District, which are subject to Section 827.

25 \* \* \* \*

1           **SEC. 303.1. FORMULA RETAIL USES.**

2           \* \* \* \*

3           (b) **Definition.** A Formula Retail use is hereby defined as a type of retail sales or  
4 service activity or retail sales or service establishment that has eleven or more other retail  
5 sales establishments in operation, or with local land use or permit entitlements already  
6 approved, located anywhere in the world. In addition to the eleven establishments either in  
7 operation or with local land use or permit entitlements approved for operation, the business  
8 maintains two or more of the following features: a standardized array of merchandise, a  
9 standardized facade, a standardized decor and color scheme, uniform apparel, standardized  
10 signage, a trademark or a servicemark.

11           \* \* \* \*

12           (e) **Conditional Use Authorization Required.** A Conditional Use Authorization shall  
13 be required for a Formula Retail use in the following zoning districts unless explicitly  
14 exempted:

15           \* \* \* \*

16                   (12) The C-3-G District with frontage on Market Street, between 6th Street and  
17 the intersection of Market Street, 12th Street and Franklin Street; and

18                   (13) The Central SoMa Mixed-Use Office Special Use District as defined in Section  
19 848, except for those uses not permitted pursuant to subsection (f) below.

20           (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in the  
21 following zoning districts:

22           \* \* \* \*

23                   (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are  
24 also Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and 790.91; and

1                    (10) Central SoMa Mixed Use Office Special Use District does not permit Formula  
2 Retail Uses that are also Bar, Restaurant, or Limited Restaurant Uses as defined in Section 102.

3                    \* \* \* \*

4                    **SEC. 304. PLANNED UNIT DEVELOPMENTS.**

5                    In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, or the DTR  
6 Districts, ~~or the South of Market Mixed Use Districts~~, the Planning Commission may authorize as  
7 conditional uses, in accordance with the provisions of Section 303, Planned Unit  
8 Developments subject to the further requirements and procedures of this Section. After review  
9 of any proposed development, the Planning Commission may authorize such development as  
10 submitted or may modify, alter, adjust or amend the plan before authorization, and in  
11 authorizing it may prescribe other conditions as provided in Section 303(d). The development  
12 as authorized shall be subject to all conditions so imposed and shall be excepted from other  
13 provisions of this Code only to the extent specified in the authorization.

14                    \* \* \* \*

15                    **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.**

16                    In addition to those specified in Sections 302 through 306 of this Code, the Zoning  
17 Administrator shall have the following powers and duties in administration and enforcement of  
18 this Code. The duties described in this Section shall be performed under the general  
19 supervision of the Director of Planning, who shall be kept informed of the actions of the  
20 Zoning Administrator.

21                    \* \* \* \*

22                    **(g) Exceptions from Certain Specific Code Standards through Administrative**  
23 **Review in the Chinatown Mixed Use Districts ~~and the South of Market Mixed Use Districts.~~**

24                    The Zoning Administrator may allow complete or partial relief from rear yard, open space and  
25 wind and shadow standards as authorized in the applicable sections of this Code, when

1 modification of the standard would result in a project better fulfilling the criteria set forth in the  
2 applicable section. The procedures and fee for such review shall be the same as those which  
3 are applicable to Variances, as set forth in Sections 306.1 through 306.5 and 308.2.

4 (h) **Exceptions from Certain Specific Code Standards through Administrative**  
5 **Review.** The Zoning Administrator may allow complete or partial relief from certain standards  
6 specifically identified below, in Section 161, or elsewhere in this Code when modification of  
7 the standard would result in a project fulfilling the criteria set forth below and in the applicable  
8 section.

9 (1) **Applicability.**

10 \* \* \* \*

11 (E) **Better Roofs; Living Roof Alternative.** For projects subject to  
12 Section 149 *and 249.78(d)(3)*, the Zoning Administrator may waive portions of the applicable  
13 requirements as provided in Section 149(e) *and 249.78(d)(3)(D), respectively.*

14 \* \* \* \*

15 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS**  
16 **MIXED USE DISTRICTS.**

17 (a) **Purpose.** The purpose of this Section is to ensure that all large projects proposed  
18 in the Eastern Neighborhoods Mixed Use Districts are reviewed by the Planning Commission,  
19 in an effort to achieve the objectives and policies of the General Plan, the applicable Design  
20 Guidelines, and the purposes of this Code.

21 (b) **Applicability.** This Section applies to all projects in the Eastern Neighborhoods  
22 Mixed Use *Districts*, except projects in the Western SoMa Special Use District, *that are* subject  
23 to Section 823(c)(~~1211~~), that meet at least one of the following criteria:

24 (1) **Outside the Central SoMa Special Use District.**

1                    (A) The project includes the construction of a new building greater than  
2 75 feet in height (excluding any exceptions permitted *perpursuant to* Section 260(b)), or  
3 includes a vertical addition to an existing building with a height of 75 feet or less resulting in a  
4 total building height greater than 75 feet; or

5                    (2B) The project involves a net addition or new construction of more than  
6 25,000 gross square feet.

7                    (2) Within the Central SoMa Special Use District.

8                    (A) The project includes the construction of a new building greater than 85 feet  
9 in height (excluding any exceptions permitted pursuant to Section 260(b)), or includes a vertical  
10 addition to an existing building with a height of 85 feet or less resulting in a total building height  
11 greater than 85 feet; or

12                    (B) The project involves a net addition or new construction of more than 50,000  
13 gross square feet.

14                    \* \* \* \*

15                    (d) **Exceptions.** As a component of the review process under this Section 329,  
16 projects may seek specific exceptions to the provisions of this Code as provided for below:

17                    \* \* \* \*

18                    (4) Exception from satisfaction of loading requirements of Section 152.1 as  
19 specified therein. In the Central SoMa SUD, the Commission may consider the project's  
20 Driveway and Loading Operations Plan (DLOP) pursuant to Section 155(u) in making its  
21 determination.

22                    \* \* \* \*

23                    (12) Where not specified elsewhere in this ~~S~~subsection (d), ~~modification of~~  
24 exceptions to other Code requirements which ~~that~~ could otherwise be modified as a Planned  
25 Unit Development (as set forth in Section 304), irrespective of the zoning district in which the

1 property is located, except that such exceptions shall not be permitted for projects in the Central  
2 SoMa Special Use District.

3 (13) For development located within the Central SoMa SUD:

4 (A) Exception to the building separation requirements pursuant to  
5 Section 132.4(d)(3)(B).

6 (B) Exception to the freight loading requirements, pursuant to Sections  
7 152.1, 154, and 155.

8 (C) Exception to Dwelling Unit Exposure requirements pursuant to  
9 Sections 140 and 249.78(d)(9).

10 (D) Exception to the Controls for Wind Comfort pursuant to Section  
11 249.78(d)(7).

12 (E) Exception to the lot coverage limits of Section 249.78(d)(4) for  
13 conversions of existing non-residential structures to residential use.

14 (e) Exceptions for Key Sites in Central SoMa.

15 (1) Purpose. The Central SoMa Plan Area contains a number of large, underutilized  
16 development sites. By providing greater flexibility in the development of these sites, the City has an  
17 opportunity to achieve key objectives of the Central SoMa Plan and to locate important public assets  
18 that would otherwise be difficult to locate in a highly developed neighborhood like SoMa.

19 (2) Applicability. The controls discussed below apply to the following lots, as identified  
20 in the Key Site Guidelines adopted by the Central SoMa Area Plan (Ordinance No. \_\_\_\_\_, on file  
21 with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_):

22 (A) The southwest corner of the intersection of 5th Street and Howard Street,  
23 consisting of Block 3732, Lots 003, 004, 005, 099, 100, 145A, 146, and 149, as well as any other  
24 parcels included as part of the same development application for one of these lots;

1 (B) The southeast corner of the intersection of 4th Street and Harrison Street,  
2 consisting of Block 3762, Lots 106, 108, 109, 112, 116, and 117;

3 (C) The southwest corner of the intersection of 2nd Street and Harrison Street,  
4 consisting of Block 3763, Lots 001, 078, 079, 080, 080A, 081, 099, 100, 101, 105, 112, and 113.

5 (D) The northeast corner of the intersection of 4th Street and Brannan Street,  
6 consisting of Block 3776, Lot 025;

7 (E) The northeast corner of the intersection of 5th Street and Brannan Street,  
8 consisting of Block 3777, Lots 045, 050, 051, and 052;

9 (F) The southern half of the block north of Brannan Street between 5th Street  
10 and 6th Street, consisting of Block 3778, Lots 001B, 002B, 004, 005, 047, and 048;

11 (G) The southeast corner of the intersection of 5th and Brannan Streets,  
12 consisting of Block 3786, Lots 036 and 037; and

13 (H) The northeast corner of the intersection of 4th and Townsend Streets,  
14 consisting of Block 3787, Lots 026, 028, 050, 161, 162, 163, and 164.

15 (3) Controls. Pursuant to this Section 329(e) and the Key Site Guidelines adopted as  
16 part of the Central SoMa Area Plan, the Planning Commission may grant exceptions to the provisions  
17 of this Code as set forth in subsection (d) above and may also grant the exceptions listed below  
18 for projects that provide qualified amenities in excess of what is required by the Code.

19 (A) Qualified Amenities. Qualified additional amenities that may be provided  
20 by these Key Sites include: affordable housing beyond what is required under Section 415 et seq.; land  
21 dedication by non-residential projects for construction of affordable housing in satisfaction of  
22 or in excess of that required to satisfy the Jobs-Housing linkage Fee pursuant to Section  
23 413.7; land dedication by residential projects for construction of affordable housing in  
24 satisfaction of or in excess of that required to satisfy the Alternatives to the Inclusionary  
25 Housing Component pursuant to Section 419.6; to the extent permitted by state law, PDR at a

1 greater amount and/or lower rent than is otherwise required under Sections 202.8 or 249.78(c)(5);  
2 public parks, recreation centers, or plazas; and improved pedestrian networks.

3 (B) Exceptions. Upon consideration of qualified amenities in excess of  
4 what is required by the Code, the Planning Commission may grant one or more exceptions to the  
5 following requirements: the streetwall and setback controls established in Section 132.4; the  
6 building separation controls in Section 132.4, including but not limited to the controls in  
7 subsection 132.4(d)(3)(B); protected street frontages in Section 155(f); the setback requirements  
8 in Section 261.1; bulk controls established in Section 270(h); and the lot merger restrictions  
9 established in Section 249.78(d)(5); or the commercial orientation of large sites established in  
10 Section 249.78(e)(6).

11 In addition to these exceptions, the Planning Commission may grant one or more of the  
12 following exceptions:

13 (i) On the Key Site identified in Section 329(e)(2)(B), the ground  
14 floor non-residential height required by Sections 145.1 and 249.78(d)(8) may be reduced to 14  
15 feet. In addition, the apparent mass reduction controls in Table 270(h) may be reduced as  
16 follows: (A) on the building frontage on Harrison Street, a reduction in the apparent mass  
17 reduction requirement to 50%; (B) on the building frontage on Fourth Street, elimination of the  
18 apparent mass reduction requirement.

19 (ii) On the Key Site identified in Section 329(e)(2)(C), exception to  
20 the lot coverage limits in Section 249.78(d)(4), the micro-retail requirement in 249.78(c)(4), the  
21 active use requirement in Section 145.1, and the ground floor commercial use requirements in  
22 Section 145.4. In addition, the site may be permitted to seek a Conditional Use Authorization  
23 to establish a Formula Retail Limited Restaurant, pursuant to Section 303.1.

24 (iii) On the Key Site identified in Section 329(e)(2)(D), exception to  
25 the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.



1           **SEC. 401. DEFINITIONS.**

2           In addition to the specific definitions set forth elsewhere in this Article, the following  
3 definitions shall govern interpretation of this Article:

4           \* \* \* \*

5           "Designated affordable housing zones." For the purposes of implementing the Eastern  
6 Neighborhoods ~~Community Improvements~~~~Public Benefits~~ Fund, shall mean the Mission NCT  
7 defined in Section 754 ~~and those Mixed Use Residential Districts defined in Section 841 that are~~  
8 ~~located within the boundaries of either the East SoMa or Western SoMa Plan Areas.~~

9           \* \* \* \*

10          "Eastern Neighborhoods ~~Community Improvements~~~~Public Benefits~~ Fund." The fund into  
11 which all fee revenue collected by the City from the Eastern Neighborhoods Impact Fee is  
12 deposited.

13          \* \* \* \*

14           **SEC. 411A.3. APPLICATION OF TSF.**

15          \* \* \* \*

16          **(d) Application of the TSF to Projects in the Approval Process at the Effective**  
17 **Date of Section 411A.** The TSF shall apply to Development Projects that are in the approval  
18 process at the effective date of Section 411A, except as modified below:

19           (1) Projects that have a Development Application approved before the effective  
20 date of this Section shall not be subject to the TSF, but shall be subject to the TIDF at the rate  
21 applicable perpursuant to Planning Code Sections 411.3 (e) and 409, as well as any other  
22 applicable fees.

23           (2) Projects that have filed a Development Application or environmental review  
24 application on or before July 21, 2015, and have not received approval of any such  
25 application, shall be subject to the TSF as follows, except as described in subsection (3) below:

1 (A) Residential Uses subject to the TSF shall pay 50% of the applicable  
2 residential TSF rate, as well as any other applicable fees.

3 (B) The Non-residential or PDR portion of any project shall be subject to  
4 the TSF but pay the applicable TIDF rate *per pursuant to* Planning Code Sections 411.3(e) and  
5 409, as well as any other applicable fees.

6 (3) Projects that have not filed a Development Application or environmental  
7 review application before July 22, 2015, and file the first such application on or after July 22,  
8 2015, and have not received approval of any such application, *as well as projects within the*  
9 *Central SoMa Special Use District that have a Central SoMa Development Fee Tier of A, B, or C, as*  
10 *defined in Section 423.2, regardless of the date filed of any Development Application,* shall be subject  
11 to the TSF as follows:

12 (A) Residential Uses subject to the TSF shall pay 100% of the applicable  
13 residential TSF rate, as well as any other applicable fees.

14 (B) The Non-residential or PDR portion of any project shall pay 100% of  
15 the applicable Non-residential or PDR TSF rate, as well as any other applicable fees.

16 \* \* \* \*

17 **SEC. 413.7. COMPLIANCE BY LAND DEDICATION WITHIN THE CENTRAL SOMA**  
18 **SPECIAL USE DISTRICT.**

19 *(a) Controls. Within the Central SoMa Special Use District, projects may satisfy all or a*  
20 *portion of the requirements of Section 413.5, 413.6 and 413.8 via dedication of land with equivalent*  
21 *or greater value than the fee owed pursuant to Section 413 et seq. Projects may receive a*  
22 *credit against such requirements up to the value of the land donated, calculated pursuant to*  
23 *subsection (b) below.*

24 *(b) Requirements.*

1                   (1) The value of the dedicated land shall be determined by the Director of Property  
2 pursuant to Chapter 23 of the Administrative Code. Prior to issuance by DBI of the first site or  
3 building permit for a development project subject to Section 413.1 et seq. the sponsor shall submit to  
4 the Department, with a copy to MOHCD and the Director of Property, the appraisal reports  
5 required by Chapter 23 of the Administrative Code of the fair market value of any land to be  
6 dedicated by the sponsor to the City and County of San Francisco.

7                   (2) Projects are subject to the requirements of Section 419.5(a)(2)(A) and (C) through  
8 (J).

9                   \* \* \* \*

10                   **SEC. 413.10. CITYWIDE AFFORDABLE HOUSING FUND.**

11                   All monies contributed pursuant to Sections 413.6 or 413.8 or assessed pursuant to  
12 Section 413.9 shall be deposited in the Citywide Affordable Housing Fund ("Fund"),  
13 established in Administrative Code Section 10.100-49. The receipts in the Fund collected  
14 under Section 413 et seq. shall be used solely to increase the supply of housing affordable to  
15 qualifying households subject to the conditions of this Section. The fees collected under this  
16 Section may not be used, by way of loan or otherwise, to pay any administrative, general  
17 overhead, or similar expense of any entity. The Mayor's Office of Housing and Community  
18 Development ("MOHCD") shall develop procedures such that, for all projects funded by the  
19 Citywide Affordable Housing Fund, MOHCD requires the project sponsor or its successor in  
20 interest to give preference in occupying units as provided for in Administrative Code Chapter  
21 47.

22                   Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the Jobs-Housing Linkage  
23 Program and collected within the Central SoMa Special Use District shall be paid into the Citywide  
24 Affordable Housing Fund, but the funds shall be separately accounted for. Such funds shall be

1 expended within the area bounded by Market Street, the Embarcadero, King Street, Division Street,  
2 and South Van Ness Avenue.

3 \* \* \* \*

4 **SEC. 415.3. APPLICATION.**

5 \* \* \* \*

6 (b) Except as provided in subsection (3) below, Any development project that has  
7 submitted a complete Environmental Evaluation application prior to January 12, 2016 shall  
8 comply with the Affordable Housing Fee requirements, the on-site affordable housing  
9 requirements or the off-site affordable housing requirements, and all other provisions of  
10 Section 415.1 *et seq.*, as applicable, in effect on January 12, 2016. For development projects  
11 that have submitted a complete Environmental Evaluation application on or after January 1,  
12 2013, the requirements set forth in Planning Code Sections 415.5, 415.6, and 415.7 shall  
13 apply to certain development projects consisting of 25 dwelling units or more during a limited  
14 period of time as follows.

15 \* \* \* \*

16 (3) During the limited period of time in which the provisions of Section 415.3(b)  
17 apply, the following provisions shall apply:

18 (A) For any housing development that is located in an area with a  
19 specific affordable housing requirement set forth in an Area Plan or a Special Use District, or  
20 in any other section of the Code such as Section 419, with the exception of the UMU Zoning  
21 District or in the South of Market Youth and Family Zoning District, the higher of the affordable  
22 housing requirement set forth in such Area Plan or Special Use District or in Section 415.3(b)  
23 shall apply:

24 (B) Development projects that are within the Central SoMa Special Use  
25 District; that are designated as Central SoMa Development Tier A, B, or C, as defined in Section

1 423.2; and that submitted a complete Environmental Evaluation application prior to January 12, 2016  
2 shall be subject to the affordable housing requirements set forth in Sections 415.5, 415.6, and 415.7  
3 that apply to projects that submitted a complete Environmental Evaluation Application on or after  
4 January 13, 2016 and before December 31, 2017; and

5 (C) Any affordable housing impact fee paid pursuant to an Area Plan or  
6 Special Use District shall be counted as part of the calculation of the inclusionary housing  
7 requirements contained in Planning Code Sections 415.1 *et seq.*

8 \* \* \* \*

9 **SEC. 415.5. AFFORDABLE HOUSING FEE.**

10 \* \* \* \*

11 (f) **Use of Fees.** All monies contributed pursuant to the Inclusionary Affordable  
12 Housing Program shall be deposited in the Citywide Affordable Housing Fund ("the Fund"),  
13 established in Administrative Code Section 10.100-49, except as specified below. The Mayor's  
14 Office of Housing and Community Development ("MOHCD") shall use the funds collected  
15 under this Section 415.5 in the following manner:

16 \* \* \* \*

17 (2) **"Small Sites Funds."**

18 (A) **Designation of Funds.** MOHCD shall designate and separately  
19 account for 10% of all fees that it receives under Section 415.1 *et seq.* that are deposited into  
20 the Citywide Affordable Housing Fund, established in Administrative Code Section 10.100-49,  
21 excluding fees that are geographically targeted such as those referred to in Sections  
22 249.78(e)(1), 415.5(b)(1), and 827(b)(1), to support acquisition and rehabilitation of Small Sites  
23 ("Small Sites Funds"). MOHCD shall continue to divert 10% of all fees for this purpose until  
24 the Small Sites Funds reach a total of \$15 million, at which point, MOHCD will stop  
25 designating funds for this purpose. At such time as designated Small Sites Funds are

1 expended and dip below \$15 million, MOHCD shall start designating funds again for this  
2 purpose, such that at no time the Small Sites Funds shall exceed \$15 million. When the total  
3 amount of fees paid to the City under Section 415.1 *et seq.* totals less than \$10 million over  
4 the preceding 12-month period, MOHCD is authorized to temporarily divert funds from the  
5 Small Sites Fund for other purposes. MOHCD ~~must~~shall keep track of the diverted funds,  
6 however, such that when the amount of fees paid to the City under Section 415.1 *et seq.*  
7 meets or exceeds \$10 million over the preceding 12-month period, MOHCD shall commit all of  
8 the previously diverted funds and 10% of any new funds, subject to the cap above, to the  
9 Small Sites Fund.

10 \* \* \* \*

11 (4) Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the  
12 Inclusionary Affordable Housing Program and collected within the Central SoMa Special Use District  
13 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
14 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
15 Street, Division Street, and South Van Ness Avenue.

16 \* \* \* \*

17 **SEC. 415.7. OFF-SITE AFFORDABLE HOUSING ALTERNATIVE.**

18 \* \* \* \*

19 **(c) Location of off-site housing:**

20 (1) Except as specified in subsection (ii) below, the off-site units shall be located  
21 within one mile of the principal project;

22 (2) Projects within the Central SoMa SUD must be located within the area bounded by  
23 Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.

24 \* \* \* \*

25 **SEC. 417.5. USE OF FUNDS.**

1 The Eastern Neighborhoods Area Plan Alternate Affordable Housing Fee shall be paid  
2 into the Citywide Affordable Housing Fund, but the funds shall be separately accounted for.  
3 MOH shall expend the funds according to the following priorities: First, to increase the supply  
4 of housing affordable to qualifying households in the Eastern Neighborhoods Project Areas;  
5 second, to increase the supply of housing affordable to qualifying households within 1 mile of  
6 the boundaries of the Eastern Neighborhoods Project Areas; third, to increase the supply of  
7 housing affordable to qualifying households in the City and County of San Francisco. The  
8 funds may also be used for monitoring and administrative expenses subject to the process  
9 described in Section 415.5(e). All monies contributed pursuant to the Eastern Neighborhoods Area  
10 Plan Alternate Affordable Housing Fee and collected within the Central SoMa Special Use District  
11 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
12 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
13 Street, Division Street, and South Van Ness Avenue.

14 \* \* \* \*

15 **SEC. 418.7. SOMA COMMUNITY STABILIZATION FUND.**

16 (a) Purpose. There is hereby established a separate fund set aside for a special  
17 purpose entitled the SOMA Community Stabilization Fund ("Fund"), and within the Fund an  
18 account related to the Community Facilities District defined in Section 434 called the SoMa  
19 Community Facilities District Account ("Community Facilities District Account"). The Fund and  
20 the Community Facilities District Account shall be held and maintained by the Controller. All  
21 monies collected by DBI pursuant to Section 419.3418.3 shall be deposited in the Fund a  
22 special fund, to be maintained by the Controller. The Controller may direct certain proceeds of  
23 the Community Facilities District special tax, as defined in Section 434, collected pursuant to  
24 Section 434, to be deposited into the Community Facilities District Account. Proceeds of  
25 bonds issued for the Community Facilities District shall not be deposited into the Community

1 Facilities District Account. The receipts in the Fund and the Community Facilities District  
2 Account are hereby appropriated in accordance with law to be used solely to address the  
3 effects of destabilization on residents and businesses in SOMA subject to the conditions of  
4 this Section.

5 (b) Use of Funds.

6 (1) All monies deposited in the Fund shall be used to address the impacts of  
7 destabilization on residents and businesses in SOMA including assistance for: affordable  
8 housing and community asset building, small business rental assistance, development of new  
9 affordable homes for rental units for low income households, rental subsidies for low income  
10 households, down payment assistance for home ownership for low income households,  
11 eviction prevention, employment development and capacity building for SOMA residents, job  
12 growth and job placement, small business assistance, leadership development, community  
13 cohesion, civic participation, cultural preservation, and community based programs and  
14 economic development. Monies in the Community Facilities District Account may be used for  
15 the purposes specified in this subsection (b) that are authorized uses of Community Facilities  
16 District revenues under the proceedings for the Community Facilities District and that are  
17 described in the Central SoMa Implementation Program Document.

18 (2) Monies from the Fund may be appropriated by MOHCD without additional  
19 approval by the Board of Supervisors to the Planning Commission or other City department or  
20 office to commission economic analyses for the purpose of revising the fee, to complete a  
21 nexus study to demonstrate the relationship between residential development and the need  
22 for stabilization assistance if this is deemed necessary, provided these expenses do not  
23 exceed a total of \$100,000. The receipts in the Fund may be used to pay the expenses of  
24 MOHCD in connection with administering the Fund and monitoring the use of the Funds.  
25 Before expending funds on administration, MOCHD must obtain the approval of the Board of

1 Supervisors by Resolution. Monies in the Community Facilities District Account may not be  
2 used for the purposes described in this subsection.

3 (3) ~~Receipts in the Fund shall also be used to reimburse the Department for~~  
4 ~~conducting a study as follows. Within 60 days of the effective date of Section 418.1 et seq. the~~  
5 ~~Department shall commence a study on the impact, in nature and amount, of market rate~~  
6 ~~housing development on the production of permanently affordable housing and recommend~~  
7 ~~the range of possible fees to be paid by market rate housing developers to mitigate such~~  
8 ~~impact should one be found. The Department shall make timely progress reports on the~~  
9 ~~conduct of this study and shall submit the completed report along with recommendations for~~  
10 ~~legislation to the Land Use & Economic Development Committee of the Board of Supervisors.~~  
11 ~~This study is meant to accomplish the same purposes as the study authorized by the Board of~~  
12 ~~Supervisors in Planning Code Section 415.8(e) and thus supersedes 415.8(e)4.~~

13 (c) **Reporting.** The Controller's Office shall file a report with the Board of Supervisors  
14 in even-numbered years, which report shall set forth the amount of money collected in the  
15 Fund. The Fund shall be administered and expended by MOHCD, but all expenditures shall  
16 first be approved by the Board of Supervisors through the legislative process. In approving  
17 expenditures from the Fund, MOHCD and the Board of Supervisors shall accept any  
18 comments from the Community Advisory Committee, the public, and any relevant City  
19 departments or offices. With respect to the Community Facilities District Account, the  
20 Controller's Office also shall comply with the reporting requirements set forth in the Special  
21 Tax Financing Law and Government Code Section 50075 et seq. ~~Before approving any~~  
22 ~~expenditures, the Board of Supervisors shall determine the relative impact from the~~  
23 ~~development in the Rincon Hill Plan Area on the areas described in Section 418.7(b) and shall~~  
24 ~~insure that the expenditures are consistent with mitigating the impacts from the development.~~

1 (d) Oversight. There shall be a SOMA Community Stabilization Fund Community  
2 Advisory Committee to advise MOHCD and the Board of Supervisors on the administration of  
3 the Fund.

4 (1) The Community Advisory Committee shall be composed of seven members  
5 appointed as follows:

6 (A) One member representing low-income families who lives with his or  
7 her family in SOMA, appointed by the Board of Supervisors.

8 (B) One member who has expertise in employment development and/or  
9 represents labor, appointed by the Board of Supervisors.

10 (C) One member who is a senior or disabled resident of SOMA,  
11 appointed by the Board of Supervisors.

12 (D) One member with affordable housing expertise and familiarity with  
13 the SOMA neighborhood, appointed by the Board of Supervisors

14 (E) One member who represents a community based organization in  
15 SOMA, appointed by the Board of Supervisors.

16 (F) One member who provides direct services to SOMA families,  
17 appointed by the Board of Supervisors.

18 (G) One member who has small business expertise and a familiarity with  
19 the SOMA neighborhood, appointed by the Board of Supervisors.

20 (2) The Community Advisory Committee shall comply with all applicable public  
21 records and meetings laws and shall be subject to the Conflict of Interest provisions of the  
22 City's Charter and Administrative Code. The initial meeting of the Advisory Committee shall be  
23 called within 30 days from the day the Board of Supervisors completes its initial appointments.  
24 MOHCD shall provide administrative support to the Committee. The Committee shall develop  
25 annual recommendations to MOHCD on the Expenditure Plan.

1 (3) The members of the Community Advisory Committee shall be appointed for  
2 a term of two years; provided, however, that the members first appointed shall by lot at the  
3 first meeting, classify their terms so that three shall serve for a term of one year and four shall  
4 serve for a term of two years. At the initial meeting of the Committee and yearly thereafter, the  
5 Committee members shall select such officer or officers as deemed necessary by the  
6 Committee. The Committee shall promulgate such rules or regulations as are necessary for  
7 the conduct of its business under this Section. In the event a vacancy occurs, a successor  
8 shall be appointed to fill the vacancy consistent with the process and requirements to appoint  
9 the previous appointee. When a vacancy occurs for an reason other than the expiration of a  
10 term of office, the appointee to fill such vacancy shall hold office for the unexpired term of his  
11 or her predecessor. Any appointee who misses four meetings within a twelve-month period,  
12 without the approval of the Committee, shall be deemed to have resigned from the  
13 Committee.

14 ~~(e) Within 90 days of the effective date of Section 418.1 et seq., the Director of MOCD~~  
15 ~~shall propose rules, regulations and a schedule for administrative support governing the Fund~~  
16 ~~to the Board of Supervisors for its approval.~~

17 **SEC. 419. HOUSING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT**  
18 **PROJECTS IN THE UMU ZONING DISTRICTS OF THE EASTERN NEIGHBORHOODS**  
19 **AND THE LAND DEDICATION ALTERNATIVE IN THE UMU DISTRICT, MISSION NCT**  
20 **DISTRICT, AND CENTRAL SOMA SPECIAL USE DISTRICT.**

21 Sections 419.1 through 419.6, hereafter referred to as Section 419.1 et seq., set forth  
22 the housing requirements for residential development projects in the UMU Zoning Districts of  
23 the Eastern Neighborhoods and the Land Dedication Alternative in the UMU District, Mission  
24 NCT District, and Central SoMa Special Use District. The effective date of these requirements  
25

1 shall be either December 19, 2008, which is the date that the requirements originally became  
2 effective, or the date a subsequent modification, if any, became effective.

3 \* \* \* \*

4 **SEC. 419.6. LAND DEDICATION ALTERNATIVE IN THE MISSION NCT DISTRICT**  
5 **AND CENTRAL SOMA SPECIAL USE DISTRICT.**

6 (a) Mission NCT District. The Land Dedication alternative is available for any project  
7 within the Mission NCT District under the same terms and conditions as provided for in  
8 Section 419.5(a)(2)(A)-(J).

9 (b) Central SoMa Special Use District. The Land Dedication alternative is available for  
10 projects within the Central SoMa Special Use District under the same terms and conditions as provided  
11 for in Section 419.5(a)(2), except that in lieu of the Land Dedication Alternative requirements of  
12 Table 419.5, projects may satisfy the requirements of Section 415.5 by dedicating land for affordable  
13 housing if the dedicated site will result in a total amount of dedicated Gross Floor Area that is equal to  
14 or greater than 45% of the potential Gross Floor Area that could be provided on the principal site, as  
15 determined by the Planning Department. Any dedicated land shall be within the area bounded by  
16 Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.

17 \* \* \* \*

18 **SEC. 423.1. PURPOSE AND FINDINGS SUPPORTING EASTERN**  
19 **NEIGHBORHOODS IMPACT FEES AND COMMUNITY IMPROVEMENTS FUND.**

20 (a) **Purpose.** The Board takes legislative notice of the purpose of the Eastern  
21 Neighborhoods Area Plan as articulated in the Eastern Neighborhoods Area Plan of the San  
22 Francisco General Plan. San Francisco's Housing Element establishes the Eastern  
23 Neighborhoods as a target area for development of new housing to meet San Francisco's  
24 identified housing targets. The release of some of the area's formerly industrial lands, no  
25 longer needed to meet current industrial or PDR needs, offer an opportunity to achieve higher

1 affordability, and meet a greater range of need. The Mission, Showplace Square - Potrero Hill,  
2 Central SoMa, East SoMa, Western SoMa and Central Waterfront Area Plans of the General  
3 Plan (Eastern Neighborhoods Plans) thereby call for creation of new zoning intended  
4 specifically to meet San Francisco's housing needs, through higher affordability requirements  
5 and through greater flexibility in the way those requirements can be met, as described in  
6 Section 419. To support this new housing, other land uses, including PDR businesses, retail,  
7 office and other workplace uses will also grow in the Eastern Neighborhoods.

8 This new development will have an extraordinary impact on the Plan Area's already  
9 deficient neighborhood infrastructure. New development will generate needs for a significant  
10 amount of public open space and recreational facilities; transit and transportation, including  
11 streetscape and public realm improvements; community facilities and services, including child  
12 care; and other amenities, as described in the Eastern Neighborhoods Community  
13 Improvements Program, on file with the Clerk of the Board in File No. 081155.

14 A key policy goal of the Eastern Neighborhoods Plans is to provide a significant  
15 amount of new housing affordable to low, moderate and middle income families and  
16 individuals, along with "complete neighborhoods" that provide appropriate amenities for these  
17 new residents. The Plans obligate all new development within the Eastern Neighborhoods to  
18 contribute towards these goals, by providing a contribution towards affordable housing needs  
19 and by paying an Eastern Neighborhoods Impact Fee.

20 \* \* \* \*

21 **SEC. 423.2. DEFINITIONS.**

22 ~~(a)~~ In addition to the definitions set forth in Section 401 of this Article, the following  
23 definitions shall govern interpretation of Section 423.1 *et seq.*

24 *(a) Eastern Neighborhoods Base Height. The Height limit immediately prior to the adoption*  
25 *of the following:*

1                   (1) The Eastern Neighborhoods Plan (Ordinance No. 298-08, on file with the Clerk of  
2 the Board of Supervisors in File No. 081153), regardless of subsequent changes in the Height limit, for  
3 parcels within the East SoMa Plan Area at the time of plan adoption;

4                   (2) The Western SoMa Area Plan (Ordinance No. 41-13, on file with the Clerk of the  
5 Board of Supervisors in File No. 130001), regardless of subsequent changes in the Height limit, for  
6 parcels within the Western SoMa Area Plan at the time of plan adoption; or

7                   (3) Ordinance No. 13-14 (on file with the Clerk of the Board of Supervisors in File No.  
8 131161), regardless of subsequent changes in the Height limit, for parcels added to the East SoMa  
9 Plan Area by Ordinance No. 13-14.

10                   **(b) Central SoMa Base Height.**

11                   (1) For all parcels except those described in subsection (2) below, the Height limit  
12 established by the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board  
13 of Supervisors in File No. \_\_\_\_\_), regardless of subsequent changes in the Height limit.

14                   (2) **Exception for Narrow Sites.** Projects on parcels in the CS Bulk District, as defined  
15 in Section 270, with a Height limit greater than 85 feet and with no street or alley frontage greater than  
16 100 feet shall be considered for the purposes of Section 423 et seq. to have a Height limit of 85 feet  
17 regardless of the parcel's actual Height limit.

18                   **(c) Eastern Neighborhoods Fee Tiers.**

19                   **(1) Tier 1.**

20                   (A) All development on sites ~~which~~that received a height increase of eight  
21 feet or less, received no height increase, or received a reduction in height, as measured from  
22 the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file with the Clerk~~  
23 of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan (on file with the  
24 Clerk of the Board of Supervisors in File No. 130001);

25                   (B) The residential portion of all 100% affordable housing projects;

1 (C) The residential portion of all projects within the Urban Mixed Use  
2 (UMU) district; and

3 (D) All changes of use within existing structures.

4 (2) **Tier 2.** All additions to existing structures or new construction on other sites  
5 not listed in subsection (1) above ~~which~~that received a height increase of nine to 28 feet, as  
6 ~~measured from the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file  
7 with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan  
8 (on file with the Clerk of the Board of Supervisors in File No. 130001);

9 ~~For the purposes of this Section, increase in heights in the WMUG District in~~  
10 ~~Assessor's Blocks 3733 and 3752 shall be measured by the base height (as defined in Section 263.11)~~  
11 ~~prior to the effective date of the Western SoMa Plan (Ordinance No. Ord. 42-13);~~

12 (3) **Tier 3.** All additions to existing structures or new construction on other sites  
13 not listed in subsection (1) above ~~which~~that received a height increase of 29 feet or more, as  
14 ~~measured from the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file  
15 with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan  
16 (on file with the Clerk of the Board of Supervisors in File No. 130001).

17 ~~For purposes of this Section, increase in heights in the MUR District shall be~~  
18 ~~measured by the base height (as defined in Section 263.11) prior to the effective date of the Eastern~~  
19 ~~Neighborhoods (Ordinance No. 298-08).~~

20 (d) Central SoMa Fee Tiers. For all applicable projects, the following Fee Tiers apply:

21 (1) Tier A.

22 (A) All development on sites rezoned from SALI or SLI to either CMUO, MUG,  
23 MUR, or WMUO with a Height limit at or below 45 feet, pursuant to the adoption of the Central SoMa  
24 Area Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

1 (B) All development on all other sites that received a Height increase of 15 feet  
2 to 45 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
3 of Supervisors in File No. \_\_\_\_\_).

4 **(2) Tier B.**

5 (A) All development on sites rezoned from SALI or SLI to either CMUO, MUG,  
6 MUR, or WMUO with a Height limit of between 46 and 85 feet, pursuant to the adoption of the Central  
7 SoMa Area Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

8 (B) All development on all other sites that received a Height increase of 46 feet  
9 to 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
10 of Supervisors in File No. \_\_\_\_\_).

11 **(3) Tier C.**

12 (A) For All development on sites rezoned from SALI or SLI to either CMUO,  
13 MUG, MUR, or WMUO with a Height limit above 85 feet, pursuant to the adoption of the Central  
14 SoMa Area Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

15 (B) All development on all other sites that received a Height increase of more  
16 than 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the  
17 Board of Supervisors in File No. \_\_\_\_\_).

18 **SEC. 423.3. APPLICATION OF EASTERN NEIGHBORHOODS INFRASTRUCTURE**  
19 **IMPACT FEE.**

20 \* \* \* \*

21 **(d) Option for In-Kind Provision of Community Improvements and Fee Credits.**

22 Project sponsors may propose to directly provide community improvements to the City. In  
23 such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor  
24 and issue a fee waiver for the Eastern Neighborhoods Infrastructure Impact Fee from the  
25 Planning Commission, subject to the following rules and requirements:

1           **(1) Approval Criteria.** The City shall not enter into an In-Kind Agreement  
2 unless the proposed in-kind improvements meet an identified community need as analyzed in  
3 the Eastern Neighborhoods Community Improvements Program and where they substitute for  
4 improvements that could be provided by the Eastern Neighborhoods *Community Improvements*  
5 *Public Benefits* Fund (as described in Section 423.5). The City may reject in-kind improvements  
6 if they are not consistent with the priorities identified in the Eastern Neighborhoods Area Plans  
7 (Central Waterfront, East SoMa, Western SoMa, Mission, and Showplace Square/Potrero  
8 Hill), by the Interagency Plan Implementation Committee (see Section 36 of the Administrative  
9 Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
10 processes related to Eastern Neighborhoods Citizens community improvements  
11 programming. No physical improvement or provision of space otherwise required by the  
12 Planning Code or any other City Code shall be eligible for consideration as part of this In-Kind  
13 Improvements Agreement.

14           \* \* \* \*

15           **(f) Waiver or Reduction of Fees.** Development projects may be eligible for a waiver  
16 or reduction of impact fees, *pursuant to* Section 406 of this Article. Additionally, *project*  
17 *sponsors with a development project located within an applicable San Francisco Redevelopment*  
18 *Project Area may reduce their required contribution to the Eastern Neighborhoods Public Benefits*  
19 *Fund by half of any total sum that they would otherwise be required to pay under this Section, if the*  
20 *sponsor*

21                               ~~*(1) has filed its first application, including an environmental evaluation*~~  
22 ~~*application or any other Planning Department or Building Department application before the effective*~~  
23 ~~*date of Section 423.1 et seq. and*~~

24                               ~~*(2) provides the Zoning Administrator with written evidence, supported in*~~  
25 ~~*writing by the San Francisco Redevelopment Agency, that demonstrates the annual tax increment*~~

1 ~~which could be generated by the proposed project would support a minimum future bonding capacity~~  
2 ~~equal to \$10,000,000 or greater-office projects under 50,000 square feet, other non-residential~~  
3 ~~projects, and residential projects in the Central SoMa Special Use District may reduce their required~~  
4 ~~contribution to the Eastern Neighborhoods Community Improvements Fund as follows: for every gross~~  
5 ~~square foot of PDR space required by Planning Code Section 202.8, the project may waive payment for~~  
6 ~~four gross square feet of the Eastern Neighborhoods Infrastructure Impact Fee.~~

7 \* \* \* \*

8 **SEC. 423.5. THE EASTERN NEIGHBORHOODS COMMUNITY IMPROVEMENTS**  
9 **FUND.**

10 \* \* \* \*

11 (b) **Use of Funds.** The Fund shall be administered by the Board of Supervisors.

12 (1) All monies deposited in the Fund or credited against Fund obligations shall  
13 be used to design, engineer, acquire, improve, and develop public open space and  
14 recreational facilities; transit, streetscape and public realm improvements; and child care  
15 facilities. Funds may be used for childcare facilities that are not publicly owned or publicly-  
16 accessible.

17 (A) Funds collected from all zoning districts in the Eastern  
18 Neighborhoods Program Area, excluding Designated Affordable Housing Zones shall be  
19 allocated to accounts by improvement type according to Table 423.5.

20 (B) Funds collected in Designated Affordable Housing Zones (~~Mission~~  
21 ~~NCT and MUR~~, as defined in Section 401), shall be allocated to accounts by improvement type  
22 as described in Table 423.5A.

23 \* \* \* \*

24 (c) Funds shall be allocated to accounts by improvement type as described below:  
25

1 (1) Funds collected from all zoning districts in the Eastern Neighborhoods  
2 Program Area, excluding Designated Affordable Housing Zones shall be allocated to accounts  
3 by improvement type according to Table 423.5. Funds collected from MUR Zoning Districts  
4 outside of the boundaries of either the East SoMa or Western SoMa Area Plans shall be  
5 allocated to accounts by improvement type according to Table 423.5.

6 (2) Funds collected in Designated Affordable Housing Zones, ~~(Mission NCT and~~  
7 ~~MUR Use Districts within the boundaries of either the East SoMa or Western SoMa Area Plans (as~~  
8 defined in Section 401), shall be allocated to accounts by improvement type as described in  
9 Table 423.5A. For funds allocated to affordable housing, MOH shall expend the funds as  
10 follows:

11 (A) All funds collected from projects in the Mission NCT shall be  
12 expended on housing programs and projects within the Mission Area Plan boundaries.

13 ~~(B) All funds collected from projects in the MUR Use Districts within the~~  
14 ~~boundaries of either the East SoMa or Western SoMa Area Plans shall be expended on housing~~  
15 ~~programs and projects within the boundaries of 5th to 10th Streets/Howard to Harrison Streets.~~

16 \* \* \* \*

17 ~~**SEC. 425. ALTERNATIVE MEANS OF SATISFYING THE OPEN SPACE**~~  
18 ~~**REQUIREMENT IN THE SOUTH OF MARKET MIXED USE DISTRICTS.**~~

19 ~~(The effective date of these provisions shall be either April 6, 1990, the date that it originally~~  
20 ~~became effective, or the date a subsequent modification, if any, became effective.)~~

21 ~~If it is the judgment of the Zoning Administrator that an open space satisfying the requirements~~  
22 ~~and standards of subsections (b) and (c) of Section 135.3 of this Code cannot be created because of~~  
23 ~~constraints of the development site, or because the project cannot provide safe, convenient access to the~~  
24 ~~public, or because the square footage of open space is not sufficient to provide a usable open space, the~~  
25 ~~Zoning Administrator may (i) authorize, as an eligible type of open space, a pedestrian mall or~~

1 ~~walkway within a public right-of-way which is improved with paving, landscaping, and street furniture~~  
2 ~~appropriate for creating an attractive area for sitting and walking, or (ii) waive the requirement that~~  
3 ~~open space be provided upon payment to the Open Space Fund of a fee of \$.80 for each square foot of~~  
4 ~~open space otherwise required to be provided. These amounts shall be adjusted annually effective April~~  
5 ~~1st of each calendar year by the percentage of change in the Building Cost Index used by the San~~  
6 ~~Francisco Bureau of Building Inspection. This payment shall be paid in full to the City prior to the~~  
7 ~~issuance of any temporary or other certificate of occupancy for the subject property. Said fee shall be~~  
8 ~~used for the purpose of acquiring, designing, improving and/or maintaining park land, park facilities,~~  
9 ~~and other open space resources, which is expected to be used solely or in substantial part by persons~~  
10 ~~who live, work, shop or otherwise do business in the South of Market Base District, as that District is~~  
11 ~~defined in Section 820 of this Code and identified on Sectional Map 3SU of the Zoning Map of the City~~  
12 ~~and County of San Francisco. Said fee, and any interest accrued by such fee, shall be used for the~~  
13 ~~purpose stated herein unless it is demonstrated that it is no longer needed.~~

14       **SEC. 426. ALTERNATIVE MEANS OF SATISFYING THE NON-RESIDENTIAL**  
15 **OPEN SPACE REQUIREMENT IN THE EASTERN NEIGHBORHOODS MIXED USE**  
16 **DISTRICTS.**

17       (The effective date of these provisions shall be either December 19, 2008, the date that  
18 they originally became effective, or the date a subsequent modification, if any, became  
19 effective.)

20       In the Eastern Neighborhoods Mixed Use Districts, except for any parcels within the  
21 GMUOCentral SoMa Special Use District, the usable open space requirement of Section 135.3  
22 may be satisfied through payment of a fee of \$76 for each square foot of usable open space  
23 not provided pursuant to that Variance. In the GMUOCentral SoMa Special Use District, the  
24 usable open space requirement of Section 135.3 may be satisfied through payment of a fee of \$890 for  
25 each square foot of required usable open space not provided, and the POPOS requirement of

1 Section 138 may be satisfied through a payment of a fee of \$890 for each square foot of  
2 required open space not provided that meets the conditions of Sections 138 et seq. and  
3 329(e). ~~This~~ These fees shall be adjusted in accordance with Section 423.3 of this Article.  
4 ~~This~~ These fees shall be paid into the Recreation and Open Space subset of the Eastern  
5 Neighborhoods ~~Community Improvements~~ Public Benefits Fund, as described in Section 423 of  
6 this Article. ~~Said fee shall be used for the purpose of acquiring, designing, and improving park land,~~  
7 ~~park facilities, and other open space resources, which is expected to be used solely or in substantial~~  
8 ~~part by persons who live, work, shop or otherwise do business in the Eastern Neighborhoods Mixed~~  
9 ~~Use districts.~~

10 **SEC. 427. PAYMENT IN CASES OF VARIANCE OR EXCEPTION FOR REQUIRED**  
11 **RESIDENTIAL OPEN SPACE.**

12 (a) **Eastern Neighborhoods Mixed Use Districts.** In the Eastern Neighborhoods  
13 Mixed Use Districts, except for the ~~GMUO~~ Central SoMa Special Use District, ~~should a Variancee~~  
14 ~~from usable open space requirements for residential uses be granted by the Zoning Administrator, any~~  
15 ~~project that obtains a Variance pursuant to Section 305, or an exception be granted for those projects~~  
16 ~~subject pursuant to the Section 329 process, to provide less usable open space than otherwise~~  
17 ~~required by Section 135 shall pay~~ a fee of \$327 ~~shall be required~~ for each square foot of usable  
18 open space not provided ~~pursuant to that Variance~~. In the ~~GMUO~~ Central SoMa Special Use  
19 District, any project that obtains a Variance pursuant to Section 305, an exception pursuant to Section  
20 329, or chooses the in-lieu option pursuant to Section 135(d)(5)(B)(ii) shall pay a fee of \$890 for each  
21 square foot of required useable open space not provided. ~~This~~ These fees shall be adjusted in  
22 accordance with Section 423.3 of this Article. ~~This~~ These fees shall be paid into the Recreation  
23 and Open Space subset of the Eastern Neighborhoods ~~Community Improvements~~ Public Benefits  
24 Fund, as described in Section 423 of this Article. ~~Said fee shall be used for the purpose of~~  
25 ~~acquiring, designing, and improving park land, park facilities, and other open space resources, which~~

1 *is expected to be used solely or in substantial part by persons who live, work, shop or otherwise do*  
2 *business in the Eastern Neighborhoods Mixed Use Districts.*

3 \* \* \* \*

4 **SEC. 429. ARTWORKS, OPTIONS TO MEET PUBLIC ART FEE REQUIREMENT,**  
5 **RECOGNITION OF ARCHITECT AND ARTISTS, AND REQUIREMENTS.**

6 (The effective date of these requirements shall be either September 17, 1985, the date  
7 that they originally became effective, or the date a subsequent modification, if any, became  
8 effective.)

9 \* \* \* \*

10 **SEC. 429.2. APPLICATION.**

11 This section shall apply to:

12 (a) all projects that involve construction of a new building or addition of floor area in  
13 excess of 25,000 square feet to an existing building in a C-3 District; and

14 (b) all non-residential projects that involve construction of a new building or addition of  
15 floor area in excess of 25,000 square feet and that have submitted their first complete  
16 Development Application on or after January 1, 2013 on the following parcels:

17 (1) all parcels in RH-DTR, TB-DTR, SB-DTR, ~~SLI, SLR, SSO, C-M~~, UMU, WMUG,  
18 WMUO and SALI Districts;

19 (2) properties that are zoned MUG, CMUO, or MUO, ~~or MUR~~ MUR and that  
20 are north of Division/Duboce/13th Streets; and

21 (3) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and  
22 7295 (Stonestown Galleria Mall).

23 For the purposes of this Section, a "Development Application" shall mean any  
24 application for a building permit, site permit, environmental review, Preliminary Project  
25 Assessment (PPA), Conditional Use, or Variance.

1 \* \* \* \*

2 **SEC. 432. CENTRAL SOMA COMMUNITY SERVICES FACILITIES FEE AND FUND.**

3 Sections 432.1 through 432.4 set forth the requirements and procedures for the Central SoMa  
4 Community Services Facilities Fee and Fund.

5 **SEC. 432.1. PURPOSE AND FINDINGS.**

6 (a) Purpose. New development in Central SoMa will increase the resident and employee  
7 populations, generating new demand for use of community service facilities, such as cultural facilities,  
8 health clinics, services for people with disabilities, and job training centers. New revenues to fund  
9 investments in community services are necessary to maintain the existing level of service. This fee will  
10 generate revenue that will be used to ensure an expansion in community service facilities in Central  
11 SoMa as new development occurs.

12 (b) Findings. In adopting the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
13 Clerk of the Board of Supervisors in File No. \_\_\_\_\_), the Board of Supervisors reviewed the  
14 Central SoMa Community Facilities Nexus Study, prepared by Economic & Planning Systems and  
15 dated March 2016. The Board of Supervisors reaffirms the findings and conclusions of this study as  
16 they relate to the impact of new development in Central SoMa on community services facilities, and  
17 hereby readopts the findings contained in the Central SoMa Community Facilities Nexus Study.

18 **SEC. 432.2. APPLICATION OF FEES.**

19 (a) Applicable Projects. The Central SoMa Community Services Facilities Fee is applicable to  
20 any development project in the Central SoMa Special Use District that:

21 (1) Is in any Central SoMa Fee Tier, pursuant to Section 423; and

22 (2) Includes new construction or an addition of space in excess of 800 gross square feet.

23 (b) Fee Calculation. For applicable projects, the Fee is as follows:

1                   (1) For Residential uses, \$1.30 per gross square foot of net additional gross square feet,  
2 net replacement of gross square feet from PDR uses, or net change of use of gross square feet from  
3 PDR uses.

4                   (2) For Non-residential uses,

5                   (A) \$1.75 per gross square foot of net additional gross square feet, net  
6 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
7 uses.

8                   (B) \$0.45 per gross square foot of net replacement of gross square feet from  
9 Residential uses or net change of use of gross square feet from Residential uses.

10                   (c) **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project  
11 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
12 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
13 Central SoMa Community Services Facilities ~~Impact~~ Fee from the Planning Commission, subject to  
14 the following rules and requirements:

15                   (1) **Approval Criteria.** The City shall not enter into an In-Kind Agreement unless the  
16 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
17 Community Improvements Program and substitute for improvements that could be provided by the  
18 Central SoMa Community Services Facilities Public Benefits Fund (as described in Section 432.4).  
19 The City may reject in-kind improvements if they are not consistent with the priorities identified in the  
20 Central SoMa Plan, by the Interagency Plan Implementation Committee (see Section 36 of the  
21 Administrative Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
22 processes related to Eastern Neighborhoods Citizens community improvements programming. No  
23 physical improvement or provision of space otherwise required by the Planning Code or any other City  
24 Code shall be eligible for consideration as part of this In-Kind Improvements Agreement.

1                   (2) Valuation, Content, Approval Process, and Administrative Costs. The valuation,  
2 content, approval process, and administrative costs shall be undertaken pursuant to the requirements of  
3 Sections 423.3(d)(2) through 423.3(d)(5).

4                   (d) Timing of Fee Payments. The Fee is due and payable to the Development Fee Collection  
5 Unit at DBI at the time of and in no event later than issuance of the first construction document, with  
6 an option for the project sponsor to defer payment to prior to issuance of the first certificate of  
7 occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in  
8 accordance with Section 107A.13.3 of the San Francisco Building Code.

9                   (e) Waiver or Reduction of Fees. Development projects may be eligible for a waiver or  
10 reduction of impact fees, pursuant to Section 406.

11                   **SEC. 432.3. IMPOSITION OF CENTRAL SOMA COMMUNITY SERVICES FACILITIES**  
12 **FEE.**

13                   (a) Determination of Requirements. The Department shall determine the applicability of  
14 Section 432 et seq. to any development project requiring a first construction document and, if Section  
15 432 et seq. is applicable, the Department shall determine the amount of the Central SoMa Community  
16 Services Facilities Fees required and shall impose these requirements as a condition of approval for  
17 issuance of the first construction document for the development project. The project sponsor shall  
18 supply any information necessary to assist the Department in this determination.

19                   (b) Department Notice to Development Fee Collection Unit at DBI. Prior to the issuance of a  
20 building or site permit for a development project subject to the requirements of Section 432 et seq., the  
21 Department shall notify the Development Fee Collection Unit at DBI of its final determination of the  
22 amount of the Central SoMa Community Services Facilities Fees required, including any reductions  
23 calculated for an In-Kind Improvements Agreement, in addition to the other information required by  
24 Section 402(b) of this Article.

1           **(c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First**  
2 **Certificate of Occupancy.** The Development Fee Collection Unit at DBI shall provide notice in writing  
3 or electronically to the Department prior to issuing the first certificate of occupancy for any  
4 development project subject to Section 432 et seq. that has elected to fulfill all or part of its Central  
5 SoMa Community Services Facilities Fee requirement with an In-Kind Improvements Agreement. If the  
6 Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-  
7 Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy  
8 until the project complies with the requirements of Section 432 et seq., either through conformance with  
9 the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Community  
10 Services Facilities Fee that would otherwise have been required, plus a deferral surcharge as set forth  
11 in Section 107A.13.3.1 of the San Francisco Building Code.

12           **(d) Process for Revisions of Determination of Requirements.** In the event that the Department  
13 or the Commission takes action affecting any development project subject to Section 432 et seq. and  
14 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
15 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
16 402(c) of this Article shall be followed.

17           **SEC. 432.4. THE CENTRAL SOMA COMMUNITY SERVICES FACILITIES FUND.**

18           **(a)** There is hereby established a separate fund set aside for a special purpose entitled the  
19 Central SoMa Community Services Facilities Fund ("Fund"). All monies collected by the Development  
20 Fee Collection Unit at DBI pursuant to Section 432.3(b) shall be deposited in a special fund  
21 maintained by the Controller. The receipts in the Fund are to be used solely to fund public  
22 infrastructure subject to the conditions of this Section.

23           **(b)** Expenditures from the Fund shall be administered by the Mayor's Office of Housing and  
24 Community Development, or its successor. The Mayor's Office of Housing and Community

1 Development or its successor shall have the authority to prescribe rules and regulations governing the  
2 Fund.

3 (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
4 community services facilities, including cultural/arts facilities, social welfare facilities, and community  
5 health facilities, in the Central SoMa Special Use District as established in the Central SoMa Plan and  
6 the Central SoMa Plan Implementation Program Document and supported by the findings of the  
7 Central SoMa Community Facilities Nexus Study.

8 (2) Funds may be used for administration and accounting of fund assets, for additional  
9 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
10 Central SoMa Community Services Facilities Impact Fee against legal challenge, including the legal  
11 costs and attorney's fees incurred in the defense. Administration of this fund includes time and  
12 materials associated with reporting requirements, facilitating any necessary or required public  
13 meetings aside from Planning Commission hearings, and maintenance of the fund. Monies from the  
14 Fund may be used by the Planning Commission to commission economic analyses for the purpose of  
15 revising the fee, and/or to complete an updated nexus study to demonstrate the relationship between  
16 development and the need for public facilities and services if this is deemed necessary. Monies used for  
17 the purposes consistent with this subsection (2) shall not exceed five percent of the total fees collected.  
18 All interest earned on this account shall be credited to the Central SoMa Community Services Facilities  
19 Fund.

20 (3) The Mayor's Office of Housing and Community Development shall report annually  
21 to the Board of Supervisors on the current status of the fund, the amounts approved for disbursement,  
22 and the number and types of housing units or households assisted.

23 (4) All funds are justified and supported by the Central SoMa Community Facilities  
24 Nexus Study, adopted as part of the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
25 Clerk of the Board of Supervisors in File No. \_\_\_\_\_). Implementation of the Fee and Fund are

1 monitored according to the Eastern Neighborhoods Plan Monitoring Program required by the  
2 Administrative Code Section 10E.

3 **SEC. 433. CENTRAL SOMA INFRASTRUCTURE IMPACT FEE AND FUND.**

4 Sections 433.1 through 433.4 set forth the requirements and procedures for the Central SoMa  
5 Infrastructure Impact Fee and Fund.

6 **SEC. 433.1. PURPOSE AND FINDINGS.**

7 (a) Purpose. New development in the Central SoMa Plan Area will increase the resident and  
8 employee populations, generating new demand for use of community-serving infrastructure such as  
9 transit, complete streets, and recreation and open space. New revenues to fund investments in this  
10 infrastructure are necessary to maintain the existing level of service. This fee will generate revenue that  
11 will be used to ensure an expansion in community-serving infrastructure in Central SoMa as new  
12 development occurs.

13 (b) Findings. The Board of Supervisors reviewed the San Francisco Citywide Nexus Analysis  
14 prepared by AECOM dated March 2014 ("Nexus Analysis"), the San Francisco Infrastructure Level of  
15 Service Analysis prepared by AECOM dated March 2014, and the Transportation Sustainability Fee  
16 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
17 150149 and 150790, and, pursuant to Section 401A, adopts the findings and conclusions of those  
18 studies and the general and specific findings in that Section, specifically including the Recreation and  
19 Open Space Findings, Pedestrian and Streetscape Findings, Bicycle Infrastructure Findings, and  
20 Transit Findings, and incorporates those by reference herein to support the imposition of the fees under  
21 this Section.

22 **SEC. 433.2. APPLICATION OF FEES.**

23 (a) Applicable Projects. The Central SoMa Infrastructure Impact Fee is applicable to any  
24 development project in the Central SoMa Special Use District that:

25 (1) Is in any Central SoMa Tier, pursuant to Section 423; and

1 (2) Includes new construction or an addition of space in excess of 800 gross square feet.

2 (b) Fee Calculation. For applicable projects, the Fee is as follows:

3 (1) For Residential uses in Central SoMa Fee Tier B , \$20.00 per gross square foot of  
4 net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of  
5 use of gross square feet from PDR uses.

6 (2) For Non-residential uses in Central SoMa Fee Tiers A and B that are seeking an  
7 Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code  
8 Section 321, \$21.50 per gross square foot of net additional gross square feet, net replacement of gross  
9 square feet from PDR uses, or net change of use of gross square feet from PDR uses.

10 (3) For Non-residential uses in Central SoMa Fee Tiers A and B that are not seeking an  
11 Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code  
12 Section 321:

13 (A) \$41.50 per gross square foot of net additional gross square feet, net  
14 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
15 uses;

16 (B) \$21.50 per gross square foot of net replacement of gross square feet from  
17 Residential uses or net change of use of gross square feet from Residential uses.

18 (4) For Non-residential uses in Central SoMa Fee Tier C that are not seeking an Office  
19 Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code Section  
20 321, \$20.00 per gross square foot of net additional gross square feet, net replacement of gross square  
21 feet from PDR uses, or net change of use of gross square feet from PDR uses.

22 (c) Option for In-Kind Provision of Community Improvements and Fee Credits. Project  
23 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
24 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
25

1 Central SoMa Infrastructure Impact Fee from the Planning Commission, subject to the following rules  
2 and requirements:

3 (1) Approval Criteria. The City shall not enter into an In-Kind Agreement unless the  
4 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
5 Community Improvements Program and substitute for improvements that could be provided by the  
6 Central SoMa Infrastructure Public Benefits Fund (as described in Section 433.4). The City may reject  
7 in-kind improvements if they are not consistent with the priorities identified in the Central SoMa Plan,  
8 by the Interagency Plan Implementation Committee (see Section 36 of the Administrative Code), the  
9 Eastern Neighborhoods Citizens Advisory Committee, or other prioritization processes related to  
10 Eastern Neighborhoods Citizens community improvements programming. No physical improvement or  
11 provision of space otherwise required by the Planning Code or any other City Code shall be eligible for  
12 consideration as part of this In-Kind Improvements Agreement.

13 (2) Valuation, Content, Approval Process, and Administrative Costs. The valuation,  
14 content, approval process, and administrative costs shall be undertaken pursuant to the requirements of  
15 Sections 423.3(d)(2) through 423.3(d)(5).

16 (d) Timing of Fee Payments. The Fee is due and payable to the Development Fee Collection  
17 Unit at DBI at the time of and in no event later than issuance of the first construction document, with  
18 an option for the project sponsor to defer payment to prior to issuance of the first certificate of  
19 occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in  
20 accordance with Section 107A.13.3 of the San Francisco Building Code.

21 (e) Waiver or Reduction of Fees. Development projects may be eligible for a waiver or  
22 reduction of impact fees, pursuant to Section 406.

23 **SEC. 433.3. IMPOSITION OF CENTRAL SOMA INFRASTRUCTURE IMPACT FEE.**

24 (a) Determination of Requirements. The Department shall determine the applicability of  
25 Section 433.2 et seq. to any development project requiring a first construction document and, if Section

1 433.2 et seq. is applicable, the Department shall determine the amount of the Central SoMa  
2 Infrastructure Impact Fees required and shall impose these requirements as a condition of approval for  
3 issuance of the first construction document for the development project. The project sponsor shall  
4 supply any information necessary to assist the Department in this determination.

5 (b) Department Notice to Development Fee Collection Unit at DBI. Prior to the issuance of a  
6 building or site permit for a development project subject to the requirements of Sections 433 et seq., the  
7 Department shall notify the Development Fee Collection Unit at DBI of its final determination of the  
8 amount of the Central SoMa Infrastructure Impact Fees required, including any reductions calculated  
9 for an In-Kind Improvements Agreement, in addition to the other information required by Section  
10 402(b) of this Article.

11 (c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First  
12 Certificate of Occupancy. The Development Fee Collection Unit at DBI shall provide notice in writing  
13 or electronically to the Department prior to issuing the first certificate of occupancy for any  
14 development project subject to Section 433 et seq. that has elected to fulfill all or part of its Central  
15 SoMa Infrastructure Impact Fee requirement with an In-Kind Improvements Agreement. If the  
16 Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-  
17 Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy  
18 until the project complies with the requirements of Section 433 et seq., either through conformance with  
19 the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Infrastructure  
20 Impact Fees that would otherwise have been required, plus a deferral surcharge as set forth in Section  
21 107A.13.3.1 of the San Francisco Building Code.

22 (d) Process for Revisions of Determination of Requirements. In the event that the Department  
23 or the Commission takes action affecting any development project subject to Section 433 et seq. and  
24 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
25

1 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
2 402(c) of this Article shall be followed.

3 **SEC. 433.4. THE CENTRAL SOMA INFRASTRUCTURE IMPACT FUND.**

4 (a) There is hereby established a separate fund set aside for a special purpose entitled the  
5 Central SoMa Infrastructure Impact Fund ("Fund"). All monies collected by the Development Fee  
6 Collection Unit at DBI pursuant to Section 433.3(b) shall be deposited in a special fund maintained by  
7 the Controller. The receipts in the Fund to be used solely to fund Public Benefits subject to the  
8 conditions of this Section.

9 (b) Expenditures from the Fund shall be recommended by the Interagency Plan Implementation  
10 Committee for allocation and administration by the Board of Supervisors.

11 (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
12 community public transit as established in the Central SoMa Plan and the Central SoMa Plan  
13 Implementation Program Document.

14 (2) Funds may be used for administration and accounting of fund assets, for additional  
15 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
16 Central SoMa Infrastructure Impact Fee against legal challenge, including the legal costs and  
17 attorney's fees incurred in the defense. Administration of this fund includes time and materials  
18 associated with reporting requirements, facilitating any necessary or required public meetings aside  
19 from Planning Commission hearings, and maintenance of the fund. Monies from the Fund may be used  
20 by the Planning Commission to commission economic analyses for the purpose of revising the fee,  
21 and/or to complete an updated nexus study to demonstrate the relationship between development and  
22 the need for public facilities and services if this is deemed necessary. Monies used for the purposes  
23 consistent with this subsection (2) shall not exceed five percent of the total fees collected. All interest  
24 earned on this account shall be credited to the Central SoMa Infrastructure Impact Fund.  
25

1                   (3) All funds are justified and supported by the San Francisco Citywide Nexus Analysis  
2 prepared by AECOM dated March 2014 ("Nexus Analysis"), and the Transportation Sustainability Fee  
3 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
4 150149 and 150790. Implementation of the Fee and Fund are monitored according to the Eastern  
5 Neighborhoods Plan Monitoring Program required by Section 10E of the Administrative Code.

6  
7                   **SEC. 434. CENTRAL SOMA COMMUNITY FACILITIES DISTRICT PROGRAM.**

8                   (a) **Purpose.** New construction that increases the density of the South of Market  
9 neighborhood will require the City to invest in substantial new infrastructure and services. By  
10 increasing height limits, removing restrictive zoning, relieving density and floor area ratio  
11 limitations, and making other regulatory changes, the Central SoMa Plan substantially  
12 increases the development potential of properties in the area. This new development potential  
13 will create a significant demand for infrastructure, improvements, and services as described in  
14 the Central SoMa Implementation Program Document, including but not limited to transit  
15 investments, street and environmental improvements, and development and maintenance of  
16 parks and recreation centers. The Central SoMa Community Facilities District ("CFD" or  
17 "Special Tax District") shall be a special tax district formed pursuant to Administrative Code  
18 Chapter 43, Article X to address these needs.

19                   (b) **Applicability.** This Section 434 shall apply to a development on any lot in the  
20 Central SoMa Special Use District where all of the following apply:

21                   (1) The project includes new construction or the net addition of more than  
22 40,000 gross square feet;

23                   (2) The proposed project exceeds a floor area ratio that was applicable to the  
24 subject lot for non-residential uses prior to the effective date of this Ordinance; and,

25                   (3) The project includes

1                   (A) new non-residential development on any lot that is either wholly or  
2 partially in Central SoMa Fee Tier C, as defined in Section 423.2; or

3                   (B) new residential condominium development for which any units have  
4 been sold on any lot that is either wholly or partially in Central SoMa Fee Tier B or C, as  
5 defined in Section 423.2.

6           (c) **Requirement.** Except as specified herein, any applicable development project  
7 shall participate in the CFD to be established by the Board of Supervisors pursuant to Article  
8 X of Chapter 43 of the Administrative Code (the "Special Tax Financing Law") and  
9 successfully annex the lot or lots of the subject development into the CFD prior to the  
10 issuance of the first Certificate of Occupancy for the development. Any project lot or lots that  
11 contain areas that fall under more than one Central SoMa Fee Tier shall be wholly annexed  
12 into the CFD at the level of the highest applicable Fee Tier. Any project lot or lots that receive  
13 a condominium map pursuant to the Subdivision Code shall wholly annex the lot or lots of the  
14 subject development into the CFD prior to the sale of the first condominium on the site. For  
15 any lot to which the requirements of this Section 434 apply, the Zoning Administrator shall  
16 approve and order the recordation of a Notice in the Official Records of the Recorder of the  
17 City and County of San Francisco for the subject property prior to the first Certificate of  
18 Occupancy for the development, except that for condominium projects, the Zoning  
19 Administrator shall approve and order the recordation of such Notice prior to the sale of the  
20 first condominium unit. This Notice shall state the requirements and provisions of subsections  
21 434(b)-(c) above.

22           (d) **Special Taxes.** The Board of Supervisors will be authorized to levy a special tax  
23 on properties that annex into the Community Facilities District to finance facilities and services  
24 described in the proceedings for the Community Facilities District and the Central SoMa  
25 Implementation Program Document.

1           **SEC. 603. EXEMPTED SIGNS.**

2           Nothing in this Article 6 shall apply to any of the following signs:

3           \* \* \* \*

4           (c) Two General Advertising Signs each not exceeding 24 square feet in area on either  
5 a transit shelter or associated advertising kiosk furnished by contract with the Municipal  
6 Transportation Agency or predecessor agency for the Municipal Railway in RTO, RTO-M, RM-  
7 2, RM-3, RM-4, RC, NC, C, M, PDR, Eastern Neighborhoods Mixed Use Districts, ~~and South of~~  
8 ~~Market Mixed Use Districts~~, and in those P Districts where such Signs would not adversely  
9 affect the character, harmony, or visual integrity of the district as determined by the Planning  
10 Commission; eight General Advertising Signs each not exceeding 24 square feet in area on  
11 transit shelters located on publicly owned property on a high level Municipal Railway boarding  
12 platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs  
13 solely face the C-2 District; up to three double-sided General Advertising Signs each not  
14 exceeding 24 square feet in area on or adjacent to transit shelters on publicly owned high  
15 level Municipal Railway boarding platforms along The Embarcadero south of the Ferry  
16 Building, up to six double-sided panels at 2nd and King Streets, and up to four double-sided  
17 panels at 4th and King Streets; up to two double-sided panels not exceeding 24 square feet in  
18 area on each low-level boarding platform at the following E-Line stops: Folsom Street and The  
19 Embarcadero, Brannan Street and The Embarcadero, 2nd and King Streets, and 4th and King  
20 Streets; and a total of 71 double-sided General Advertising Signs each not exceeding 24  
21 square feet in area on or adjacent to transit shelters on 28 publicly owned high level Municipal  
22 Railway boarding platforms serving the Third Street Light Rail Line. Each advertising sign on a  
23 low-level or high-level boarding platform shall be designed and sited in such a manner as to  
24 minimize obstruction of public views from pedestrian walkways and/or public open space.  
25

1 Notwithstanding the above, no Sign shall be placed on any transit shelter or associated  
2 advertising kiosk located on any sidewalk which shares a common boundary with any  
3 property under the jurisdiction of the Recreation and Park Commission, with the exception of  
4 Justin Herman Plaza; on any sidewalk on Zoo Road; on Skyline Boulevard between Sloat  
5 Boulevard and John Muir Drive; on John Muir Drive between Skyline Boulevard and Lake  
6 Merced Boulevard; or on Lake Merced Boulevard on the side of Harding Park Municipal Golf  
7 Course, or on any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced  
8 Boulevard; on any sidewalk on Legion of Honor Drive; or in the Civic Center Special Sign  
9 Districts as established in Section 608.3 of this Code.

10 The provisions of this subsection (c) shall be subject to the authority of the Port  
11 Commission under Sections 4.114 and B3.581 of the City Charter and under State law.

12 \* \* \* \*

13 **SEC. 608.1. NEAR R DISTRICTS.**

14 No general advertising sign, and no other sign exceeding 100 square feet in area, shall  
15 be located in an NC, C, M, PDR, or Eastern Neighborhoods Mixed Use District ~~or South of~~  
16 ~~Market Mixed Use District~~ within 100 feet of any R District in such a manner as to be primarily  
17 viewed from residentially zoned property or from any street or alley within an R District; any  
18 sign of which the face is located parallel to a street property line and lies for its entire width  
19 opposite an NC, C, M, PDR, or MUR, ~~or South of Market SLR~~ District shall be deemed prima  
20 facie not to be primarily so viewed. No sign of any size within 100 feet of any R District shall  
21 project beyond the street property line or building setback line of any street or alley leading off  
22 the main commercial frontage into the R District.

23 \* \* \* \*

24 **SEC. 802.1. MIXED USE DISTRICTS.**

1 The following districts are established for the purpose of implementing the Residence  
 2 Element, the Commerce and Industry Element, the Downtown Plan, the Chinatown Plan, the  
 3 Rincon Hill Plan, the South of Market Plan, the East SoMa Plan, the Mission Plan, the  
 4 Showplace Square/Potrero Hill Plan, ~~and~~ the Central Waterfront Plan, the Western SoMa Area  
 5 Plan, and the Central SoMa Plan, all of which are parts of the General Plan. Description and  
 6 Purpose Statements outline the main functions of each Mixed Use District in this Article,  
 7 supplementing the statements of purpose contained in Section 101 of this Code.

8  
 9  
 10 Description and purpose statements applicable to each district are set forth in  
 11 Sections 810 through ~~843~~848 of this Code. The boundaries of the various Mixed Use Districts  
 12 are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions  
 13 of that Section. The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
* * * *	
<del>RSD – Residential/Service District</del>	<del>§ 815</del>
<del>SLR – Service/Light Industrial/Residential District</del>	<del>§ 816</del>
<del>SLI – Service/Light Industrial District</del>	<del>§ 817</del>
<del>SSO – Service/Secondary Office District</del>	<del>§ 818</del>
<u>CMUO - Central SoMa Mixed-Use Office District</u>	<u>§ 848</u>
* * * *	

22 \* \* \* \*

23  
 24 **SEC. 802.4. EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

1 Throughout the Planning Code, the term "Eastern Neighborhoods Mixed Use Districts"  
2 refers to the following districts: Residential Enclave District (RED), Residential Enclave- Mixed  
3 District (RED-MX), Mixed Use-General (MUG), Western SoMa Mixed Use-General (WMUG),  
4 Mixed Use-Office (MUO), Central SoMa Mixed-Use Office (CMUO), Western SoMa Mixed Use-  
5 Office (WMUO), Mixed Use- Residential (MUR), South Park District (SPD), Service/Arts/Light  
6 Industrial (SALI), and Urban Mixed Use (UMU).

7 ~~**SEC. 802.5. SOUTH OF MARKET MIXED USE DISTRICTS.**~~

8  
9 ~~*Throughout the Planning Code, the term "South of Market Mixed Use Districts" refers to the*~~  
10 ~~*following districts: Residential/Service District (RSD), Service/Light Industrial (SLI), Service/Light*~~  
11 ~~*Industrial/Residential (SLR), and Service/Secondary Office (SSO).*~~

12 \* \* \* \*

13 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**  
14 ~~**DISTRICTS AND SOUTH OF MARKET MIXED USE DISTRICTS.**~~

15 (a) **Use Categories.** A use is the specified purpose for which a property or building is  
16 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Eastern  
17 Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~ is generally set forth,  
18 summarized or cross-referenced in Sections 813 through ~~818~~814 and 840 through ~~847~~848 of  
19 this Code for each district class.

20 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts ~~and South of~~  
21 ~~Market Mixed Use Districts~~ are either permitted, conditional, accessory, temporary or are not  
22 permitted.

23 (1) **Permitted Uses.** If there are two or more uses in a structure, any use not  
24 classified below under Section 803.3(b)(1)(C) of this Code as Accessory will be considered  
25 separately as an independent permitted, Conditional, temporary or not permitted use.

1                   (A) **Principal Uses.** Principal uses are permitted as of right in an  
2 Eastern Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~, when so  
3 indicated in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code for the district.  
4 Additional requirements and conditions may be placed on particular uses as provided  
5 pursuant to Section 803.5 through 803.9 and other applicable provisions of this Code.

6                   (B) **Conditional Uses.** Conditional uses are permitted in an Eastern  
7 Neighborhood Mixed Use District ~~and South of Market Mixed Use District~~, when authorized by  
8 the Planning Commission; whether a use is conditional in a given district is generally indicated  
9 in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code. Conditional Uses are  
10 subject to the applicable provisions set forth in Sections 178, 179, ~~263.11~~, 303, 316, and 803.5  
11 through 803.9 of this Code.

12                   \* \* \* \*

13                   (C) **Accessory Uses.** Subject to the limitations set forth below and in  
14 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory  
15 Uses for Uses Other Than Dwellings in R Districts), 204.4 (Dwelling Units Accessory to Other  
16 Uses), and 204.5(Parking and Loading as Accessory Uses) of this Code, an accessory use is  
17 a related minor use which is either necessary to the operation or enjoyment of a lawful  
18 Principal Use or Conditional Use, or is appropriate, incidental and subordinate to any such  
19 use, and shall be permitted as an Accessory Use in an Eastern Neighborhoods Mixed Use  
20 District ~~and South of Market Mixed Use District~~. In order to accommodate a Principal Use which  
21 is carried out by one business in multiple locations within the same general area, such  
22 Accessory Use need not be located in the same structure or lot as its Principal Use provided  
23 that (1) the Accessory Use is located within 1,000 feet of the Principal Use; and (2) the  
24 multiple locations existed on April 6, 1990. Accessory Uses to non-office uses (as defined in  
25 Section 890.70) may occupy space which is non-contiguous or on a different Story as the

1 Principal Use so long as the Accessory Use is located in the same building as the Principal  
2 Use and complies with all other restrictions applicable to such Accessory Uses. Any use  
3 which does not qualify as an Accessory Use shall be classified as a Principal Use.

4 No use will be considered accessory to a Principal Use which involves or requires any  
5 of the following:

6 (i) ~~The~~ use of more than one-third of the total Occupied Floor  
7 Area which is occupied by both the accessory use and principal use to which it is accessory,  
8 combined, except in the case of accessory off-street parking or loading which shall be subject  
9 to the provisions of Sections 151, 156 and 303 of this Code;

10 (ii) A hotel, motel, inn, hostel, adult entertainment, massage  
11 establishment, large fast food restaurant, or movie theater use in a RED, RED-MX, SPD, ~~RSD,~~  
12 ~~SLR, SLI, SSO, DTR,~~ MUG, WMUG, MUR, MUO, CMUO, WMUO, SALI or UMU District;

13 (iii) Any take-out food use, except for a take-out food use which  
14 occupies 100 square feet or less (including the area devoted to food preparation and service  
15 and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery,  
16 retail grocery or specialty food store.

17 (iv) Any sign not conforming to the limitations of Section  
18 607.2(f)(3).

19 (v) Medical Cannabis Dispensaries as defined in 890.133.

20 (vi) Any nighttime entertainment use, as defined in Section 102;  
21 provided, however, that a Limited Live Performance Permit as set forth in Police Code Section  
22 1060et seq. is allowed in any District except for an RED, RED-MX, ~~RSD, SLR,~~ MUR, or MUG  
23 District.

24 (vii) Cannabis Retail that does not meet the limitations set forth in  
25 204.3(a)(3).

1 (D) **Temporary Uses.** Temporary uses not otherwise permitted are  
2 permitted in Eastern Neighborhoods Mixed Use Districts ~~and South of Market Mixed Use Districts~~  
3 to the extent authorized by Sections 205 through 205.3 of this Code.

4 \* \* \* \*

5 **SEC. 803.4. USES PROHIBITED IN SOUTH OF MARKET AND EASTERN**  
6 **NEIGHBORHOODS MIXED USE DISTRICTS.**

7 (a) ~~Uses which are not specifically listed in this Article or Article 6 are not permitted in South~~  
8 ~~of Market Mixed Use Districts unless they qualify as a nonconforming use pursuant to Sections 180~~  
9 ~~through 186.1 of this Code or are determined by the Zoning Administrator to be permitted uses in~~  
10 ~~accordance with Section 307(a) of this Code. Uses not permitted in any South of Market District~~  
11 ~~include, but are not limited to, the following: Adult entertainment, bookstore or theater; amusement~~  
12 ~~game arcade or similar enterprise (except as permitted in the Service/Light Industrial District);~~  
13 ~~shooting gallery; general advertising signs, except in the South of Market General Advertising Special~~  
14 ~~Sign District; animal kennel, riding academy or livery stable; automobile, truck, van, recreational~~  
15 ~~vehicle/trailer or camper sales, lease or rental; auto tow of inoperable vehicles; auto wrecking~~  
16 ~~operation; drive-up facility; hotel (except as permitted as a conditional use as provided in Planning~~  
17 ~~Code Section 818, Service/Secondary Office District), motel, hostel, inn, or bed and breakfast~~  
18 ~~establishment; heavy industry subject to Section 226(e) through (w) of this Code; junkyard; landing~~  
19 ~~field for aircraft; massage establishment subject to Section 218.1 of this Code; except in the~~  
20 ~~Residential/Service Mixed Use District when provided in conjunction with full-service spa services;~~  
21 ~~mortuary; movie theater and sports stadium or arena.~~

22 (b) No use, even though listed as a permitted use or otherwise allowed, shall be  
23 permitted in an ~~South of Market District or~~ Eastern Neighborhood Mixed Use District ~~which~~that,  
24 by reason of its nature or manner of operation, creates conditions that are hazardous,  
25

1 noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas,  
2 vibration, glare, refuse, water-carried waste, or excessive noise.

3 \* \* \* \*

4 **SEC. 803.5. GOOD NEIGHBOR POLICIES GOVERNING USES IN MIXED USE**  
5 **DISTRICTS.**

6 (a) **Eating and Drinking Uses in Mixed Use Districts.** Within Mixed Use Districts,  
7 the Operating Conditions of Section 202.2(a) shall apply to all Eating and Drinking Uses.

8 (b) **Good Neighbor Policies for Nighttime Entertainment Activities in Eastern**  
9 **Neighborhoods Mixed Use Districts, ~~South of Market Mixed Use Districts~~ and Downtown**  
10 **Residential Districts.** Within Eastern Neighborhoods Mixed Use Districts, ~~South of Market~~  
11 ~~Mixed Use Districts~~, and Downtown Residential Districts where nighttime entertainment  
12 activities, as defined by Section 102.17 of this Code, are permitted as a principal or  
13 conditional use shall not be allowed except on conditions which, in the judgment of the Zoning  
14 Administrator or City Planning Commission, as applicable, are reasonably calculated to insure  
15 that the quiet, safety and cleanliness of the premises and vicinity are maintained. Such  
16 conditions shall include, but not be limited to, the following:

17 \* \* \* \*

18 (c) **Good Neighbor Policies for Programs Serving Indigent Transient and**  
19 **Homeless Populations Within the Eastern Neighborhoods Mixed Use Districts ~~and South~~**  
20 ~~**of Market Mixed Use Districts.**~~ Within the Eastern Neighborhoods Mixed Use Districts ~~and South~~  
21 ~~**of Market Mixed Use Districts**~~ where social services are allowed as a Conditional Use pursuant  
22 to Sections 813.21 through 843.21 (Social Services), some or all of the following conditions  
23 shall, when appropriate for specific cases, be placed upon any applicable City permits for the  
24 proposed establishment:

25 \* \* \* \*

1            ~~SEC. 803.8. HOUSING IN MIXED USE DISTRICTS.~~

2            ~~(a) Low Income Affordable Housing Within the Service/Light Industrial District. Dwelling~~  
3 ~~units and SRO units may be authorized in the SLI District as a conditional use pursuant to Sections~~  
4 ~~303, 316, 817.14, and 817.16 of this Code provided that such dwellings units shall be rented, leased or~~  
5 ~~sold at rates or prices affordable to a household whose income is no greater than 80 percent of the~~  
6 ~~median income for households in San Francisco ("lower income household"), as determined by Title 25~~  
7 ~~of the California Code of Regulations Section 6932 and implemented by the Mayor's Office of Housing.~~

8            ~~(1) "Affordable to a household" shall mean a purchase price that a lower income~~  
9 ~~household can afford to pay based on an annual payment for all housing costs of 33 percent of the~~  
10 ~~combined household annual net income, a 10 percent down payment, and available financing, or a rent~~  
11 ~~that a household can afford to pay, based on an annual payment for all housing costs of 30 percent of~~  
12 ~~the combined annual net income.~~

13            ~~(2) The size of the dwelling unit shall determine the size of the household in order to~~  
14 ~~calculate purchase price or rent affordable to a household, as follows:~~

15            ~~(A) For a one-bedroom unit, a household of two persons;~~

16            ~~(B) For a two-bedroom unit, a household of three persons;~~

17            ~~(C) For a three-bedroom unit, a household of four persons;~~

18            ~~(D) For a four-bedroom unit, a household of five persons.~~

19            ~~(3) No conditional use permit will be approved pursuant to this Subsection 803.8(b)~~  
20 ~~unless the applicant and City have agreed upon enforcement mechanisms for the provisions of this~~  
21 ~~Subsection which are acceptable to the City Attorney. Such enforcement mechanisms may include, but~~  
22 ~~not be limited to, a right of first refusal in favor of the City, or a promissory note and deed of trust.~~

23            ~~(4) The owner(s) of dwelling units authorized pursuant to this Subsection shall submit~~  
24 ~~an annual enforcement report to the City, along with a fee whose amount shall be determined~~  
25 ~~periodically by the Planning Commission to pay for the cost of enforcement of this Subsection. The fee~~

1 shall not exceed the amount of such costs. The annual report shall provide information regarding rents,  
2 mortgage payments, sales price and other housing costs, annual household income, size of household in  
3 each dwelling unit, and any other information the City may require to fulfill the intent of this  
4 Subsection.

5 ***(b) Housing Requirement in the Residential/Service District.***

6 ***(1) Amount Required.*** ~~Nonresidential uses subject to Sections 815.26, 815.28, 815.30,~~  
7 ~~815.31 through 815.47, and 815.59 through 815.65, of this Code shall be permitted in new construction~~  
8 ~~in the Residential/Service District only if the ratio between the amount of occupied floor area for~~  
9 ~~residential use to the amount of occupied floor area of the above referenced nonresidential use is three~~  
10 ~~to one or greater.~~

11 ***(2) Means of Satisfying the Housing Requirement.***

12 ***(A)*** ~~The residential space required pursuant to this Subsection may be satisfied~~  
13 ~~by payment of a one-time in-lieu fee equal to \$30 per square foot of residential space required by this~~  
14 ~~Subsection and not provided on-site payable to the City's Affordable Housing Fund administered by the~~  
15 ~~Mayor's Office of Housing; or~~

16 ***(B)*** ~~The residential space requirement may be satisfied by providing the~~  
17 ~~required residential space elsewhere within the South of Market Mixed Use District where housing is~~  
18 ~~permitted or conditional and is approved as a conditional use.~~

19 ***(c) Housing Requirement in the Mixed Use Residential (MUR) District.*** ~~In new~~  
20 ~~construction in the MUR District, three square feet of gross floor area for residential use is required~~  
21 ~~for every one gross square foot of permitted nonresidential use, subject to Section 841 of this Code.~~

22 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

23 ***(a) Preservation of Historic Buildings Within the South of Market Mixed Use Districts.*** ~~Within~~  
24 ~~the South of Market Mixed Use Districts, any use which is permitted as a principal or conditional use~~  
25 ~~within the SSO District, excluding nighttime entertainment use, may be permitted as a conditional use~~

1 ~~in (a) a landmark building located outside a designated historic district, (b) a contributory building~~  
2 ~~which is proposed for conversion to office use of an aggregate gross square footage of 25,000 or more~~  
3 ~~per building and which is located outside the SSO District yet within a designated historic district, or~~  
4 ~~(c) a building designated as significant or contributory pursuant to Article 11 of this Code and located~~  
5 ~~within the Extended Preservation District. For all such buildings the following conditions shall apply:~~  
6 ~~(1) the provisions of Sections 316 through 318 of this Code must be met; (2) in addition to the~~  
7 ~~conditional use criteria set out in Sections 303(c)(6) and 316 through 316.8, it must be determined that~~  
8 ~~allowing the use will enhance the feasibility of preserving the landmark, significant or contributory~~  
9 ~~building; and (3) the landmark, significant or contributory building will be made to conform with the~~  
10 ~~San Francisco Building Code standards for seismic loads and forces which are in effect at the time of~~  
11 ~~the application for conversion of use.~~

12 ~~A contributory building which is in a designated historic district outside the SSO District may~~  
13 ~~be converted to any use which is a principal use within the SSO District provided that: (1) such use~~  
14 ~~does not exceed an aggregate square footage of 25,000 per building; and (2) prior to the issuance of~~  
15 ~~any necessary permits the Zoning Administrator (a) determines that allowing the use will enhance the~~  
16 ~~feasibility of preserving the contributory building; and (b) the contributory building will be made to~~  
17 ~~conform with the San Francisco Building Code standards for seismic loads and forces which are in~~  
18 ~~effect at the time of the application for conversion of use. Housing Requirement in the Mixed Use-~~  
19 ~~Residential (MUR) District. In new construction in the MUR District, three square feet of Gross Floor~~  
20 ~~Area for Residential Use is required for every one gross square foot of permitted Non-Residential Use,~~  
21 ~~subject to Section 841.~~

22 **(b) Preservation of Historic Buildings within Certain Eastern Neighborhoods**  
23 **Mixed Use Districts.** The following controls are intended to support the economic viability of  
24 buildings of historic importance within Eastern Neighborhoods.  
25

1 (1) This subsection applies only to buildings in SPD, MUG, MUO, CMUO, or  
2 MUR Districts that are designated landmark buildings or contributory buildings within a  
3 designated historic district *perpursuant to* Article 10 of the Planning Code, or buildings listed on  
4 or determined eligible for the California Register of Historical Resources by the State Office of  
5 Historic Preservation.

6 (A) All uses are principally permitted, provided that:

7 (i) The project does not contain any nighttime entertainment use.

8 (ii) Prior to the issuance of any necessary permits, the Zoning  
9 Administrator, with the advice of the Historic Preservation Commission, determines that  
10 allowing the use will enhance the feasibility of preserving the building.

11 (iii) Residential uses meet the affordability requirements of the  
12 Residential Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.

13 (B) The Historic Preservation Commission shall review the proposed  
14 project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001))  
15 and any applicable provisions of the Planning Code.

16 \* \* \* \*

17 (d) ~~*Automated Bank Teller Machines Within South of Market Districts. All automated bank*~~  
18 ~~*teller machines (ATMs), whether freestanding structures or walk-up facilities associated with retail*~~  
19 ~~*banking operations, shall have adequate lighting, waste collection facilities and parking resources.*~~

20 (e) **Open Air Sales.** Flea markets, farmers markets, crafts fairs and all other open air  
21 sales of new or used merchandise except vehicles, within ~~*South of Market Mixed Use and*~~  
22 ~~*Eastern Neighborhoods Mixed Use Districts*~~, where permitted, shall be subject to the following  
23 requirements: (1) the sale of goods and the presence of booths or other accessory  
24 appurtenances shall be limited to weekend and/or holiday daytime hours; (2) sufficient  
25 numbers of publicly-accessible toilets and trash receptacles shall be provided on-site and

1 adequately maintained; and (3) the site and vicinity shall be maintained free of trash and  
2 debris.

3 ~~(f)~~ **Legal and Government Office Uses in the Vicinity of the Hall of Justice.**

4 Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of  
5 Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the  
6 Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and  
7 other criminal justice activities and services directly related to the criminal justice functions of  
8 the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special  
9 Restriction placed on the property limiting office activities to uses permitted by this  
10 ~~§~~ subsection.

11 ~~(g) Work Space of Design Professionals. The work space of design professionals, as defined in~~  
12 ~~Section 890.28 of this Code, shall be permitted as a principal use within the SLR, RSD and SLI~~  
13 ~~Districts provided that, as a condition of issuance of any necessary permits, the owner(s) of the~~  
14 ~~building shall agree to comply with the following provisions:~~

15 ~~(1) The occupied floor area devoted to this use per building is limited to the third story~~  
16 ~~or above;~~

17 ~~(2) The gross floor area devoted to this use per building does not exceed 3,000 square~~  
18 ~~feet per design professional establishment;~~

19 ~~(3) The space within the building subject to this provision has not been in residential~~  
20 ~~use within a legal dwelling unit at any time within a five-year period prior to application for conversion~~  
21 ~~under this Subsection; and~~

22 ~~(4) The owner(s) of the building comply with the following enforcement and monitoring~~  
23 ~~procedures;~~

24 ~~(i) The owner(s) of any building with work space devoted to design professional~~  
25 ~~use as authorized pursuant to this Subsection shall submit an annual enforcement report to the~~

1 ~~Department of City Planning with a fee in an amount to be determined periodically by the City~~  
2 ~~Planning Commission to pay for the cost of enforcement of this Subsection. The fee shall not exceed the~~  
3 ~~amount of such costs. The report shall provide information regarding occupants of such space, the~~  
4 ~~amount of square footage of the space used by each design professional establishment, amount of~~  
5 ~~vacant space, compliance with all relevant City codes, and any other information the Zoning~~  
6 ~~Administrator may require to fulfill the intent of this Subsection;~~

7 ~~(ii) The owner(s) of any building containing work space of design professionals~~  
8 ~~authorized pursuant to this Subsection shall permit inspection of the premises by an authorized City~~  
9 ~~official to determine compliance with the limitations of this Subsection. The City shall provide~~  
10 ~~reasonable notice to owners prior to inspecting the premises;~~

11 ~~(iii) The owner(s) of any building containing work space of design professionals~~  
12 ~~authorized pursuant to this Subsection shall record a Notice of Special Restriction, approved by the~~  
13 ~~City Planning Department prior to recordation, on the property setting forth the limitations required by~~  
14 ~~this Subsection. The Department of City Planning shall keep a record available for public review of all~~  
15 ~~space for design professionals authorized by this Subsection.~~

16 ~~(hf) Vertical Controls for Office Uses.~~

17 \* \* \* \*

18 **Table 803.9(hf)**

19 \* \* \* \*

20 ~~(ig) Retail Controls in the MUG, MUO, CMUO, and UMU Districts. In the MUG,~~  
21 ~~MUO, CMUO, and UMU District, up to 25,000 gross square feet of retail use (as defined in~~  
22 ~~Section 890.104 of this Code) is permitted per lot. Above 25,000 gross square feet, three~~  
23 ~~gross square feet of other uses permitted in that District are required for every one gross~~  
24 ~~square foot of retail. In the UMU District, gyms, as defined in Sec. 218(d), are exempt from~~  
25

1 this requirement. In the CMUO District, Tourist Hotels, as defined in Sec. 890.46, are exempt from  
2 this requirement.

3 **SEC. 809. GUIDE TO UNDERSTANDING THE MIXED USE DISTRICT ZONING**  
4 **CONTROLS.**

5 Mixed Use District controls are set forth in the Zoning Control Tables in Sections 810  
6 through 818, and in Sections 825, 827 through 843 or referenced in Section 899 of this Code.

7 (a) The first column in the Zoning Control Table, titled "No." provides a category  
8 number for each zoning control category.

9 (b) The second column in the table, titled "Zoning Control Category," lists zoning  
10 control categories for the district in question.

11 (c) The third column, titled "§ References," contains numbers of other sections in the  
12 Planning Code and other City Codes, in which additional relevant provisions are contained.

13 (d) In the fourth column, the controls applicable to the various Mixed Use Districts are  
14 indicated either directly or by reference to other Code Sections which contain the controls.

15 The following symbols are used in this table:

16 P - Permitted as a principal use.

17 C - Permitted as a conditional use, subject to the provisions set forth in this Code.

18 - A blank space on the tables in Sections 810 through 812 indicates that the use  
19 or feature is not permitted within the Chinatown Mixed Use Districts. Unless a  
20 use or feature is permitted or required in the Chinatown Mixed Use Districts as  
21 set forth in the Zoning Control Tables or in those sections referenced in Section  
22 899 of this Code, such use or feature is prohibited, unless determined by the  
23 Zoning Administrator to be a permitted use.  
24  
25

1 NP - Not Permitted. *Section 803.4 lists certain uses not permitted in any South of Market*  
 2 *District. NP in the Article 8 control column of Tables 813 through 818 also indicates*  
 3 *that the use or feature is not permitted in the applicable South of Market District.*

4 # - See specific provisions listed by section and zoning category number at the end  
 5 of the table.

6 1st - 1st story and below, where applicable.

7 2nd - 2nd story, where applicable.

8 3rd+ - 3rd story and above, where applicable.

9 \* \* \* \*

10 **SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.**

11 Residential Enclave Districts (RED) encompass many of the clusters of low-scale,  
 12 medium density, predominantly residential neighborhoods located along the narrow side  
 13 streets of the South of Market area. Within these predominantly residential enclaves lie a  
 14 number of vacant parcels, parking lots and other properties in open storage use. These  
 15 properties are undeveloped or underdeveloped and are viewed as opportunity sites for new,  
 16 moderate-income, in-fill housing.

17 \* \* \* \*

Table 813			
RED - RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave Controls
* * * *			
<b>USES</b>			
* * * *			
<b>Other Uses</b>			
* * * *			

813.66	Open Air Sales	§§ 803.9(ed), 890.38	NP
* * * *			

\* \* \* \*

**~~SEC. 815. RSD—RESIDENTIAL/SERVICE MIXED USE DISTRICT.~~**

~~The Residential/Service Mixed Use District (RSD) runs along Harrison St. between 4th St. and 5th St. The RSD serves as a housing opportunity area within the South of Market Mixed Use Districts. The district controls are intended to facilitate the development of high-density, mid-rise housing, including residential hotels and live/work units, while also encouraging the expansion of retail, business service and commercial and cultural arts activities. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.~~

~~Residential hotels are subject to flexible standards for parking, rear yard/open space and density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged.~~

~~General office, hotels, nighttime entertainment, adult entertainment, massage establishment, movie theaters and heavy industrial uses are not permitted, except that massages services are authorized as a conditional use in the Residential/Service Mixed Use District when provided in conjunction with full-service spa services.~~

**Table 815**

**~~RSD—RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE~~**

<del>No.</del>	<del>Zoning Category</del>	<del>§ References</del>	<del>Residential/Service Mixed Use District Controls</del>
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815.01	<i>Height</i>		<i>Map, generally ranges from 40 to 85 feet</i> <i>See Sectional Zoning Map 1</i>
815.02	<i>Bulk</i>	§ 270	<i>See Sectional Zoning Map 1</i>
815.03	<i>Residential Density Limit</i>	§§ 124(b), 207.5, 208	<i>1:200 for dwellings in projects below 40 ft., above 40 ft. density to be determined as part of Conditional Use process; 1 bedroom for each 70 sq. ft. of lot area for group housing</i>
815.04	<i>Non-Residential Density Limit</i>	§§ 102, 123, 124, 127	<i>Generally, 1.8 to 1 floor area ratio subject to § 803.5(j)</i>
815.05	<i>Usable Open Space for Dwelling Units and Group Housing</i>	§ 135	<i>36 sq. ft. per unit if private, 48 sq. ft. if common</i>
815.06	<i>Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions</i>	§ 135.2	<i>36 sq. ft. per unit</i>
815.07	<i>Usable Open Space for Other Uses</i>	§ 135.3	<i>Varies by use</i>
815.09	<i>Outdoor Activity Area</i>	§ 890.71	<i>P</i>
815.10	<i>Walk-Up Facility, except Automated Bank Teller Machine</i>	§ 890.140	<i>P</i>
815.11	<i>Automated Bank Teller Machine</i>	§ 803.5(d)	<i>P</i>

1		§ 317	C for Removal of one or more
2	815.12 Residential Conversion or Merger		Residential Units or Unauthorized
3			Units.
4		§ 317	C for Removal of one or more
5	815.13 Residential Demolition		Residential Units or Unauthorized
6			Units.
7	<b>Residential Use</b>		
8	815.14 Dwelling Units	§ 102.7	P
9	815.15 Group Housing	§ 890.88(b)	C
10	815.16 SRO Units	§ 890.88(e)	P
11			
12	815.16B Homeless Shelters	§§ 102, 890.88(d)	C
13			
14	<b>Institutions</b>		
15	815.17 Hospital, Medical Centers	§ 890.44	NP
16	815.18 Residential Care	§ 890.50(e)	C
17	815.19 Educational Services	§ 890.50(e)	P
18	815.20 Religious Facility	§ 890.50(d)	C
19			
20	815.21 Assembly and Social Service, except Open Recreation and	§ 890.50(a)	C
21			
22	Horticulture		
23	815.22 Child Care	§ 102	P
24	815.23 Medical Cannabis Dispensary	§ 890.133	P #
25			

<b>Vehicle Parking</b>			
815.25	Automobile Parking Lot, Community Residential	§ 890.7	P
815.26	Automobile Parking Garage, Community Residential	§ 890.8	C, pursuant to § 803.8(e)
815.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
815.28	Automobile Parking Garage, Community Commercial	§ 890.10	C, pursuant to § 803.8(e)
815.29	Automobile Parking Lot, Public	§ 890.11	P
815.30	Automobile Parking Garage, Public	§ 890.12	C, pursuant to § 803.8(e)
<b>Retail Sales and Services</b>			
815.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited Restaurants, Restaurants, Cannabis Retail, and Personal Services	§§ 102, 890.104	P, pursuant to § 803.8(e)
815.33	Fringe Financial Service	§§ 249.35, 890.113	P #
815.34	Tobacco Paraphernalia Establishments	§ 890.123	C

1		§ 890.60	
2	815.34A <i>Massage Establishment</i>	<i>Art. 29 Health</i>	<i>C #</i>
3		<i>Code</i>	
4	<b><i>Assembly, Recreation, Arts and Entertainment</i></b>		
5		§§ 102.17,	NP
6	815.37 <i>Nighttime Entertainment</i>	181(f),	
7		803.5(b)	
8	815.38 <i>Meeting Hall, not falling within</i>	§ 221(e)	<i>C, pursuant to § 803.8(e)</i>
9	<i>Category 815.21</i>		
10	815.39 <i>Recreation Building, not falling</i>	§ 221(e)	<i>C, pursuant to § 803.8(e)</i>
11	<i>within Category 815.21</i>		
12	815.40 <i>Pool Hall, Card Club, not falling</i>	§§ 221(f),	<i>P, pursuant to § 803.8(e)</i>
13	<i>within Category 815.21</i>	803.4	
14	815.41 <i>Theater, falling within § 221(d),</i>	§§ 221(d),	<i>P, pursuant to § 803.8(e)</i>
15	<i>except Movie Theater</i>	890.64	
16			
17	<b><i>Home and Business Service</i></b>		
18	815.42 <i>Trade Shop</i>	§ 890.124	<i>P, pursuant to § 803.8(e)</i>
19	815.43 <i>Catering Services</i>	§ 890.25	<i>P, pursuant to § 803.8(e)</i>
20	815.45 <i>Business Goods and Equipment</i>	§ 890.23	<i>P, pursuant to § 803.8(e)</i>
21	<i>Repair Service</i>		
22	815.46 <i>Arts Activities, other than Theaters</i>	§ 102.2	<i>P, pursuant to § 803.8(e)</i>
23	815.47 <i>Business Services</i>	§ 890.111	<i>P, pursuant to § 803.8(e)</i>
24			
25	<b><i>Office</i></b>		

1		<i>Office Uses in Landmark Buildings</i>	§ 803.9(a)	€
2	815.48	<i>or Contributory Buildings in</i>		
3		<i>Historic Districts</i>		
4		<i>Work Space of Design</i>	§§ 803.9(g),	P, subject to § 803.9(g)
5	815.49	<i>Professionals</i>	890.28	
6	815.50	<i>All Other Office Uses</i>	§ 890.70	NP
7	<b>Live/Work Units</b>			
8				
9		<i>Live/Work Units where the work</i>	§§ 102.2,	
10	815.51	<i>activity is an Arts</i>	102.13,	P
11		<i>Activity</i>	209.9(f) and	
12			(g), 233	
13		<i>Live/Work Units where all the</i>	§§ 102.13, 233	
14	815.52	<i>work activity is otherwise</i>		P
15		<i>permitted as a Principal Use</i>		
16		<i>Live/Work Units where the work</i>	§ 233	
17	815.53	<i>activity is otherwise permitted as a</i>		€
18		<i>Conditional Use</i>		
19		<i>Live/Work Units in Landmark</i>	§ 803.9(a)	
20	815.54	<i>Buildings or Contributory</i>		€
21		<i>Buildings in Historic Districts</i>		
22	815.55	<i>All other Live/Work Units</i>		NP
23	<b>Motor Vehicle Services</b>			
24				
25	815.57	<i>Vehicle Storage – Open Lot</i>	§ 890.131	NP

1	815.58	<del>Vehicle Storage – Enclosed Lot or Structure</del>	<del>§ 890.132</del>	<del>P</del>
2				
3	815.59	<del>Motor Vehicle Service Station, Automotive Wash</del>	<del>§§ 890.18, 890.20</del>	<del>P, pursuant to § 803.8(e)</del>
4				
5	815.60	<del>Motor Vehicle Repair</del>	<del>§ 890.15</del>	<del>P, pursuant to § 803.8(e)</del>
6	815.61	<del>Motor Vehicle Tow Service</del>	<del>§ 890.19</del>	<del>C, § 803.8(e)</del>
7				
8	815.62	<del>Non-Auto Vehicle Sales or Rental</del>	<del>§ 890.69</del>	<del>P, § 803.8(e)</del>
9	815.63	<del>Public Transportation Facilities</del>	<del>§ 890.80</del>	<del>C, pursuant to § 803.8(e)</del>
10	<b>Industrial</b>			
11	815.64	<del>Wholesale Sales</del>	<del>§ 890.54(b)</del>	<del>P, pursuant to § 803.8(e)</del>
12	815.65	<del>Light Manufacturing</del>	<del>§ 890.54(a)</del>	<del>P, pursuant to § 803.8(e)</del>
13	815.66	<del>Storage</del>	<del>§ 890.54(e)</del>	<del>P</del>
14				
15	815.67	<del>All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment</del>	<del>§ 225</del>	<del>P</del>
16				
17				
18				
19	<b>Other Uses</b>			
20	815.68	<del>Animal Services</del>	<del>§ 224</del>	<del>NP</del>
21				
22	815.69	<del>Open Air Sales</del>	<del>§§ 803.9(e), 890.38</del>	<del>P</del>
23	815.70	<del>Ambulance Service</del>	<del>§ 890.2</del>	<del>NP</del>
24				
25				

1	815.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
2	815.72	Public Use, except Public Transportation Facility	§ 890.80	C
3	815.74A	Industrial Agriculture	§ 102	NP
4	815.74B	Neighborhood Agriculture	§ 102	P
5	815.74C	Large-Scale Urban Agriculture	§ 102	C
6	815.75	Mortuary Establishment	§ 227(e)	NP
7	815.76	General Advertising Sign	§ 607.2(b) & (e)	NP
8	815.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro-WTS Facility

**SPECIFIC PROVISIONS FOR RSD DISTRICTS**

<i>Article Code Section</i>	<i>Other Code Section</i>	<i>Zoning Controls</i>
§ 815 § 815.03	§ 207(e)(4)	<p><b>ACCESSORY DWELLING UNITS</b></p> <p><b>Boundaries:</b> Within the boundaries of the Residential/Service Mixed Use District.</p> <p><b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed</p>

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		<i>within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i>
§ 815.23 § 890.133		<i>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an RSD District.</i>
§ 815.33	§ 249.35 § 890.113	<i>Fringe Financial Services are P-subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</i>
§ 815.34A	§ 890.60 Art. 29 Health Code	<i>MESSAGE ESTABLISHMENT</i> <i>Controls. Massage shall generally be subject to Conditional Use authorization. Only those businesses that can demonstrate to the satisfaction of the Planning Commission that massage services are provided in conjunction with full-service spa services are authorized to provide massage services.</i> <i>Certain exceptions to the Conditional Use authorization for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(c), the criteria described in Section 303(n) and 890.60(b).</i>

**~~SEC. 816. SLR SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE~~**

**~~DISTRICT.~~**

~~The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, live/work use, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing and live/work space at a scale and density compatible with the existing neighborhood.~~

~~Housing and live/work units are encouraged over ground floor commercial/service/light industrial activity. New residential or mixed use developments are encouraged to provide as much mixed-income rental housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to nonresidential use by requiring conditional use review. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.~~

~~General office, hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted.~~

**Table 816**

**~~SLR SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT~~**

**~~ZONING CONTROL TABLE~~**

<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Service/Light Industrial/ Residential Mixed Use District Controls</b>
816.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 40 to 65 feet

1	816.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
2				
3	816.03	Residential Density Limit	§§ 124, 207.5, 208	1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing
4				
5				
6	816.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
7				
8	816.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq. ft. per unit if private, 80 sq. ft. if common
9				
10				
11	816.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
12				
13				
14				
15	816.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
16				
17				
18	816.09	Outdoor Activity Area	890.71	P
19	816.10	Walk-up Facility, including Automated Bank Teller Machine	§§ 803.9(d), 890.140	P
20				
21				
22	816.12	Residential Conversion or Merger	§ 317	C for Removal of one or more Residential Units or Unauthorized Units
23				
24				
25				

1	816.13	Residential Demolition	§ 317	€ for Removal of one or more Residential
2				Units or Unauthorized Units
3	<b>Residential Use</b>			
4	816.14	Dwelling Units	§ 102.7	P
5	816.15	Group Housing	§ 890.88(b)	€
6	816.16	SRO Units	§ 890.88(e)	P
7				
8	816.16B	Homeless Shelters	§§ 102, 890.88(d)	€
9	<b>Institutions</b>			
10	816.17	Hospital, Medical Centers	§ 890.44	NP
11	816.18	Residential Care	§ 890.50(e)	€
12	816.19	Educational Services	§ 890.50(e)	P
13				
14	816.20	Religious Facility	§ 890.50(d)	P
15		Assembly and Social Service,	§ 890.50(a)	
16	816.21	except Open Recreation and		€
17		Horticulture		
18	816.22	Child Care	§ 102	P
19				
20	816.23	Medical Cannabis	§ 890.133	P #
21		Dispensary		
22	<b>Vehicle Parking</b>			
23	816.25	Automobile Parking Lot,	§ 890.7	P
24		Community Residential		
25				

1	816.26	<del>Automobile Parking Garage, Community Residential</del>	<del>§ 890.8</del>	<del>P</del>
2				
3	816.27	<del>Automobile Parking Lot, Community Commercial</del>	<del>§ 890.9</del>	<del>P</del>
4				
5	816.28	<del>Automobile Parking Garage, Community Commercial</del>	<del>§ 890.10</del>	<del>P</del>
6				
7	816.29	<del>Automobile Parking Lot, Public</del>	<del>§ 890.11</del>	<del>P</del>
8				
9	816.30	<del>Automobile Parking Garage, Public</del>	<del>§ 890.12</del>	<del>€</del>
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11				

***Retail Sales and Services***

12				
13	816.31	<del>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited- Restaurants, Restaurants, Cannabis Retail, and Personal Services</del>	<del>§§ 102, 890.104</del>	<del>P</del>
14				
15				
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17				
18				
19				
20	816.33	<del>Fringe Financial Service</del>	<del>§§ 249.35, 890.113</del>	<del>P #</del>
21				
22	816.34	<del>Tobacco Paraphernalia Establishments</del>	<del>§ 890.123</del>	<del>€</del>
23				

***Assembly, Recreation, Arts and Entertainment***

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816.36	<i>Arts Activity, other than Theater</i>	§ 102.2	P
816.37	<i>Nighttime Entertainment</i>	§§ 102.17, 181(f), 803.5(b)	NP
816.38	<i>Meeting Hall, not falling within Category 816.21</i>	§ 221(e)	€
816.39	<i>Recreation Building, not falling within Category 816.21</i>	§ 221(e)	€
816.40	<i>Pool Hall, Card Club, not falling within Category 816.21</i>	§§ 221(f), 803.4	P
816.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	§§ 221(d), 890.64	P
<b>Home and Business Service</b>			
816.42	<i>Trade Shop</i>	§ 890.124	P
816.43	<i>Catering Service</i>	§ 890.25	P
816.45	<i>Business Goods and Equipment Repair Service</i>	§ 890.23	P
816.47	<i>Business Service</i>	§ 890.111	P
<b>Office</b>			

1		<i>Office Uses in Landmark</i>	§ 803.9(a)	€
2	816.48	<i>Buildings or Contributory</i>		
3		<i>Buildings in Historic Districts</i>		
4		<i>Work Space of Design</i>	§§ 803.9(g),	P, subject to § 803.9(g)
5	816.49	<i>Professionals</i>	890.28	
6	816.50	<i>All Other Office Uses</i>	§ 890.70	NP
7	<b>Live/Work Units</b>			
8		<i>Live/Work Units where the</i>	§§ 102.2, 102.13,	
9	816.51	<i>work activity is an Arts</i>	209.9(f) and (g),	P
10		<i>Activity</i>	233	
11		<i>Live/Work Units where all the</i>	§§ 102.13, 233	
12	816.52	<i>work activity is otherwise</i>		P
13		<i>permitted as a Principal Use</i>		
14		<i>Live/Work Units where the</i>	§ 233	
15	816.53	<i>work activity is otherwise</i>		€
16		<i>permitted as a Conditional</i>		
17		<i>Use</i>		
18		<i>Live/Work Units in Landmark</i>	§ 803.9(a)	
19	816.54	<i>Buildings or Contributory</i>		€
20		<i>Buildings in Historic Districts</i>		
21	816.55	<i>All Other Live/Work Units</i>		NP
22	<b>Motor Vehicle Services</b>			
23	816.57	<i>Vehicle Storage – Open Lot</i>	§ 890.131	NP
24				
25				

1	816.58	<del>Vehicle Storage - Enclosed Lot or Structure</del>	<del>§ 890.132</del>	<del>P</del>
2				
3	816.59	<del>Motor Vehicle Service Station, Automotive Wash</del>	<del>§§ 890.18, 890.20</del>	<del>P</del>
4				
5	816.60	<del>Motor Vehicle Repair</del>	<del>§ 890.15</del>	<del>P</del>
6				
7	816.61	<del>Automobile Tow Service</del>	<del>§ 890.19</del>	<del>C</del>
8	816.62	<del>Non-Auto Vehicle Sales or Rental</del>	<del>§ 890.69</del>	<del>P</del>
9				
10	816.63	<del>Public Transportation Facilities</del>	<del>§ 890.80</del>	<del>P</del>
11				
12	<b>Industrial</b>			
13	816.64	<del>Wholesale Sales</del>	<del>§ 890.54(b)</del>	<del>P</del>
14	816.65	<del>Light Manufacturing</del>	<del>§ 890.54(a)</del>	<del>P</del>
15	816.66	<del>Storage</del>	<del>§ 890.54(c)</del>	<del>P</del>
16				
17	816.67	<del>All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment</del>	<del>§ 225</del>	<del>P</del>
18				
19				
20				
21	<b>Other Uses</b>			
22	816.68	<del>Animal Services</del>	<del>§ 224</del>	<del>NP</del>
23	816.69	<del>Open Air Sales</del>	<del>§§ 803.9(e), 890.38</del>	<del>P</del>
24				
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1	816.70	<i>Ambulance Service</i>	§ 890.2	NP
2	816.71	<i>Open Recreation</i>	§§ 209.5(a), 209.5(b)	P
3	816.72	<i>Public Use, except Public Transportation Facility</i>	§ 890.80	C
4	816.74A	<i>Industrial Agriculture</i>	§ 102	NP
5	816.74B	<i>Neighborhood Agriculture</i>	§ 102	P
6	816.74C	<i>Large-Scale Urban Agriculture</i>	§ 102	C
7	816.75	<i>Mortuary Establishment</i>	§ 227(e)	NP
8	816.76	<i>General Advertising Sign</i>	§ 607.2(b) & (e)	P in South of Market General Advertising Special Sign District, Otherwise NP
9	816.99	<i>Wireless Telecommunications Services Facility</i>	§ 102	C; P if the facility is a Micro WTS Facility

**SPECIFIC PROVISIONS FOR SLR DISTRICTS**

<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
<i>Section</i>	<i>Section</i>	
§ 816	§ 207 (e)(4)	<b>ACCESSORY DWELLING UNITS</b>  <b>Boundaries:</b> <i>Within the boundaries of the SLR Mixed Use District.</i>  <b>Controls:</b> <i>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be</i>
§ 816.03		

		<i>constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i>
<p>§ 816.23</p> <p>§ 890.133</p>		<p><del>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLR District.</del></p>
<p>§ 816.33</p>	<p>§ 249.35</p> <p>§ 890.113</p>	<p><i>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</i></p>

***SEC. 817. SLI SERVICE/LIGHT INDUSTRIAL DISTRICT.***

*The Service/Light Industrial (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts uses, light industrial activities and small design professional office firms. Existing group housing and dwelling units are protected from demolition or conversion to nonresidential use and development of group housing and low income affordable dwelling units are permitted as a conditional use. General office, hotels, movie theaters, nighttime entertainment and adult entertainment uses are not permitted. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(e)(4) of this Code.*

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*Table 817*

***SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE***

<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Service/Light Industrial District Controls</i>
817.01	<i>Height</i>		<i>As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 30 to 65 feet; See Zoning Sectional Maps 1 and 7</i>
817.02	<i>Bulk</i>	<i>§ 270</i>	<i>See Zoning Sectional Maps 1 and 7</i>
817.03	<i>Residential Density Limit</i>	<i>§ 208</i>	<i>1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing</i>
817.04	<i>Non-Residential Density Limit</i>	<i>§§ 102, 123, 124, 127</i>	<i>Generally, 2.5 to 1 floor area ratio</i>
817.05	<i>Usable Open Space for Dwelling Units and Group Housing</i>	<i>§ 135</i>	<i>36 sq. ft. per unit</i>
817.06	<i>Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions</i>	<i>§ 135.2</i>	<i>36 sq. ft. per unit</i>
817.07	<i>Usable Open Space for Other Uses</i>	<i>§ 135.3</i>	<i>Varies by use</i>
817.09	<i>Outdoor Activity Area</i>	<i>§ 890.71</i>	<i>P</i>

1	817.10	<i>Walk-Up Facility, including Automated Bank Teller Machine</i>	§§ 803.9(d), 890.140	P
2				
3	817.12	<i>Residential Conversion or Merger</i>	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
4				
5	817.13	<i>Residential Demolition</i>	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
6				
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8				
9	<b>Residential Use</b>			
10				
11	817.14	<i>Dwelling Units</i>	§§ 102.7, 803.8(b)	C, if low-income pursuant to § 803.8(b); otherwise NP
12				
13	817.15	<i>Group Housing</i>	§ 890.88(b)	C
14				
15	817.16	<i>SRO Units</i>	§§ 803.8(b), 890.88(e)	C, if low-income pursuant to § 803.8(b); otherwise NP
16				
17	817.16B	<i>Homeless Shelters</i>	§§ 102, 890.88(d)	C
18	<b>Institutions</b>			
19				
20	817.17	<i>Hospital, Medical Centers</i>	§ 890.44	NP
21				
22	817.18	<i>Residential Care</i>	§ 890.50(e)	C
23				
24	817.19	<i>Educational Services</i>	§ 890.50(e)	P
25				
	817.20	<i>Religious Facility</i>	§ 890.50(d)	P
	817.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	C

1	817.22	<i>Child Care</i>	§ 102	P
2	817.23	<i>Medical Cannabis Dispensary</i>	§ 890.133	P #
3	<b><i>Vehicle Parking</i></b>			
4	817.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	P
5	817.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	P
6	817.27	<i>Automobile Parking Lot, Community Commercial</i>	§ 890.9	P
7	817.28	<i>Automobile Parking Garage, Community Commercial</i>	§ 890.10	P
8	817.29	<i>Automobile Parking Lot, Public</i>	§ 890.11	P
9	817.30	<i>Automobile Parking Garage, Public</i>	§ 890.12	C
10	<b><i>Retail Sales and Services</i></b>			
11	817.31	<i>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited Restaurants, Cannabis Retail, Restaurants, and Personal Services</i>	§§ 102, 890.104	P
12	817.32	<i>Financial Services</i>	§ 890.110	P if gross floor area is up to 4,000 sq. ft. C if gross floor area is equal to or exceeds 4,000 sq. ft. and only then if the location is:

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			<del>(a) within a height district of 65 ft. or greater,</del> <del>(b) on the ground story or below, and</del> <del>(c) was not used within the 12 months prior to the filing of any planning or building application as</del> <del>(1) a residential use as defined in § 817.14 through § 817.16,</del> <del>(2) a neighborhood-serving retail use as defined in § 817.31, or</del> <del>(3) an industrial use as defined in §§ 817.64, 817.65;</del> <del>otherwise NP</del>
817.33	<i>Fringe Financial Service</i>	<del>§§ 249.35, 890.113</del>	P #
817.34	<i>Tobacco Paraphernalia Establishments</i>	<del>§ 890.123</del>	€
<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			
817.37	<i>Nighttime Entertainment</i>	<del>§§ 102.17, 803.5(b)</del>	NP

1	817.38	Meeting Hall	§ 221(e)	C
2	817.39	Recreation Building	§ 221(e)	C
3	817.40	Pool Hall, Card Club, not falling within Category 817.21	§§ 221(f), 803.4	P
4	817.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
5	817.42	Amusement Game Arcade	§ 890.4	P
6	<b>Home and Business Service</b>			
7	817.42	Trade Shop	§ 890.124	P
8	817.43	Catering Service	§ 890.25	P
9	817.45	Business Goods and Equipment Repair Service	§ 890.23	P
10	817.46	Arts Activities, other than Theaters	§ 102.2	P
11	817.47	Business Services	§ 890.111	P
12	<b>Office</b>			
13	817.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9(a)	C
14	817.49	Work Space of Design Professionals	§§ 803.9(g), 890.28	P, subject to § 803.9(g)
15	817.50	Office Uses Related to the Hall of Justice	§§ 803.9(f), 822	P in Special Use District,
16	817.51	All Other Office Uses	§ 890.70	pursuant to § 803.9(f)
17	<b>Live/Work Units</b>			

1	817.51	<i>Live/Work Units where the work activity is an Arts Activity</i>	<del>§§ 102.2, 102.13, 209.9(f) and (g), 233</del>	P
2	817.52	<i>Live/Work Units where all the work activity is otherwise permitted as a Principal Use</i>	<del>§§ 102.13, 233</del>	P
3	817.53	<i>Live/Work Units where the work activity is otherwise permitted as a Conditional Use</i>	<del>§ 233</del>	C
4	817.54	<i>Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts</i>	<del>§ 803.9(a)</del>	C
5	817.55	<i>All Other Live/Work Units</i>		NP
6	<b>Automotive Services</b>			
7	817.57	<i>Vehicle Storage – Open Lot</i>	<del>§ 890.131</del>	P
8	817.58	<i>Vehicle Storage – Enclosed Lot or Structure</i>	<del>§ 890.132</del>	P
9	817.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	<del>§§ 890.18, 890.20</del>	P
10	817.60	<i>Motor Vehicle Repair</i>	<del>§ 890.15</del>	P
11	817.61	<i>Motor Vehicle Tow Service</i>	<del>§ 890.19</del>	C
12	817.62	<i>Non-Auto Vehicle Sale or Rental</i>	<del>§ 890.69</del>	P
13	817.63	<i>Public Transportation Facilities</i>	<del>§ 890.80</del>	P
14	<b>Industrial</b>			
15	817.64	<i>Wholesale Sales</i>	<del>§ 890.54(b)</del>	P
16	817.65	<i>Light Manufacturing</i>	<del>§ 890.54(a)</del>	P

1	817.66	Storage	§ 890.54(e)	P
2	817.67	<del>All Other Wholesaling, Storage, Distribution</del> <del>and Open Air Handling of Materials and</del> Equipment	§ 225	P
5	<b>Other Uses</b>			
6	817.68	Animal Services	§ 224	P
8	817.69	Open Air Sales	§§ 803.9(e), 890.38	P
10	817.70	Ambulance Service	§ 890.2	P
11	817.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
13	817.72	<del>Public Use, except Public Transportation</del> Facility	§ 890.80	P
15	817.74A	Industrial Agriculture	§ 102	P
16	817.74B	Neighborhood Agriculture	§ 102	P
17	817.74C	Large-Scale Urban Agriculture	§ 102	C
19	817.75	Mortuary Establishment	§ 227(e)	NP
20	817.76	General Advertising Sign	§ 607.2	NP
21	817.77	Internet Services Exchange	§ 209.6(e)	C
22	817.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro-WTS Facility

**SPECIFIC PROVISIONS FOR SLI DISTRICTS**

<i>Article Code</i>  <i>Section</i>	<i>Other Code</i>  <i>Section</i>	<i>Zoning Controls</i>
§ 817 § 817.03	§ 207 (c)(4)	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the SLI Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>
§ 817.23 § 890.133		<p><i>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLI District.</i></p>
§ 817.33	§ 249.35 § 817.32 § 890.113	<p><i>Fringe Financial Services are P subject to the controls set forth in Section 817.32 for Financial Services and the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).</i></p>

***SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.***

*The Service/Secondary Office District (SSO) is designed to accommodate small-scale light industrial, home and business services, arts activities, live/work units, and small-scale, professional*

1 office space and large floor plate "back office" space for sales and clerical work forces. Nighttime  
 2 entertainment is permitted as a conditional use. Dwelling units and group housing are permitted as  
 3 conditional uses. Demolition or conversion of existing group housing or dwelling units requires  
 4 conditional use authorization. Accessory Dwelling Units are permitted within the district pursuant to  
 5 subsection 207(e)(4) of this Code.

6 Office, general commercial, most retail, service and light industrial uses are principal permitted  
 7 uses. Large hotel, movie theater, adult entertainment and heavy industrial uses are not permitted.

8 Small hotels of 75 rooms or less are permitted in this District only as a conditional use. Any  
 9 such conditional use authorization requires a conditional use finding that disallows project proposals  
 10 that displace existing Production, Distribution and Repair (PDR) uses.

**Table 818**

**SSO — SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Secondary Office District Controls
818.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranging from 40 to 130 feet
818.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
818.03	Residential Density	§ 124(b), 207.5, 208	1:200 for dwellings #; 1 bedroom for each 70 sq. ft. of lot area for group housing
818.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	3.0 to 1 floor area ratio in 40 or 50 foot height districts;

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			4.0 to 1 in 65 or 80 foot height districts, and 4.5 to 1 in 130 foot height districts
818.05	<del>Usable Open Space for Dwelling Units and Group Housing</del>	<del>§§ 135</del>	36 sq. ft. per unit
818.06	<del>Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions</del>	<del>§ 135.2</del>	36 sq. ft. per unit
818.07	<del>Usable Open Space for Other Uses</del>	<del>§ 135.3</del>	<del>Varies by use</del>
818.09	<del>Outdoor Activity Area</del>	<del>§ 890.71</del>	<del>P</del>
818.10	<del>Walk-up Facility, including Automated Bank Teller Machine</del>	<del>§§ 803.9(d), 890.140</del>	<del>P</del>
818.12	<del>Residential Conversion or Merger</del>	<del>§ 317</del>	<del>C for Removal of one or more Residential Units or Unauthorized Units.</del>
818.13	<del>Residential Demolition</del>	<del>§ 317</del>	<del>C for Removal of one or more Residential Units or Unauthorized Units.</del>
<b>Residential Use</b>			

1	818.14	Dwelling Units	§ 102.7	€
2	818.15	Group Housing	§ 890.88(b)	€
3	818.16	SRO Units	§ 890.88(e)	P
4				
5	818.16B	Homeless Shelters	§§ 102, 890.88(d)	€
6	<b>Institutions</b>			
7	818.17	Hospital, Medical Centers	§ 890.44	P
8	818.18	Residential Care	§ 890.50(e)	€
9	818.19	Educational Services	§ 890.50(e)	P
10	818.20	Religious Facility	§ 890.50(d)	P
11				
12		Assembly and Social Service,	§ 890.50(a)	
13	818.21	except Open Recreation and		€
14		Horticulture		
15	818.22	Child Care	§ 102	P
16	818.23	Medical Cannabis Dispensary	§ 890.133	P #
17	<b>Vehicle Parking</b>			
18				
19	818.25	Automobile Parking Lot, Community Residential	§ 890.7	P
20				
21	818.26	Automobile Parking Garage, Community Residential	§ 890.8	P
22				
23	818.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
24				
25				

1	818.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
2				
3	818.29	Automobile Parking Lot, Public	§ 890.11	P
4				
5	818.30	Automobile Parking Garage, Public	§ 890.12	€
6				
7	<b>Retail Sales and Services</b>			
8				
9	818.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited- Restaurants, Restaurants, Cannabis Retail, and Personal Services	§§ 102, 890.104	P
10				
11				
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15				
16	818.33	Fringe Financial Service	§§ 249.35, 890.113	P #
17				
18	818.34	Tobacco Paraphernalia Establishments	§ 890.123	€
19	<b>Assembly, Recreation, Arts and Entertainment</b>			
20	818.37	Nighttime Entertainment	§§ 102.17, 803.5(b)	€
21				
22	818.38	Meeting Hall, not falling within Category 818.21	§ 221(e)	P
23				
24	818.39	Recreation Building, not falling within Category 818.21	§ 221(e)	P
25				

1	818.40	<i>Pool Hall, Card Club, not falling within Category 818.21</i>	§§ 221(f), 803.4	P
2				
3	818.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	§§ 221(d), 890.64	P
4				
5	<b>Home and Business Service</b>			
6	818.42	<i>Trade Shop</i>	§ 890.124	P
7				
8	818.43	<i>Catering Service</i>	§ 890.25	P
9				
10	818.45	<i>Business Goods and Equipment Repair Service</i>	§ 890.23	P
11				
12	818.46	<i>Arts Activities, other than Theaters</i>	§ 102.2	P
13				
14	818.47	<i>Business Services</i>	§ 890.111	P
15	<b>Office</b>			
16	818.48	<i>All Office Uses including Work Space of Design Professionals</i>	§ 890.70	P
17				
18	<b>Live/Work Units</b>			
19	818.54	<i>Live/Work Units where the work activity is an Arts Activity</i>	§§ 102.2, 102.13, 209.9(f), (g), 233	P
20				
21	818.55	<i>Live/Work Units where all the work activity is otherwise permitted</i>	§§ 102.13, 233	P
22				
23				
24	<b>Automobile Services</b>			
25				

1	818.57	<del>Vehicle Storage – Open Lot</del>	<del>§ 890.131</del>	NP
2	818.58	<del>Vehicle Storage – Enclosed Lot</del>	<del>§ 890.132</del>	P
3		<del>or Structure</del>		
4	818.59	<del>Motor Vehicle Service Station,</del>	<del>§§ 890.18, 890.20</del>	P
5		<del>Automotive Wash</del>		
6	818.60	<del>Motor Vehicle Repair</del>	<del>§ 890.15</del>	P
7	818.61	<del>Motor Vehicle Tow Service</del>	<del>§ 890.19</del>	C
8	818.62	<del>Non-Auto Vehicle Sale or</del>	<del>§ 890.69</del>	P
9		<del>Rental</del>		
10	818.63	<del>Public Transportation</del>	<del>§ 890.80</del>	P
11		<del>Facilities</del>		
12	<b>Industrial</b>			
13	818.64	<del>Wholesale Sales</del>	<del>§ 890.54(b)</del>	P
14	818.65	<del>Light Manufacturing</del>	<del>§ 890.54(a)</del>	P
15	818.66	<del>Storage</del>	<del>§ 890.54(e)</del>	P
16	818.67	<del>All Other Wholesaling,</del>	<del>§ 225</del>	P
17		<del>Storage Distribution and Open</del>		
18		<del>Air Handling of Materials and</del>		
19		<del>Equipment</del>		
20	<b>Other Uses</b>			
21	818.68	<del>Animal Services</del>	<del>§ 224</del>	P
22	818.69	<del>Open Air Sales</del>	<del>§§ 803.9(e), 890.38</del>	P

1	818.70	Ambulance Service	§ 890.2	P
2	818.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
3	818.72	Public Use, except Public Transportation Facility	§ 890.80	P
4	818.74A	Industrial Agriculture	§ 102	P
5	818.74B	Neighborhood Agriculture	§ 102	P
6	818.74C	Large-Scale Urban Agriculture	§ 102	C
7	818.75	Mortuary Establishment	§ 227(e)	NP
8	818.76	General Advertising Sign	§ 607.2(b) & (e)	NP
9	818.77	Internet Services Exchange	§ 209.6(e)	C
10	818.78	Hotel, Tourist if 75 rooms or less	§ 890.46	C
11	818.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility

**SPECIFIC PROVISIONS FOR SSO DISTRICTS**

Article Code Section	Other Code Section	Zoning Controls
§ 818 § 818.03	§ 207(e)(4)	ACCESSORY DWELLING UNITS <b>Boundaries:</b> Within the boundaries of the SLI Mixed Use District. <b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and

		<p><i>meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>
<p><del>§ 818.23</del> <del>§ 890.133</del></p>		<p><i>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SSO District.</i></p>
<p><del>§ 818.33</del></p>	<p>§ 249.35 § 890.113</p>	<p><i>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35 (c)(3).</i></p>

\* \* \* \*

**SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.**

(a) **Description.** Downtown Residential (DTR) Districts are transit-oriented, high-density mixed-use residential neighborhoods in and around downtown. These areas are generally transitioning from a variety of commercial and industrial to residential uses. The intent of this district is to enable a mix of new day and nighttime activities, with an emphasis on encouraging new housing within walking distance or a short transit-ride of downtown, supported by a mix of retail, and neighborhood services to meet the needs of residents and the larger downtown community.

High-density residential uses, including residential towers in select locations, are allowed and encouraged within the limits set by height and bulk controls. Given the district's

1 proximity to downtown, a range of commercial uses is permitted on the lower stories, with  
2 active pedestrian-oriented retail, service, and entertainment uses on the ground floor. Along  
3 special streets, pedestrian-oriented uses are required on the first floor. Ground floor entries to  
4 individual dwelling units are encouraged on streets that will become primarily residential.

5 There is generally no pattern of mid-block open space or of rear yards. While lot  
6 coverage is limited for all levels with residential uses, traditional rear yard open spaces are not  
7 required except in the limited instances where there is an existing pattern of them. Specific  
8 height and bulk controls establish appropriate heights for both towers and mid-rise  
9 development, and ensure adequate spacing between towers and preserve light and air to  
10 streets and open spaces. Setbacks are required where necessary to buffer ground floor  
11 residential uses or to ensure sunlight access to streets and open spaces. To support the  
12 intensification of land uses in these districts, detailed traffic, streetscape and open space  
13 improvements will take place over time.

14 Downtown Residential Districts include all of the individual DTR districts governed this  
15 Code except the Transbay Downtown Residential District (TB-DTR), as set forth in Section  
16 828, is governed by the Transbay Redevelopment Plan and its Development Controls and  
17 Design Guidelines.

18 \* \* \* \*

19 (c) **Use.** A use is the specified purpose for which a property or building is used,  
20 occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted,  
21 conditional, accessory, temporary or are not permitted. If there are two or more uses in a  
22 structure, any use not classified in Section 825(c)(1)(C) below as accessory will be considered  
23 separately as an independent permitted, conditional, temporary or not permitted use.

24 (1) **Permitted Uses.**  
25

1                   (A) **Principal Uses.** All uses are permitted as principal uses as of right  
2 in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not  
3 Permitted in this Section 825 of this Code or any other Section governing an individual DTR  
4 District. Additional requirements and conditions may be placed on particular uses as provided  
5 pursuant to Section 803.5 and other applicable provisions of this Code.

6                   (B) **Conditional Uses.** Conditional uses are permitted in a Downtown  
7 Residential District, when authorized by the Planning Commission; whether a use is  
8 conditional in a given district is indicated in the Section of this Code governing the individual  
9 DTR District. Conditional uses are subject to the applicable provisions set forth in Sections  
10 178, 179, ~~263.11~~, 303, 316, and 803.5 of this Code.

11                   \* \* \* \*

12                   **SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.**

13                   The Mixed Use-General (MUG) District is largely comprised of the low-scale,  
14 production, distribution, and repair uses mixed with housing and small-scale retail. The MUG  
15 is designed to maintain and facilitate the growth and expansion of small-scale light industrial,  
16 wholesale distribution, arts production and performance/exhibition activities, general  
17 commercial and neighborhood-serving retail and personal service activities while protecting  
18 existing housing and encouraging the development of housing at a scale and density  
19 compatible with the existing neighborhood.

20                   Housing is encouraged over ground floor commercial and production, distribution, and  
21 repair uses. New residential or mixed use developments are encouraged to provide as much  
22 mixed-income family housing as possible. Existing group housing and dwelling units would be  
23 protected from demolition or conversion to nonresidential use by requiring conditional use  
24 review. Accessory Dwelling Units are permitted within the district pursuant to subsection  
25 207(c)(4) of this Code.

Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted. Office is restricted to the upper floors of multiple story buildings.

<b>Table 840</b>			
<b>MUG – MIXED USE – GENERAL DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Mixed Use – General District Controls</b>
<b>Building and Siting Standards</b>			
* * * *			
840.01	Height Limit	See Zoning Map, §§ 260-261.1, 263.20	As shown on Sectional Maps 1 and <u>78</u> of the Zoning Map Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20
840.02	Bulk Limit	See Zoning Map §§ 270, 270.1, 270.2	As shown on Sectional Maps 1 and <u>78</u> of the Zoning Map Horizontal mass reduction required, § 270.1 Mid-block alleys required, §270.2
* * * *			
840.04	Setbacks	§§ <u>132.4</u> , 134, 136, 136.2, 144, 145.1	Generally required
* * * *			

1	840.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
2				
3	* * * *			
4	840.11	Usable Open Space for Dwelling Units and Group Housing	§ 135.136.427	80 sq. ft. per unit; 54 sq. ft. per unit if publicly accessible. <u>In the Central SoMa SUD, buildings taller than 160 feet may also pay the in-lieu fee.</u>
5				
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8	840.12	Usable Open Space for Non-Residential	§ 135.3.426	Required; amount varies based on use; may also pay in-lieu fee
9				
10	* * * *			
11	<u>840.15</u>	<u>Street Frontage</u>	<u>§ 145.4</u>	<u>Brannan Street, between 3rd Street</u>
12		<u>Ground Floor</u>		<u>and 4th Street.</u>
13		<u>Commercial</u>		
14	<u>840.16</u>	<u>Vehicular Access</u>	<u>§ 155(r)</u>	<u>Brannan Street, between 2nd Street</u>
15		<u>Restrictions</u>		<u>and 6th Street</u>
16	<u>840.17</u>	<u>Driveway Loading</u>	<u>§ 155(u)</u>	<u>Required in the Central SoMa SUD for</u>
17		<u>and Operations Plan</u>		<u>projects of 100,000 sq. ft. or more.</u>
18	<u>840.18</u>	<u>Large Project</u>	<u>§ 329</u>	<u>Required pursuant to Section 329.</u>
19		<u>Authorization</u>		
20	<u>840.19</u>	<u>Design Guidelines</u>	<u>General Plan</u>	<u>Subject to the Urban Design</u>
21			<u>Commerce and</u>	<u>Guidelines; and, in the Central SoMa</u>
22			<u>Industry Element;</u>	<u>SUD, subject to the Central SoMa</u>
23			<u>Central SoMa</u>	<u>Guide to Urban Design</u>
24			<u>Plan</u>	
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840.20	<u>Lot coverage</u>	<u>§ 249.78</u>	<u>In the Central SoMa SUD, limited to 80 percent at all residential levels, except that on levels in which all residential units face onto a public right-of-way, 100% lot coverage may occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open space.</u>
<b>Residential Uses</b>			
840.210	Dwelling Units	§ 102.7	P
840.224	Group Housing	§ 890.88(b)	P
840.232	SRO Units	§ 890.88(c)	P
840.243	Homeless Shelters	§§ 102, 890.88(d)	P
840.254	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
840.265	Dwelling Unit Mix	§ 207.6	At least 40% of all dwelling units must contain two or more bedrooms or 30%

			of all dwelling units must contain three or more bedrooms.
840.27 <del>6</del>	Affordability Requirements	§ 415	15% onsite/20% off-site
840.28 <del>7</del>	Residential Demolition or Conversion	§ 317	Restrictions apply; see criteria of Section 317
* * * *			
<b>Retail Sales and Services</b>			
840.45	All Retail Sales and Services <i>which that</i> are not listed below	§§ 121.6, 803.9( <i>ig</i> ), 890.104, 890.116	P up to 25,000 gross sq.ft. per lot; above 25,000 gross sq. ft. permitted only if the ratio of other permitted uses to retail is at least 3:1.
* * * *			
<b>Office</b>			
* * * *			
840.65A	Services, Professional; Services Financial; Services Medical	§§ 890.108, 890.110, 890.114	Subject to vertical control of Sec. 803.9( <i>hf</i> ). P on the ground floor when primarily open to the general public on a client-oriented basis.
840.66	All Other Office Uses	§§ 803.9( <i>hf</i> ), 890.70, 890.118	Subject to vertical control of Sec. 803.9( <i>hf</i> )
* * * *			

1 **Other Uses**

2 \* \* \* \*

3 840.96	Open Air Sales	§§ 803.9( <del>ed</del> ), 890.38	P
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6 804.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
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9 \* \* \* \*

11 **SPECIFIC PROVISIONS FOR MUG – MIXED USE-GENERAL DISTRICT**

12 Section		13 Zoning Controls
14 § 840.254	15 § 207(c)(4)	<p>16 ACCESSORY DWELLING UNITS</p> <p>17 <b>Boundaries:</b> Within the boundaries of the MUG –</p> <p>18 Mixed Use-General District.</p> <p>19 <b>Controls:</b> An “Accessory Dwelling Unit,” as defined</p> <p>20 in Section 102 and meeting the requirements of</p> <p>21 Section 207(c)(4) is permitted to be constructed</p> <p>within an existing building in areas that allow</p> <p>residential use or within an existing and authorized</p> <p>auxiliary structure on the same lot.</p>

22 \* \* \* \*

23 **SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.**

1 The Mixed Use-Residential District (MUR) ~~is intended to facilitate the development of high-density,~~  
 2 ~~predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use~~  
 3 ~~service/industrial and housing area west of Sixth Street.~~

4 ~~The MUR serves as a major housing opportunity area within the eastern portion of the South of~~  
 5 ~~Market. The district controls are~~ is intended to facilitate the development of high-density, mid-  
 6 rise housing, including family-sized housing and residential hotels. The district is also  
 7 designed to encourage the expansion of retail, business service and commercial and cultural  
 8 arts activities. Accessory Dwelling Units are permitted within the district pursuant to  
 9 subsection 207(c)(4) of this Code.

10 Continuous ground floor commercial frontage with pedestrian-oriented retail activities  
 11 along major thoroughfares is encouraged. Hotels, nighttime entertainment, adult  
 12 entertainment and heavy industrial uses are not permitted. Office is limited by residential-to-  
 13 non residential ratio in new construction.

14

15 **Table 841**

16 **MUR - MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Mixed Use-Residential District Controls
<b>Building and Siting Standards</b>			
841.01	Height Limit	See Zoning Map, §§ 260-261.1, 263.20	As shown on Sectional Maps <u>1 and 8</u> <del>and 7</del> of the Zoning Map Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20

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1	841.02	Bulk Limit	See Zoning Map. §§ 270, 270.1, 270.2	As shown on Sectional Maps <u>1 and 8</u> <del>and 7</del> of the Zoning Map Horizontal mass reduction required, § 270.1 Mid- block alleys required, § 270.2
5	* * * *			
6	841.04	Setbacks	§§ <u>132.4</u> , 134, 136, 136.2, 144, 145.1	Generally required
10	* * * *			
11	841.09	Residential to non- residential ratio	§ 803. <del>8(d)</del> <u>9(a)</u>	3 sq.ft. of residential for every 1 sq.ft. of other permitted use.
13	* * * *			
14	841.11	Usable Open Space for Dwelling Units and Group Housing	§ <u>135, 136</u> , <u>427</u>	80 sq. ft. per unit; 54 sq.ft. per unit if publicly accessible. <u>In the Central SoMa SUD, buildings taller than 160 feet may also pay the in-lieu fee.</u>
18	841.12	Usable Open Space for Non- Residential	§ <u>135.3, 426</u>	Required; amount varies based on use; may also pay in-lieu fee
21	* * * *			
22	<u>841.15</u>	<u>Street Frontage</u> , <u>Ground Floor</u> <u>Commercial</u>	§ <u>145.4</u>	<u>3rd Street, between Folsom Street and Townsend Street; 4th Street, between Folsom and Townsend Streets; Folsom Street, between 4th Street and 6th Street.</u>

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<u>841.16</u>	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>3rd Street, between Folsom Street and Townsend Street; 4th Street, between Folsom Street and Townsend Street; Folsom Street, between 4th Street and 5th Street.</u>
<u>841.17</u>	<u>Driveway Loading and Operations Plan</u>	<u>§ 155(u)</u>	<u>Required in the Central SoMa SUD for projects of 100,000 sq. ft. or more.</u>
<u>841.18</u>	<u>Large Project Authorization</u>	<u>§ 329</u>	<u>Required pursuant to Section 329.</u>
<u>841.19</u>	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element; Central SoMa Plan</u>	<u>Subject to the Urban Design Guidelines; and, in the Central SoMa SUD, subject to the Central SoMa Guide to Urban Design</u>
<u>841.20</u>	<u>Lot coverage</u>	<u>§ 249.78</u>	<u>In the Central SoMa SUD, limited to 80 percent at all residential levels, except that on levels in which all residential units face onto a public right-of-way, 100% lot coverage may occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block</u>

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			<u>open space for adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open space.</u>
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**Residential Uses**

841.210	Dwelling Units	§ 102.7	P
841.224	Group Housing	§ 890.88(b)	P
841.232	SRO Units	§ 890.88(c)	P
841.243	Homeless Shelters	§§ 102, 890.88(d)	P
841.254	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
841.265	Dwelling Unit Mix	§ 207.6	At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.
841.276	Affordability Requirements	§ 415	Restrictions apply, see Section 415
841.287	Residential Demolition or Conversion	§ 317	Restrictions apply; see criteria of Section 317

\* \* \* \*

**Retail Sales and Services**

\* \* \* \*

1	841.46	Formula Retail	§ <u>102.303</u> , 303.1	<u>In the Central SoMa SUD, NP for</u> <u>Restaurants, Limited Restaurants, and</u> <u>Bars; C for all other Formula Retail Uses.</u> <u>Elsewhere, C for all Formula Retail Uses.</u> If approved, subject to size controls in Section 840.45.
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3 **Other Uses**

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5	841.96	Open Air Sales	§ 803.9( <u>ed</u> ), 890.38	P
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7	841.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <del>803.9(b)</del> ,	P
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9 **SPECIFIC PROVISIONS FOR MUR – RESIDENTIAL DISTRICT**

Section		Zoning Controls
10	§ 841.254	§ 207(c)(4)
11		ACCESSORY DWELLING UNITS <b>Boundaries:</b> Within the boundaries of the MUR – Mixed Use-Residential District. <b>Controls:</b> An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of

		Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.
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**SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.**

The Mixed Use-Office (MUO) ~~runs predominantly along the 2nd Street corridor in the South of Market area.~~ The MUO is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Nighttime entertainment and small tourist hotels are permitted as a conditional use. Large tourist hotels are permitted as a conditional use in certain height districts. Dwelling units and group housing are permitted, while demolition or conversion of existing dwelling units or group housing requires conditional use authorization. Family-sized housing is encouraged. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses. Adult entertainment and heavy industrial uses are not permitted.

Table 842			
MUO- MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use Office District Controls
<b>Building and Siting Standards</b>			
* * * *			
842.06	Parking and Loading Access: Prohibition	§ 155(r)	<u>None.</u> 4th Street between Bryant and Townsend Streets

* * * *			
842.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
842.45	All Retail Sales and Services <i>whiechthat</i> are not listed below	§§ 890.104, 890.116, 803.9(ig), 121.6	P
* * * *			
<b>Other Uses</b>			
* * * *			
842.96	Open Air Sales	§§ 803.9(ed), 890.38	P
* * * *			
842.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, 803.9(b)	P
* * * *			

\* \* \* \*

**SEC. 843. UMU – URBAN MIXED USE DISTRICT.**

The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse,

1 and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime  
 2 entertainment. Housing is also permitted, but is subject to higher affordability requirements.  
 3 Family-sized dwelling units are encouraged. Within the UMU, office uses are restricted to the  
 4 upper floors of multiple story buildings. In considering any new land use not contemplated in  
 5 this District, the Zoning Administrator shall take into account the intent of this District as  
 6 expressed in this Section and in the General Plan. Accessory Dwelling Units are permitted  
 7 within the district pursuant to subsection 207(c)(4) of this Code.

Table 843			
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Urban Mixed Use District Controls
<b>Building and Siting Standards</b>			
* * * *			
843.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
843.45	All Retail Sales and Services <i>which that</i> are not listed below	§§ 890.104, 890.116, 803.9(ig), 121.6	P up to 25,000 gross sq.ft. per lot; above 25,000 gross sq.ft. per lot permitted only if the ratio of other permitted uses to retail is at least 3:1. P up to 3,999 gross sq.ft. per use; C over 4,000 gross sq.ft. per use.
* * * *			

1	843.51	Gyms	§§ 218(d), 803.9( <i>ig</i> )	P up to 3,999 gross sq. ft. per use; C over 4,000 gross sq. ft. per use. Not subject to 3:1 ratio, per Sec. 803.9( <i>ig</i> )
2				
3				
4	* * * *			
5	<b>Office</b>			
6	* * * *			
7	843.65A	Services, Professional; Services Financial; Services Medical	§§ 890.108, 890.110, 890.114	Subject to vertical control of Sec. 803.9( <i>hf</i> ). P on the ground floor when primarily open to the general public on a client-oriented basis.
8				
9				
10				
11	843.66	All <del>O</del> ther Office Uses	§§ 803.9( <i>hf</i> ), 890.70, 890.118	Subject to vertical control of Sec. 803.9( <i>hf</i> )
12				
13				
14				
15	* * * *			
16	<b>Other Uses</b>			
17	* * * *			
18	843.96	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	P
19				
20				
21	* * * *			
22	843.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <del>803.9(b)</del> ,	P
23				
24				
25	* * * *			

1 \* \* \* \*

2 **SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.**

3 The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale,  
4 production, distribution, and repair uses mixed with housing and small-scale retail. The  
5 WMUG is designed to maintain and facilitate the growth and expansion of small-scale light  
6 industrial, wholesale distribution, arts production and performance/exhibition activities, general  
7 commercial and neighborhood-serving retail and personal service activities while protecting  
8 existing housing and encouraging the development of housing at a scale and density  
9 compatible with the existing neighborhood.

10 \* \* \* \*

11 <b>Table 844</b>			
12 <b>WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE</b>			
13 <b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>WSoMa Mixed Use-General District</b>
			<b>Controls</b>
15 * * * *			
16 <b>Other Uses</b>			
17 844.96	Open Air Sales	§§ 803.9( <u>ed</u> ), 18 890.38	P up to 10,000 gsf per lot. NP above.
19 * * * *			
20 844.98	Walk-up Facility, 21 including Automated 22 Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
23 * * * *			

24 \* \* \* \*

25 **SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.**

1 The WSoMa Mixed Use-Office (WMUO) runs predominantly along the Townsend  
 2 Street corridor between 4th Street and 7th Street and on 11th Street, from Harrison Street to  
 3 the north side of Folsom Street. The WMUO is designed to encourage office uses along with  
 4 small-scale light industrial and arts activities. Nighttime entertainment is permitted, although  
 5 limited by buffers around RED and RED-MX districts.

6 \* \* \* \*

7 <b>Table 845</b>			
8 <b>WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE</b>			
9 <b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>WSOMA Mixed Use-Office District Controls</b>
11 <b>BUILDING AND SITING STANDARDS</b>			
12 * * * *			
13 845.09	Residential to non- 14 residential ratio	§ 803.8(e)9(a)	None
15 * * * *			
16 <b>Retail Sales and Services</b>			
17 845.45	All Retail Sales and 18 Services <del>which</del> <i>that</i> are not 19 listed below	§§ 121.6, 803.9(i), 890.104	P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above
20 * * * *			
21 <b>Other Uses</b>			
22 * * * *			
23 845.96	Open Air Sales	§§ 803.9(ed), 24 890.38	P
25 * * * *			

1	845.98	Walk-up Facility, including	<del>§§ 803.9(b),</del>	P
2		Automated Bank Teller	890.140	
3		Machine		
4	* * * *			

5 \* \* \* \*

6 **SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.**

7 The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale  
8 buildings with production, distribution, and repair uses. The district is designed to protect and  
9 facilitate the expansion of existing general commercial, manufacturing, home and business  
10 service, and light industrial activities, with an emphasis on preserving and expanding arts  
11 activities. Nighttime Entertainment is permitted although limited by buffers around RED and  
12 RED-MX districts. Residential Uses, Offices, Hotels, and Adult Entertainment uses are not  
13 permitted. Accessory Dwelling Units are permitted within the district pursuant to subsection  
14 207(c)(4) of this Code.

16 <b>Table 846</b>			
17 <b>SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE</b>			
18 <b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>SALI District Controls</b>
19 <b>BUILDING AND SITING STANDARDS</b>			
20 * * * *			
21 846.09	Residential to non- residential ratio	§ 803.8(e)9(a)	None
22 * * * *			
23 <b>Office</b>			
24 * * * *			
25 * * * *			

1	846.65b	Office Uses Related to the Hall of Justice	§§ 803.9( <del>fe</del> ), 822	P in Special Use District, pursuant to § 803.9( <del>fe</del> )
2				
3	* * * *			
4	<b>Other Uses</b>			
5	* * * *			
6	846.96	Open Air Sales	§§ 803.9( <del>ed</del> ), 890.38	P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above
7				
8				
9	* * * *			
10	846.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b)</del> , 890.140	P
11				
12				
13	* * * *			

\* \* \* \*

**SEC. 847. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

Residential Enclave-Mixed Districts (RED-MX) encompass some of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the Western SoMa area. Many parcels in these residential enclaves are underdeveloped and represent opportunities for new residential and low-intensity commercial uses.

\* \* \* \*

<b>Table 847</b>			
<b>RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Residential Enclave-Mixed Controls</b>

1 \* \* \* \*

2 **Other Uses**

3 847.66	Open Air Sales	§§ 803.9( <i>ed</i> ), 4 890.38	P up to 1,250 gsf per lot; C above; NP above 1 FAR
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6 \* \* \* \*

7 \* \* \* \*

8 **SEC. 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT.**

9 *The Central SoMa Mixed Use-Office (CMUO) extends predominantly between 2nd Street and*  
10 *6th Street in the South of Market area. The CMUO is designed to encourage a mix of residential and*  
11 *non-residential uses, including office, retail, light industrial, arts activities, nighttime entertainment,*  
12 *and tourist hotels.*

13 **Table 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL**

14 **TABLE**

16 **Central SoMa Mixed Use-Office District Controls**

17 <u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
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18 **BUILDING STANDARDS**

19 **Massing and Setbacks**

20 <u>Height and Bulk Limits.</u>	§§ 102, 105, 21 106, 250— 22 252, 260, 23 261.1, 24 263.20, 25 263.30, 270,	<u>Varies. See Height and Bulk Map Sheets</u> <u>HT01 and HT07. Height sculpting</u> <u>required and additional bulk limits</u> <u>pursuant to §270; Non-habitable vertical</u> <u>projections permitted pursuant to</u> <u>§263.20; additional height permissible</u>
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	<u>270.1, 270.2,</u> <u>271. See</u> <u>also Height</u> <u>and Bulk</u> <u>District</u> <u>Maps</u>	<u>pursuant to §263.30; horizontal mass</u> <u>reduction required pursuant to §270.1;</u> <u>and Mid-block alleys required pursuant</u> <u>to §270.2.</u>
<u>5 Foot Height Bonus for Ground Floor</u> <u>Commercial</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Setbacks</u>	<u>§§ 132.4,</u> <u>134, 136,</u> <u>144, 145.1</u>	<u>Generally required. Along 4th Street</u> <u>south of Bryant Street, required by a</u> <u>minimum depth of five feet, from</u> <u>sidewalk grade up to a minimum height</u> <u>of 25 feet.</u>
<u><b>Street Frontage and Public Realm</b></u>		
<u>Streetscape and Pedestrian</u> <u>Improvements</u>	<u>§ 138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required</u>
<u>Street Frontage, Ground Floor</u> <u>Commercial</u>	<u>§ 145.4</u>	<u>2nd Street, on the west side, between</u> <u>Dow Place and Townsend Street; 3rd</u> <u>Street, between Folsom Street and</u> <u>Townsend Street; 4th Street, between</u> <u>Folsom and Townsend Streets; Folsom</u> <u>Street, between 4th and 6th Streets;</u> <u>Brannan Street, between 3rd Street and</u>

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		<u>4th Street; Townsend Street, on the north side, between 2nd Street and 4th Street.</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>3rd Street between Folsom and Townsend Streets; 4th Street between Folsom and Townsend Streets; Folsom Street from 4th Street to 5th Street; Brannan Street from 2nd Street to 6th Street; and Townsend Street from 2nd Street to 6th Street.</u>
<u>Driveway Loading and Operations Plan</u>	<u>§ 155(u)</u>	<u>Required for projects of 100,000 sq. ft. or more.</u>
<u>Miscellaneous</u>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 303</u>	<u>N/A</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>NP</u>
<u>Large Project Authorization</u>	<u>§ 329</u>	<u>Required for new construction greater than 85 feet in height; additions to an existing building with a height of 85 feet or less resulting in a total building height greater than 85 feet; or the net addition or new construction of more than 50,000 gross square feet.</u>
<u>Awning and Canopy</u>	<u>§ 136.1</u>	<u>P</u>

1	<u>Marquee</u>	<u>§ 136.1</u>	<u>NP</u>
2	<u>Signs</u>	<u>§§ 262, 602-</u>	<u>As permitted by § 607.2.</u>
3		<u>604,</u>	
4		<u>607, 607.2,</u>	
5		<u>608, 609</u>	
6	<u>General Advertising Signs</u>	<u>§§ 262,</u>	<u>NP</u>
7		<u>602.7 604,</u>	
8		<u>608, 609,</u>	
9		<u>610, 611</u>	
10	<u>Design Guidelines</u>	<u>General</u>	<u>Subject to the Urban Design Guidelines</u>
11		<u>Plan</u>	<u>and Central SoMa Guide to Urban</u>
12		<u>Commerce</u>	<u>Design.</u>
13		<u>and Industry</u>	
14		<u>Element;</u>	
15		<u>Central</u>	
16		<u>SoMa Plan.</u>	

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS &amp; USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit and Group Housing]</u>	<u>§§ 135, 136, 427</u>	<u>80 sq. ft. per unit; 54 sq. ft. per unit if publicly accessible; buildings taller than 160 feet may also pay in-lieu fee.</u>

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<p><u>Off-Street Parking</u></p>	<p><u>§§ 150, 151.1, 153, 156, 161, 166, 167</u></p>	<p><u>Car parking not required. Limits set forth in §151.1. Bicycle Parking required pursuant to §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more pursuant to §166.</u></p>
<p><u>Dwelling Unit Mix</u></p>	<p><u>§ 207.6</u></p>	<p><u>At least 40% of all dwelling units shall contain two or more bedrooms, 30% of all dwelling units shall contain three or more bedrooms, or 35% of all dwelling units shall contain two or more bedrooms with at least 10% containing three or more bedrooms.</u></p>
<p><u>Lot coverage</u></p>	<p><u>§ 249.78</u></p>	<p><u>Limited to 80 percent at all residential levels, except that on levels in which all residential units face onto a public right-of-way, 100% lot coverage may occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for adjacent buildings, the unbuilt area of the new</u></p>

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		<u>project shall be designed to adjoin that mid-block open space.</u>
<b><u>Use Characteristics</u></b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<b><u>Residential Uses</u></b>		
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 207</u>	<u>No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.</u>
<u>Accessory Dwelling Units</u>	<u>§§ 102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial spaces.</u>

1 2 3	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code, Chapter 20, Article XIII.</u>
4	<u>Loss of Dwelling Units</u>		
5 6	<u>Residential Conversion, Demolition, or Merger</u>	<u>§ 317</u>	<u>C</u>

8	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
9	<b><u>NON-RESIDENTIAL STANDARDS &amp; USES</u></b>		
10	<u>Development Standards</u>		
11	<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>No FAR Limit.</u>
12	<u>Use Size</u>	<u>§ 102</u>	<u>Restrictions on some Retail Sales and Service Uses.(1)</u>
13	<u>Off-Street Parking.</u>	<u>§§ 145.1, 150, 151.1, 153-156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in § 151.1. Bicycle parking required pursuant to § 155.2. Car share spaces required when a project has 25 or more parking spaces pursuant to § 166.</u>
14	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152.1, 153 - 155, 161, 204.5</u>	<u>Pursuant to § 152.1.</u>
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1	<u>Useable Open Space</u>	<u>§§ 135.3,</u>	<u>Required; amount varies based on use;</u>
2		<u>426</u>	<u>may pay in-lieu fee.</u>
3	<b><u>Commercial Use Characteristics</u></b>		
4	<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>
5	<u>Formula Retail</u>	<u>§§ 102, 303,</u>	<u>NP for Restaurants, Limited Restaurants,</u>
6		<u>303.1</u>	<u>and Bars. C for all other Formula Retail</u>
7			<u>Uses.</u>
8	<u>Hours of Operation</u>	<u>§ 102</u>	<u>No Restrictions</u>
9	<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>
10	<u>Open Air Sales</u>	<u>§ 102</u>	<u>P</u>
11	<u>Outdoor Activity Area</u>	<u>§ 102</u>	<u>P</u>
12	<u>Walk-up Facility</u>	<u>§ 102</u>	<u>P</u>
13	<b><u>Agricultural Use Category</u></b>		
14	<u>Agricultural Uses*</u>	<u>§§ 102,</u>	<u>P</u>
15		<u>202.2(c)</u>	
16	<u>Agriculture, Large Scale Urban</u>	<u>§§ 102,</u>	<u>C</u>
17		<u>202.2(c)</u>	
18	<b><u>Automotive Use Category</u></b>		
19	<u>Automotive Uses*</u>	<u>§ 102</u>	<u>P</u>
20	<u>Parking Garage, Private</u>	<u>§ 102</u>	<u>C</u>
21	<u>Parking Garage, Public</u>	<u>§ 102</u>	<u>C</u>
22	<u>Parking Lot, Private</u>	<u>§§ 102, 142,</u>	<u>NP</u>
23		<u>156</u>	
24			
25			

1	<u>Parking Lot, Public</u>	<u>§§ 102, 142,</u>	<u>NP</u>
2		<u>156</u>	
3	<u>Service, Motor Vehicle Tow</u>	<u>§ 102</u>	<u>C</u>
4	<u>Services, Ambulance</u>	<u>§ 102</u>	<u>C</u>
5	<u>Vehicle Storage Garage</u>	<u>§ 102</u>	<u>C</u>
6	<u>Vehicle Storage Lot</u>	<u>§ 102</u>	<u>NP</u>
7	<b><u>Entertainment and Recreation Use Category</u></b>		
8	<b><u>Entertainment and Recreation Uses*</u></b>	<u>§ 102</u>	<u>P</u>
9	<u>Entertainment, Nighttime</u>	<u>§ 102</u>	<u>P(4)</u>
10	<u>Entertainment, Outdoor</u>	<u>§ 102</u>	<u>NP</u>
11	<u>Open Recreation Area</u>	<u>§ 102</u>	<u>NP</u>
12	<u>Sports Stadium</u>	<u>§ 102</u>	<u>NP</u>
13	<b><u>Industrial Use Category</u></b>		
14	<b><u>Industrial Uses*</u></b>	<u>§§ 102,</u>	<u>NP</u>
15		<u>202.2(d)</u>	
16	<u>Food, Fiber and Beverage Processing 1</u>	<u>§§ 102,</u>	<u>P</u>
17		<u>202.2(d)</u>	
18	<u>Manufacturing, Light</u>	<u>§§ 102,</u>	<u>P</u>
19		<u>202.2(d)</u>	
20	<b><u>Institutional Use Category</u></b>		
21	<b><u>Institutional Uses*</u></b>	<u>§ 102</u>	<u>P</u>
22	<u>Hospital</u>	<u>§ 102</u>	<u>C</u>
23	<u>Medical Cannabis Dispensary</u>	<u>§§ 102,</u>	<u>P</u>
24		<u>202.2(e)</u>	
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<b><u>Sales and Service Use Category</u></b>		
<b><u>Retail Sales and Service Uses*</u></b>	<u>§ 102</u>	<u>P(1)</u>
<u>Adult Business</u>	<u>§ 102</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§ 102</u>	<u>P</u>
<u>Bar</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>P(1)(3)</u>
<u>Hotel</u>	<u>§ 102</u>	<u>C(2)</u>
<u>Kennel</u>	<u>§ 102</u>	<u>P</u>
<u>Massage Establishment</u>	<u>§ 102</u>	<u>NP</u>
<u>Mortuary</u>	<u>§ 102</u>	<u>NP</u>
<u>Motel</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>P(1)(3)</u>
<u>Restaurant, Limited</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>P(1)(3)</u>
<u>Storage, Self</u>	<u>§ 102</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§ 102</u>	<u>P</u>
<b><u>Non-Retail Sales and Service</u></b>	<u>§ 102</u>	<u>P</u>
<b><u>Utility and Infrastructure Use Category</u></b>		
<b><u>Utility and Infrastructure*</u></b>	<u>§ 102</u>	<u>P</u>
<u>Internet Service Exchange</u>	<u>§ 102</u>	<u>C</u>
<u>Power Plant</u>	<u>§ 102</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§ 102</u>	<u>NP</u>

<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C(5)</u>
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\* Not Listed Below

(1) P up to 25,000 gross sq. ft. per lot; above 25,000 gross sq. ft. per lot permitted only if the ratio of other permitted uses to retail is at least 3:1.

(2) Not subject to ratio requirements of (1) above, pursuant to § 803.9(g).

(3) Formula Retail NP.

(4) P in the area bounded by bounded by 4th Street, 6th Street, Bryant Street, and Townsend Street; C elsewhere.

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

\* \* \* \*

**SEC. 890.37. ENTERTAINMENT, OTHER.**

In the Chinatown Mixed Use Districts, a retail use, other than adult entertainment, as defined in Section 890.36 of this Code, which provides live entertainment, including dramatic and musical performances, and/or provides amplified taped music for dancing on the premises, including but not limited to Places of Entertainment and Limited Live Performance Locales, as defined in Section 1060 of the Police Code. Other entertainment also includes a bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational activity, but it excludes amusement game arcades, as defined in Section 890.4 of this Code and regulated in Section 1036 of the Police Code. ~~For South of Market Districts, see Section 102.17.~~

\* \* \* \*

**SEC. 890.116. SERVICE, PERSONAL.**

A retail use which provides grooming services to the individual, including salons, cosmetic services, tattoo parlors, and health spas, excluding ~~massage establishments subject to~~

1 ~~Section 218.1 of this Code located within South of Market Districts, or~~ instructional services not  
2 certified by the State Educational Agency, such as art, dance, exercise, martial arts, and  
3 music classes, ~~except that in the South of Market Districts, arts activities falling within Section 102.2~~  
4 ~~shall not be considered personal services.~~

5 \* \* \* \*

6 **SEC. 890.124. TRADE SHOP.**

7 A retail service use which provides custom-crafted goods and/or services for sale  
8 directly to the consumer, reserving some storefront space for display and retail service; if  
9 conducted within an enclosed building having no openings other than fixed windows or exits  
10 required by law located within 50 feet of any R District. A trade shop includes, but is not  
11 limited to:

12 \* \* \* \*

13 (g) ~~Within the South of Market Districts, arts activities falling within Section 102.2 shall not be~~  
14 ~~considered trade shops.~~

15 ~~(h)~~ Within ~~South of Market and~~ Eastern Neighborhoods Mixed Use Districts, this use  
16 shall include the offices of building, plumbing, electrical, painting, masonry, roofing, furnace or  
17 pest control contractors and storage of incidental equipment and supplies used by them, if  
18 located entirely within an enclosed building having no openings other than fixed windows or  
19 exits required by law within 50 feet of an R District. No processing of building materials, such  
20 as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking,  
21 loading and unloading of all vehicles used by the contractor shall be located entirely within the  
22 building containing the use.

23 ~~(i)~~ Within the Chinatown Mixed Use Districts, it does not include any shop which  
24 uses a single machine of more than five horsepower capacity, or a shop in which the  
25 mechanical equipment, together with related floor space used primarily by the operators of

1 such equipment, occupies in the aggregate more than 1/3 of the total Gross Floor Area of  
2 the use. A trade shop is distinct from light manufacturing, as defined in Section 890.54(a) of  
3 this Code.

4  
5 Section 5. This section is uncodified. Applicable provisions of the Planning Code shall  
6 apply to a residential Tower on Block 3786, Lot 035, except as otherwise provided in this  
7 Section. In the event of a conflict between other provisions of the Planning Code and this  
8 Section, this Section shall control. For a residential Tower on Block 3786, Lot 035, the  
9 following controls shall apply, provided the project meets its Inclusionary Housing  
10 requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site:

11 (a) A 5-foot setback is required for the Tower Portion for the entire frontage along  
12 Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest  
13 property line frontage directly opposite the property at Block 3786, Lot 322.

14 (b) The residential Tower may have a horizontal separation of not less than 40 feet  
15 from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322.

16 (c) The maximum Gross Floor Area of any residential Tower floor shall be 12,500  
17 gross square feet.

18 (d) The maximum length of a Residential tower shall be 165 feet.

19  
20 Section 56. Effective Date. This ordinance shall become effective 30 days after  
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
23 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 6Z. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
5 additions, and Board amendment deletions in accordance with the "Note" that appears under  
6 the official title of the ordinance.

7  
8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

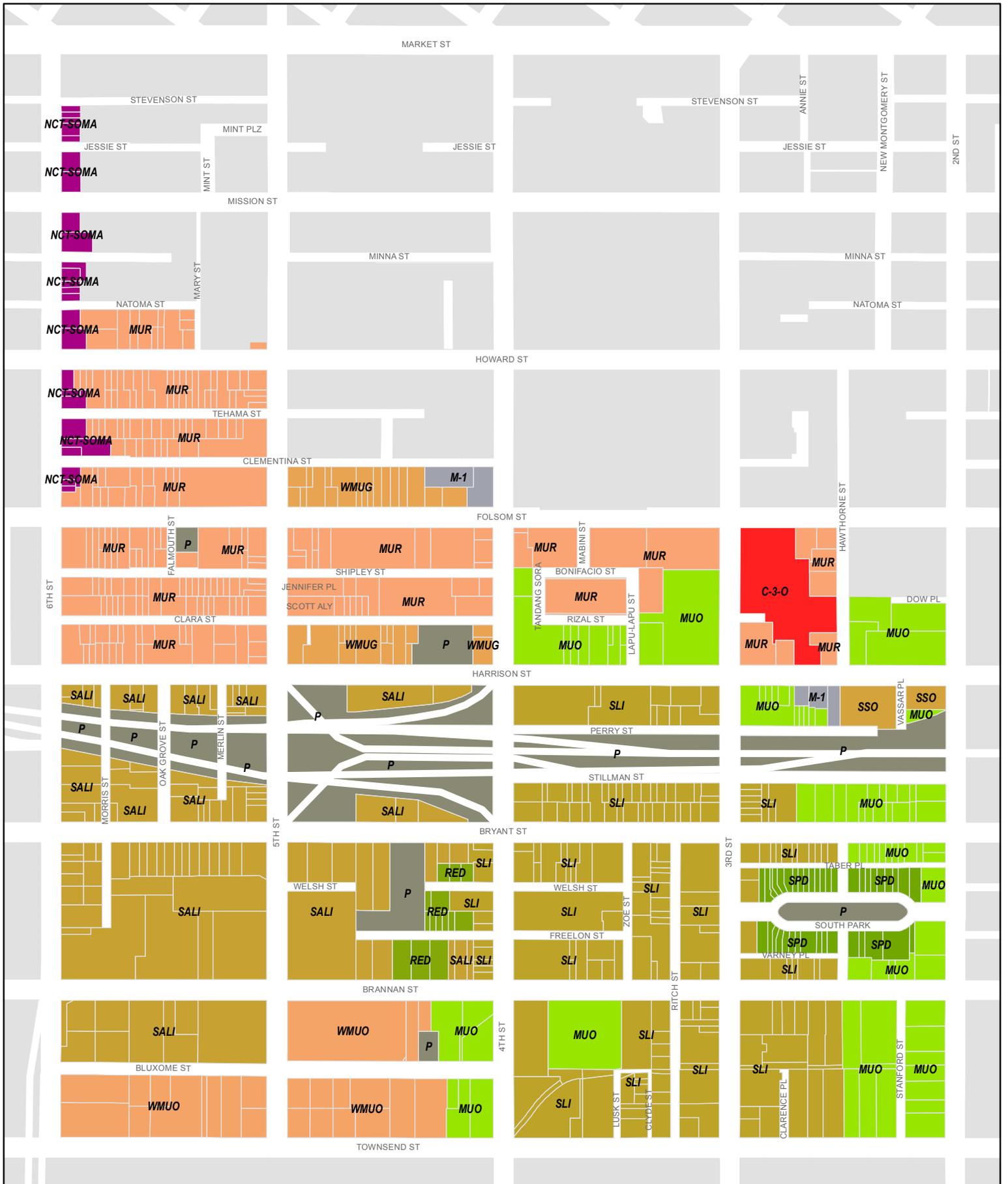
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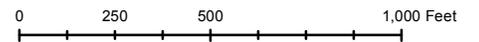
11 PETER R. MILJANICH  
12 Deputy City Attorney

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**EXHIBIT 5:  
ZONING MAP GRAPHICS (AS AMENDED  
ON 7/23/18)**

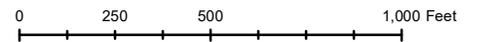


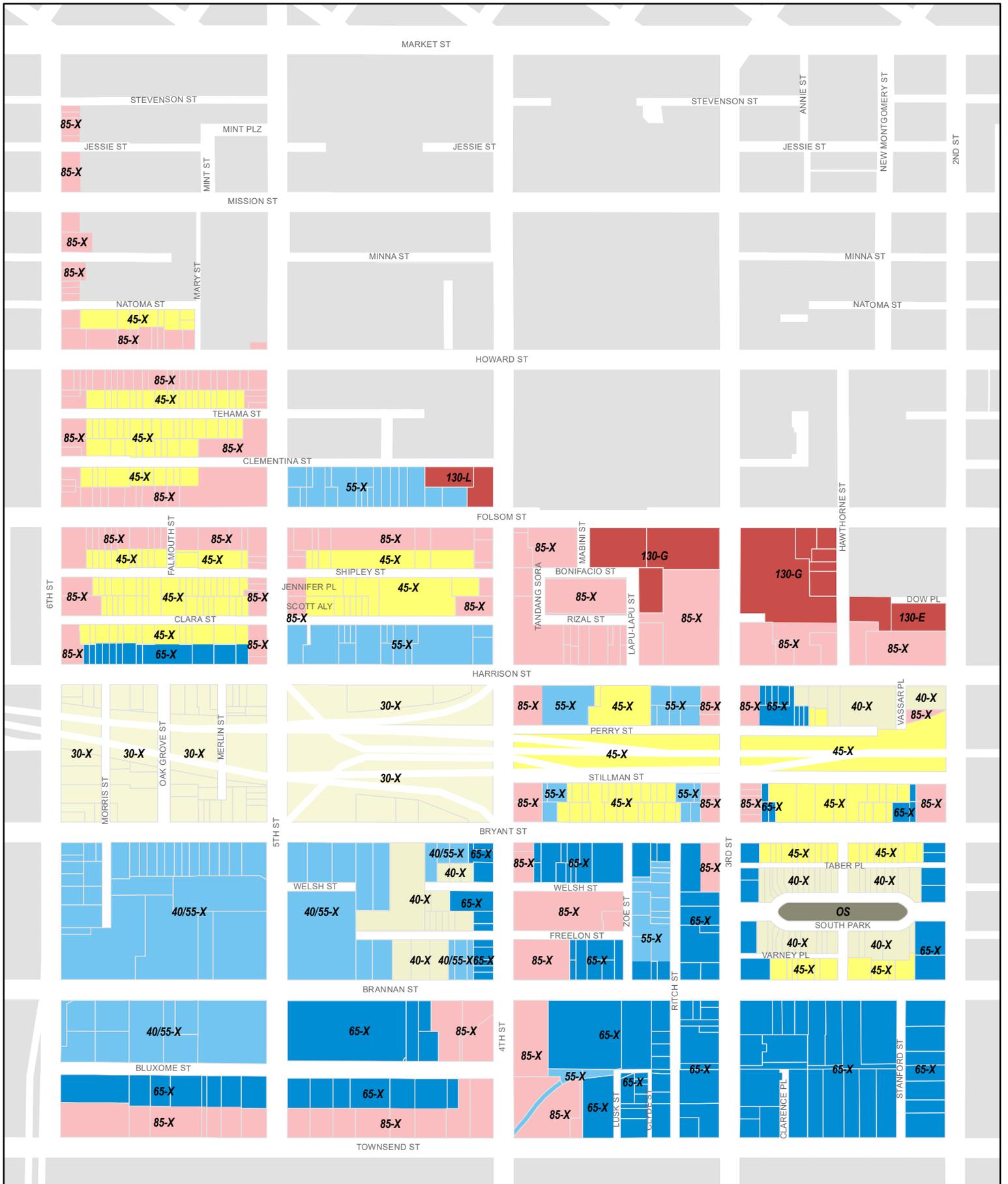
Central SoMa Plan  
 Existing Zoning Districts  
 SAN FRANCISCO



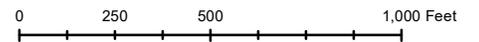


Central SoMa Plan  
 Proposed Zoning Districts (As Amended on 7/23/18)  
 SAN FRANCISCO





**Central SoMa Plan**  
 Existing Height/Bulk Districts  
 SAN FRANCISCO





**EXHIBIT 6:**  
**ZONING MAP DRAFT ORDINANCE (AS**  
**AMENDED ON 7/23/18)**

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

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

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

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

Section 1. Environmental and Planning Code Findings.

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

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

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

11 (c) At the same hearing during which the Planning Commission certified the Final EIR,  
12 the Planning Commission adopted findings under CEQA regarding the Project's  
13 environmental impacts, the disposition of mitigation measures, and project alternatives, as  
14 well as a statement of overriding considerations (CEQA Findings) and adopted a mitigation  
15 monitoring reporting program (MMRP), by Resolution \_\_\_\_\_.

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

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

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

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

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

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

(a) The San Francisco Planning Code is hereby amended by amending Zoning Use District Map ZN01 of the Zoning Map of the City and County of San Francisco, as follows:

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

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

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

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

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

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

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

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

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

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				45 feet from Rizal Street
	173	130-G	OS	
3752	011, 011A	55-X	85-X	
	012, 014-015, 017-018, 026-028, 032-033, 036	55-X	45-X	
	095	55-X	45-X/85-X	85 feet to a depth of 85 feet from Harrison Street
	590-617	55-X	85-X	
3762	001, 032, 121	85-X	130-CS	
	003	55-X/85-X	130-CS	
	011-012, 014, 016-019, 021, 023-024, 040-041, 043, 046, 048-049, 053-055, 124, 126, 139-146	45-X	85-X	
	025	45-X	130-CS	
	026, 036-037, 118	55-X	130-CS	
	058, 119, 122-123	55-X	85-X	
	106	55-X	130-CS-160-CS	
	108-109, 117	55-X	85-X-160-CS	
	112	55-X/85-X	130-CS-160-	160 feet to a

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			CS/160-CS	depth of 250 feet from 4th Street
	113	45-X	130-CS-160-CS	
	116	45-X	85-X-160-CS/130-CS-160-CS	130-160 feet to a depth of 350 feet from 4th Street
3763	001	40-X	350-CS	
	008-009, 017-018, 025, 037	65-X	85-X	
	011-015, 015A, 015B, 015C, 016, 032-034, 119-124	45-X	85-X	
	078-079	45-X	130-CS-350-CS	
	080, 080A, 081	65-X	130-CS-350-CS	
	093-096	65-X	130-CS	
	099-101	40-X	130-CS-350-CS	
	105	40-X	130-CS-200-CS	
	112	45-X	45-X/350-CS	350 to a depth of 175 feet from Harrison Street

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

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

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				way and the linear extension of the southeast edge of the Welsh Street right-of-way
	051	40/55-X	45-X/130-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way
	052	40-X	<u>50</u> 45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 160 feet to a depth of 345 feet from 5th Street
	073-174	40-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
3786	027-028, 036, 039	65-X	130-CS	

	035, 038, 321-322	85-X	250-CS	
	037	65-X	130-CS/200-CS	200 feet to a depth of 310 feet from 5th Street
3787	026, 028, 050	85-X	400-CS	
	144-149	55-X	65-X	
	161-164	55-X	400-CS	

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

Description of Property		Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved	Additional Information for Split Lots
Assessor's Block Number	Lot			
3778	001, 001C, 001D, 001E, 001F	40/55-X	85-X	
	001B, 002B, 004-005	40/55-X	270-CS	
	016	40/55-X	65-X	
	017-019, 022-023, 025-026, 032, 046A,	40/55-X	55-X	

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

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

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<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
<u>Assessor's Block</u>	<u>Lot</u>	<u>District Hereby</u>	<u>District Hereby</u>
		<u>Superseded</u>	<u>Approved</u>
3704	025-026, 049-053	N/A	Central SoMa
3725	007, 014-015, 017-021, 025-026, 029, 031, 033, 035, 060-064, 079, 081, 102-103	N/A	Special Use District
3732	003-005, 008-009, 018, 023-026, 028-033, 035, 040, 044-045, 048, 062, 064, 066-068, 074, 076, 078, 080, 087-090, 090A, 091, 094-097, 099-103, 106-108, 110-112, 114, 117, 119, 122-127, 129-130, 137-140, 143, 145A, 146-147, 149-200, 202-239, 261-265, 271-555, 561-759, 763-764	N/A	
3733	014, 017-020, 020A, 021, 024-026, 028-031, 034, 091-092, 145-158	Western SoMa Special Use District	
	093, 105	N/A	
3750	003, 008-009, 013, 050, 054, 073, 078, 081-082, 086, 089-509, 515-598	N/A	
3751	028-029, 033-034, 053-054, 105, 112, 150, 155, 157-158, 161-162, 165, 167-170, 173, 175-409, 411-415, 420-522	N/A	

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3752	001-003, 008-010, 051-054, 070, 076, 078-081, 083, 107, 109-126, 130-153, 156-392, 394-473, 501-502, 521-589	N/A	
3752	011, 011A, 012, 014-015, 017-018, 026- 028, 032-033, 036, 095, 590-617	Western SoMa Special Use District	
3753	001, 003-005, 006A, 007-010, 021-022, 024-029, 033-034, 037, 041-042, 048- 049, 056-063, 070-072, 075-079, 081- 085, 089-090, 093-101, 106, 113-122, 129-132, 138-139, 141-142, 145-148, 150, 152-165, 169-204, 207-239, 241- 304, 311-318, 328-344, 367-375	N/A	
3760	001-002, 011-014, 016-017, 019-022, 024-026, 026A, 027-028, 035, 055, 059, 071, 081, 100, 105-108, 111-112, 114, 116-117, 119-129, 131, 134-141	Western SoMa Special Use District	
3761	002, 005C, 006-007, 062-064	Western SoMa Special Use District	
3762	001, 003-004, 007-008, 011-012, 014, 016-019, 021, 023-026, 032, 036-037, 040-041, 043, 046, 048-049, 053-055, 058, 106, 108-109, 112-113, 116-119, 121-124, 126-146	N/A	

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3763	001, 006-009, 011-015, 015A, 015B, 015C, 016-025, 032-034, 037, 078-080, 080A, 081, 093-096, 099-101, 105, 112-113, 116, 119-124	N/A	
3775	001-002, 004-005, 008, 012, 015-018, 020-022, 025, 028-030, 032-033, 036, 038-040, 042, 046, 048-049, 053-055, 057-070, 072-073, 075, 078-081, 083-087, 089, 091-096, 099-217, 219-224	N/A	
3776	004-005, 007-008, 011, 015, 019-021, 024-025, 032, 034, 038-044, 049, 062, 077, 080, 093-094, 098-101, 105-106, 113-115, 117-118, 120-148, 151, 153-475	N/A	
3777	001-003, 017, 019-020, 030-034	N/A	
3777	005, 007, 009, 011, 013, 023-029, 035-037, 042, 044-045, 047-052, 054-070, 073-174	Western SoMa Special Use District	
3786	027-028, 036-037, 039	Western SoMa Special Use District	
3786	035, 038, 321-322	N/A	
3787	001-005, 007-008, 012-019, 021-024, 026, 028, 031, 033, 036-037, 040, 040A, 044, 048-050, 052-139, 144-149,	N/A	

	151-159, 161-164, 166-218, 241-246		
3788	002, 006, 008-009, 009A, 010, 012-015, 020-024, 024A, 037-039, 041-045, 049- 085, 088-107, 110-113, 131-226	N/A	

(f) The San Francisco Planning Code is hereby amended by amending Special Use District Map SU08 of the Zoning Map of the City and County of San Francisco, as follows:

<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
<u>Assessor's Block</u>	<u>Lot</u>	<u>District Hereby Superseded</u>	<u>District Hereby Approved</u>
3778	001, 001B, 001C, 001D, 001E, 001F, 002B, 004-005, 016-019, 022-023, 025- 026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, 047-048, 051-087	Western SoMa Special Use District	Central SoMa Special Use District
3785	002, 002A, 003-004, 004A, 004B, 005, 009, 016-018, 022-024, 030-132, 135, 137-313	Western SoMa Special Use District	
3786	014, 014B, 015-016, 018, 019A, 043- 102, 161-262,	Western SoMa Special Use District	

3786	020, 104-160, 263-307	N/A	
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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By:   
\_\_\_\_\_  
PETER R. MILJANICH  
Deputy City Attorney

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**EXHIBIT 7:**  
**UPDATES TO PUBLIC BENEFITS**  
**PROGRAM (AS AMENDED ON 7/23/18)**

**7/23 Land Use & Transportation Committee Amendments**

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: SUMMARY (IN 2017 DOLLARS)**

BENEFIT	TOTAL REVENUES	CATEGORY ALLOCATION (%)
<b>Affordable Housing</b>	<b>\$940,000,000</b>	<b>44%</b>
38% of new/rehabilitated housing is Below-Market Rate (BMR) (35% low/moderate income and 3% middle income)	\$940,000,000	44%
<b>Transit</b>	<b>\$500,000,000</b>	<b>23%</b>
Local transit improvements to enhance convenience and safety	\$340,000,000	16%
Regional transit capacity enhancement and expansion	\$160,000,000	7%
<b>Parks &amp; Recreation</b>	<b>\$185,000,000</b>	<b>9%</b>
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000	1%
Victoria Manalo Draves Park Programming	\$5,000,000	0%
New 1-acre park in Southwest portion of Plan Area	\$35,000,000	2%
New public recreation center*	\$10,000,000	0%
Park and greenery maintenance and activation	\$15,000,000	1%
New large (2+ acre) SoMa park (initial site identification)*	\$5,000,000	0%
New Bluxome linear park*	\$5,000,000	0%
New under-freeway public recreation area	\$5,000,000	0%
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000	4%
<i>(Alternative project: 7th &amp; Mission Park)</i>	<i>(\$20,000,000)</i>	<i>(1%)</i>
<b>Production, Distribution, &amp; Repair</b>	<b>\$180,000,000</b>	<b>8%</b>
Preservation and creation of PDR space to ensure no net loss due to the Plan	\$180,000,000	8%
<b>Complete Streets</b>	<b>\$110,000,000</b>	<b>5%</b>
Redesign of all major streets in the Plan Area to be safe and comfortable for people walking, biking, and on transit.	\$110,000,000	5%
<b>Cultural Preservation &amp; Community Services</b>	<b>\$11409,000,000</b>	<b>5%</b>
Restoration of the US Mint Building	<del>\$1520</del> ,000,000	1%
Preservation and maintenance of historic buildings	\$20,000,000	1%
New community facilities (e.g. health care clinics and job training centers)	\$20,000,000	1%
Social and cultural programming	\$25,000,000	1%
Capital for cultural amenities (e.g. Yerba Buena Gardens)	\$15,000,000	1%
<a href="#">PDR Relocation Assistance Fund</a>	<a href="#">\$10,000,000</a>	<a href="#">0%</a>
Neighborhood cleaning	\$9,000,000	0%
<b>Environmental Sustainability &amp; Resilience</b>	<b>\$6570,000,000</b>	<b>3%</b>
Enhanced stormwater management in complete street projects	<del>\$2832</del> ,000,000	1%
Freeway corridor air quality and greening improvements	\$22,000,000	1%
Living Roofs enhanced requirements	\$6,000,000	0%
Other energy and water efficiency projects	<del>\$910</del> ,000,000	0%
<b>Schools &amp; Childcare</b>	<b>\$64,000,000</b>	<b>3%</b>
New childcare centers	\$26,000,000	1%
Capital investments in schools serving K-12 population	\$32,000,000	1%
Bessie Carmichael supplemental services	\$6,000,000	0%
<b>TOTAL</b>	<b>\$2,160,000,000</b>	<b>100%</b>

\* If funds for these Parks & Recreation projects are provided by other sources (such as contributions from new development) or if revenues exceed the projected amounts, funding could be allocated to the "Alternative" project listed here.

**NOTE:** Over the course of Plan build out (roughly 25 years), the City expects to allocate funds among the public benefit categories in the amounts listed (or proportionally according to the category allocation percentages listed, should the final amount of revenues differ from what is shown here). However, the sequence of fund disbursement will be determined based on a variety of factors, including project readiness, community priorities, completion of any additional required environmental review, and other funding opportunities. The list of specific projects is subject to change and is not legally binding.

7/23 Land Use & Transportation Committee Amendments

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: DETAILED FUNDING SOURCES & USES (IN 2017 DOLLARS)**

PUBLIC BENEFIT	DIRECT PROVISION BY NEW DEVELOPMENT	CENTRAL SOMA COMMUNITY FACILITIES DISTRICT (CFD)	EASTERN NEIGHORHOODS INFRASTRUCTURE FEE (\$423)	TRANSPORTATION SUSTAINABILITY FEE (\$41A)	JOBS-HOUSING LINKAGE FEE (\$413)	AFFORDABLE HOUSING FEE (\$415)	CENTRAL SOMA INFRASTRUCTURE FEE (\$428.2)	SCHOOL IMPACT FEE (CA ED. CODE §17620)	CHILD CARE FEE (§414 AND 414(A))	CENTRAL SOMA COMMUNITY FACILITIES FEE (\$428.1)	TOTAL (BY CATEGORY)	% SHARE
AFFORDABLE HOUSING	\$550,000,000				\$210,000,000	\$180,000,000					\$940,000,000	44%
TRANSIT		\$160,000,000	\$90,000,000	\$210,000,000			\$40,000,000				\$500,000,000	23%
PARKS & RECREATION	\$80,000,000	\$45,000,000	\$60,000,000								\$185,000,000	9%
PRODUCTION, DISTRIBUTION, & REPAIR (PDR)	\$180,000,000										\$180,000,000	8%
COMPLETE STREETS		\$10,000,000	\$90,000,000	\$10,000,000							\$110,000,000	5%
CULTURAL PRESERVATION & COMMUNITY SERVICES	\$20,000,000	\$7469,000,000								\$20,000,000	\$11409,000,000	5%
ENVIRONMENTAL SUSTAINABILITY	\$6,000,000	\$5964,000,000									\$6570,000,000	3%
SCHOOLS & CHILDCARE		\$6,000,000						\$26,000,000	\$32,000,000		\$64,000,000	3%
<b>TOTAL (BY SOURCE)</b>	<b>\$836,000,000</b>	<b>\$354,000,000</b>	<b>\$240,000,000</b>	<b>\$220,000,000</b>	<b>\$210,000,000</b>	<b>\$180,000,000</b>	<b>\$40,000,000</b>	<b>\$26,000,000</b>	<b>\$32,000,000</b>	<b>\$20,000,000</b>	<b>\$2,160,000,000</b>	<b>100%</b>

**EXHIBIT 8:**  
**HOUSING SUSTAINABILITY DISTRICT**  
**DRAFT ORDINANCE (AS AMENDED ON**  
**7/23/18)**

1 [Business and Tax Regulations, Planning Codes - Central South of Market Housing  
2 Sustainability District]

3 **Ordinance amending the Business and Tax Regulations and Planning Codes to create**  
4 **the Central South of Market Housing Sustainability District (encompassing an area**  
5 **generally bounded on its western portion by Sixth Street, on its eastern portion by**  
6 **Second Street, on its northern portion by the border of the Downtown Plan Area (an**  
7 **irregular border that generally tracks Folsom, Howard, or Stevenson Streets), and on**  
8 **its southern portion by Townsend Street) to provide a streamlined and ministerial**  
9 **approval process for certain housing projects within the District meeting specific labor,**  
10 **on-site affordability, and other requirements; creating an expedited Board of Appeals**  
11 **process for appeals of projects within the District; and making approval findings under**  
12 **the California Environmental Quality Act, findings of public convenience, necessity,**  
13 **and welfare under Planning Code, Section 302, and findings of consistency with the**  
14 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

23 Section 1. Environmental and Planning Code Findings.

24 (a) On \_\_\_\_\_, 2018 after a duly noticed public hearing, the Planning  
25 Commission certified the Final Environmental Impact Report (EIR) for the proposed Central  
SoMa Area Plan (the Project) by Motion No. \_\_\_\_\_, finding the Final EIR reflects

1 the independent judgment and analysis of the City and County of San Francisco, is adequate,  
2 accurate and objective, and contains no significant revisions to the Draft EIR, and the content  
3 of the report and the procedures through which the Final EIR was prepared, publicized, and  
4 reviewed comply with the provisions of the California Environmental Quality Act (CEQA)  
5 (Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs.  
6 Sections 15000 et seq.) and Chapter 31 of the Administrative Code. Copies of the Planning  
7 Commission Motion and Final EIR are on file with the Clerk of the Board of Supervisors in File  
8 No. \_\_\_\_\_ and are incorporated herein by reference.

9 (b) The Project evaluated in the Final EIR includes proposed amendments to the  
10 Planning Code, Administrative Code, and Zoning Map, as well as amendments to the General  
11 Plan to adopt the Central South of Market ("Central SoMa") Area Plan and other related  
12 amendments. The proposed Planning Code amendments and Business and Tax Regulations  
13 Code amendments set forth in this ordinance are within the scope of the Project evaluated in  
14 the Final EIR.

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

20 (d) At the same hearing, the Planning Commission, in Resolution No. \_\_\_\_\_,  
21 recommended the proposed Planning Code amendments for approval and adopted findings  
22 that the actions contemplated in this ordinance creating the Central South of Market Housing  
23 Sustainability District are consistent, on balance, with the City's General Plan and eight  
24 priority policies of Planning Code Section 101.1. The Board adopts these findings as its own.  
25

1 A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No.  
2 \_\_\_\_\_, and is incorporated herein by reference.

3 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the  
4 Planning Code amendments and Business and Tax Regulations Code amendments will serve  
5 the public necessity, convenience, and welfare for the reasons set forth in Planning  
6 Commission Resolution No. \_\_\_\_\_, and the Board incorporates such reasons herein  
7 by reference.

8 (f) The Board of Supervisors has reviewed and considered the Final EIR and the  
9 environmental documents on file referred to herein. The Board of Supervisors has reviewed  
10 and considered the CEQA Findings, and hereby adopts them as its own and incorporates  
11 them by reference as though such findings were fully set forth herein.

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

16 (h) The Board of Supervisors finds that no substantial changes have occurred in the  
17 proposed Project that would require revisions in the Final EIR due to the involvement of new  
18 significant environmental effects or a substantial increase in the severity of previously  
19 identified significant effects; no substantial changes have occurred with respect to the  
20 circumstances under which the proposed Project is to be undertaken that would require major  
21 revisions to the Final EIR due to the involvement of new environmental effects or a substantial  
22 increase in the severity of effects identified in the Final EIR, and no new information of  
23 substantial importance to the proposed Project has become available that indicates that (1)  
24 the Project will have significant effects not discussed in the Final EIR, (2) significant  
25 environmental effects will be substantially more severe, (3) mitigation measures or

1 alternatives found not feasible that would reduce one or more significant effects have become  
2 feasible or (4) mitigation measures or alternatives that are considerably different from those in  
3 the Final EIR would substantially reduce one or more significant effects on the environment.  
4

5 Section 2. The Business and Tax Regulations Code is hereby amended by revising  
6 Sections 8 and 26, to read as follows:  
7

8 **SEC. 8. METHOD OF APPEAL TO THE BOARD OF APPEALS.**

9 (a) Except for variance decisions and permits issued by the Entertainment Commission  
10 or its Director, and as otherwise specified in this Section 8, appeals to the Board of Appeals shall  
11 be taken within 15 days from the making or entry of the order or decision from which the  
12 appeal is taken. Appeals of variance decisions shall be taken within 10 days.

13 (b) Appeals to the Board of Appeals of permit decisions made pursuant to Planning Code  
14 Section 343 shall be taken within 10 days of the permit decision. This subsection (b) shall expire on the  
15 Sunset Date of Planning Code Section 343, as defined in that Section. Upon the expiration of this  
16 subsection, the City Attorney shall cause this subsection to be removed from the Business and Tax  
17 Regulations Code.

18 (c) Appeals of actions taken by the Entertainment Commission or its Director on the  
19 granting, denial, amendment, suspension, or revocation of a permit, or on denial of exceptions  
20 from regulations for an Extended-Hours Premises Permit, shall be taken within 10 days from  
21 the making of the decision. Nothing in this Section 8 is intended to require an appeal to the  
22 Board of Appeals if any provision of Article 15, Article 15.1 (Entertainment Regulations Permit  
23 and License Provisions), or Article 15.2 (Entertainment Regulations for Extended-Hours  
24 Premises) of the Police Code governing these permits otherwise provides.  
25

1            (d) Appeals shall be taken by filing a notice of appeal with the Board of Appeals and  
2 paying to said Board at such time a filing fee as follows:

3            (a1) **Zoning Administrator, Planning Department, Director of Planning,**  
4 **and Planning Commission.**

5            (1A) For each appeal from the Zoning Administrator's variance decision,  
6 the fee shall be \$600.

7            (2B) For each appeal from any order, requirement, decision, or other  
8 determination (other than a variance) made by the Zoning Administrator, the Planning  
9 Department or Commission or the Director of Planning, including an appeal from disapproval  
10 of a permit which results from such an action, the fee shall be \$600.

11            (b2) **Department of Building Inspection.**

12            (1A) For each appeal from a Department of Building Inspection denial,  
13 conditional approval, or granting of a residential hotel or apartment conversion permit, the fee  
14 shall be \$525.

15            (2B) For each appeal from the granting or denial of a building demolition,  
16 or other permit (other than residential hotel conversion), the fee shall be \$175.

17            (3C) For each appeal from the imposition of a penalty only, the fee shall  
18 be \$300.

19            (e3) **Police Department and Entertainment Commission.**

20            (1A) For each appeal from the denial or granting of a permit or license  
21 issued by the Police Department, Entertainment Commission, or the Director of the  
22 Entertainment Commission, to the owner or operator of a business, the fee shall be \$375; for  
23 each such permit or license issued to an individual employed by or working under contract to  
24 a business, the fee shall be \$150.

1                   (2B) For each appeal from the revocation or suspension of a permit or  
2 license by the Police Department, Entertainment Commission, or the Director of the  
3 Entertainment Commission, the fee shall be \$375 for an entity or individual.

4                   (d4) **Department of Public Works.** For each appeal from the decision of the  
5 Director of the Department of Public Works concerning street tree removal by a City agency,  
6 commission, or department, the fee shall be \$100.

7                   (e5) For each appeal from any other order or decision, the fee shall be \$300.

8                   (f6) For requests for rehearing under Section 16 of this Article 1, the fee shall  
9 be \$150.

10                  (g7) For requests for jurisdiction, the fee shall be \$150.

11                  (h8) An exemption from paying the full fee specified in ~~§~~subsections (d)(1)  
12 ~~through (7)(a), (b), (c), (d), (e), (f), and (g)~~ herein may be granted upon the filing under penalty of  
13 perjury of a declaration of indigency on the form provided and approved by the Board. All  
14 agencies of the City and County of San Francisco are exempted from these fees.

15                  (i9) **Additional Requirements.**

16                  (1A) Notice of appeal shall be in such form as may be provided by the  
17 rules of the Board of Appeals.

18                  (2B) On the filing of any appeal, the Board of Appeals shall notify in  
19 writing the department, board, commission, officer or other person from whose action the  
20 appeal is taken of such appeal. On the filing of any appeal concerning a structural addition to  
21 an existing building, the Board of Appeals shall additionally notify in writing the property  
22 owners of buildings immediately adjacent to the subject building.

23                  (3C) Except as otherwise specified in this subsection (d)(9)(C), ~~t~~The Board of  
24 Appeals shall fix the time and place of hearing, which shall be not less than 10 nor more than  
25

1 45 days after the filing of said appeal, and shall act thereon not later than 60 days after such  
2 filing or a reasonable time thereafter.

3 (i) In the case of a permit issued by the Entertainment  
4 Commission or its Director, the Board of Appeals shall set the hearing not less than 15 days  
5 after the filing of said appeal, shall act thereon not more than 30 days after such filing, and  
6 shall not entertain a motion for rehearing.

7 (ii) In the case of a decision on a permit application made pursuant to  
8 Planning Code Section 343, the Board of Appeals shall set the hearing not less than 10 days after the  
9 filing of said appeal, shall act thereon not more than 30 days after such filing, and shall not entertain a  
10 motion for rehearing. This subsection (d)(9)(C)(ii) shall expire on the Sunset Date of Planning Code  
11 Section 343, as defined in that Section. Upon the expiration of this subsection, the City Attorney shall  
12 cause this subsection to be removed from the Business and Tax Regulations Code.

13 (4D) With respect to any decision of the Board of Appeals related to any  
14 "dwelling" in which "protected class members" are likely to reside (each as defined in  
15 Administrative Code Chapter 87), the Board of Appeals shall comply with the requirements of  
16 Administrative Code Chapter 87 which requires, among other things, that the Board of  
17 Appeals not base any decision regarding the development of such units on information which  
18 may be discriminatory to any member of a "protected class."

19 (5E) Pending decision by the Board of Appeals, the action of such  
20 department, board, commission, officer or other person from which an appeal is taken, shall  
21 be suspended, except for: (i) actions of revocation or suspension of permit by the Director of  
22 Public Health when determined by the Director to be an extreme public health hazard; (ii)  
23 actions by the Zoning Administrator or Director of the Department of Building Inspection  
24 stopping work under or suspending an issued permit; (iii) actions of suspension or revocation  
25 by the Entertainment Commission or the Director of the Entertainment Commission when the

1 suspending or revoking authority determines that ongoing operation of the activity during the  
2 appeal to the Board of Appeals would pose a serious threat to public safety; and (iv) actions of  
3 the Director of the Office of Cannabis awarding a Temporary Cannabis Business Permit.  
4

5 **SEC. 26. FACTS TO BE CONSIDERED BY DEPARTMENTS.**

6 (a) Subject to ~~§~~subsection (b)-~~below~~, in the granting or denying of any permit, or the  
7 revoking or the refusing to revoke any permit, the granting or revoking power may take into  
8 consideration the effect of the proposed business or calling upon surrounding property and  
9 upon its residents, and inhabitants thereof; and in granting or denying said permit, or revoking  
10 or refusing to revoke a permit, may exercise its sound discretion as to whether said permit  
11 should be granted, transferred, denied, or revoked.

12 \* \* \* \*

13 (e) Notwithstanding subsection (a), the provisions of Planning Code Section 343 shall govern  
14 actions taken on the granting, denial, amendment, suspension, and revocation of permits regulated  
15 under that Section 343, not the standards set forth in subsection (a) of this Section 26. This subsection  
16 (e) shall become operative upon receipt of preliminary approval of Planning Code Section 343 by the  
17 California Department of Housing and Community Development under California Government Code  
18 Section 66202. This subsection shall expire by the operation of law in accordance with the provisions  
19 of Planning Code Section 343(k). Upon its expiration, the City Attorney shall cause this subsection to  
20 be removed from the Business and Tax Regulations Code.

21  
22  
23 Section 3. The Planning Code is hereby amended by adding Section 343, to read as  
24 follows:

25 **SEC. 343. CENTRAL SOMA HOUSING SUSTAINABILITY DISTRICT.**

1           (a) Purpose. This Section 343 establishes a Housing Sustainability District within the Central  
2 SoMa Plan Area (“Central SoMa Housing Sustainability District” or “Central SoMa HSD”) under  
3 California Government Code Sections 66200 et seq. The purpose of the Central SoMa Housing  
4 Sustainability District is to encourage the provision of on-site affordable housing in new residential  
5 and mixed-use projects in Central SoMa by providing a streamlined, ministerial approval process for  
6 such projects. The Central SoMa Plan anticipates that 33% of all new residential units produced  
7 within the Plan Area will be permanently affordable to households of very low, low, or moderate  
8 income. This Section 343 sets forth eligibility criteria, design review standards, and entitlement and  
9 approval procedures for projects seeking approval pursuant to the requirements of the Central SoMa  
10 Housing Sustainability District.

11           (b) Geography. The Central SoMa Housing Sustainability District shall include all parcels  
12 within the Central SoMa Special Use District, which is defined in Section 249.78(b). The entirety of the  
13 Central SoMa Special Use District is an “eligible location,” as that term is defined in California  
14 Government Code Section 66200(e).

15           (c) Relationship to Other Planning Code Provisions. Except as otherwise provided in this  
16 Section 343, all provisions of the Planning Code, including Section 249.78, that would be applicable to  
17 projects approved pursuant to this Section 343 shall apply to such projects. In the event of a conflict  
18 between other provisions of the Planning Code and this Section, this Section shall control.

19           (d) Eligibility. Projects seeking approval pursuant to this Section 343 shall meet all of the  
20 following requirements:

21           (1) The project is located in a zoning district that principally permits residential uses.

22           (2) The project proposes no less than 50 dwelling units per acre, and no more than 750  
23 dwelling units per acre.

24           (3) A majority of the project’s gross square footage is designated for residential uses.

25 All non-residential uses must be principally permitted in the underlying zoning district and any

1 applicable special use district(s), and may not include greater than 24,999 gross square feet of office  
2 space that would be subject to the annual limit on office development set forth in Sections 321 et seq.

3 (4) The project does not exceed a height of 160 feet, except that any project whose  
4 principal use is housing, where all such housing is restricted for a minimum of 55 years as affordable  
5 for "persons and families of low or moderate income," as defined in California Health & Safety Code  
6 Section 50093, shall be deemed to satisfy this subsection (c)(4) regardless of height.

7 (5) If the project sponsor seeks a density bonus pursuant to California Government  
8 Code Section 65915 et seq., the project sponsor demonstrates to the satisfaction of the Planning  
9 Department that the project would not result in a significant shadow impact.

10 (6) The project is not located on a lot containing a structure listed as a designated  
11 landmark pursuant to Article 10 of the Planning Code or a contributory or significant structure  
12 pursuant to Article 11 of the Planning Code.

13 (7) The project provides no less than 10% of its dwelling units as units affordable  
14 to very low or low income families, using one of complies with the following methods affordability  
15 requirements, as applicable:

16 (A) For ~~p~~Projects subject to Section 415, by electing to shall comply with  
17 Section 415 by choosing the On-Site Affordable Housing Alternative under Sections ~~415.5(g)(1)(A) or~~  
18 415.5(g)(1)(D); ~~or,~~ and shall provide no less than 10% of dwelling units as units affordable to  
19 very low or low income families.

20 (B) For ~~p~~Projects not subject to Section 415 shall provide no less than 10%  
21 of dwelling units as units affordable to very low or low income families, by entering into a  
22 regulatory agreement with the City that contains the terms specified in Section 206.6(f).

23 (8) The project does not demolish, remove, or convert to another use any existing  
24 dwelling unit(s).

1                   (9) The project complies with all applicable zoning and any adopted design review  
2 standards.

3                   (10) The project sponsor complies with all Mitigation Measures in the Central SoMa  
4 Environmental Impact Report (Central SoMa EIR) that the Planning Department determines are  
5 applicable to the project.

6                   (11) The project sponsor certifies that the project will comply with all applicable  
7 requirements of California Government Code Section 66201(f)(4).

8                   (12) The project shall comply with Government Code Section 66201(f)(5).

9                   (13) A project is not deemed to be for residential use if it is infeasible for actual use as  
10 a single or multifamily residence.

11                   (e) Approving Authority. The Planning Department is the approving authority designated to  
12 review permit applications for compliance with this Section 343.

13                   (f) Application.

14                   (1) Prior to submittal of an application for required approvals from the Planning  
15 Department, a project sponsor seeking to apply pursuant to this Section 343 shall submit an  
16 application for a preliminary project assessment (PPA), pursuant to Planning Department procedures.

17                   (2) In addition to any requirements under other provisions of this Code for submittal of  
18 application materials, an application under this Section 343 shall be submitted to the Department on a  
19 form prescribed by the Department and shall include at minimum the following materials:

20                   (A) A full plan set, including site plan, elevations, sections, and floor plans,  
21 showing total number of units, and number of and location of units affordable to very low or low  
22 income households;

23                   (B) All documentation required by the Department in its response to the project  
24 sponsor's previously-submitted PPA application;

25                   (C) Documentation sufficient to support determinations that:

1 (i) the project meets all applicable zoning and any adopted design  
2 review standards;

3 (ii) the project sponsor will implement any and all Mitigation Measures  
4 in the Central SoMa EIR that the Planning Department determines are applicable to the project,  
5 including but not limited to the following:

6 a. An agreement to implement any and all Mitigation Measures  
7 in the Central SoMa EIR that the Planning Department determines are applicable to the project; and

8 b. Scope(s) of work for any studies required as part of any and all  
9 Mitigation Measures in the Central SoMa EIR that the Planning Department determines are applicable  
10 to the project. An application pursuant to this Section 343 shall not be deemed complete until such  
11 studies are completed to the satisfaction of the Environmental Review Officer.

12 (iii) the project sponsor will comply with subsections (d)(10) and (d)(11)  
13 of this Section 343.

14 (g) **Decision and Hearing.** The Department shall exercise ministerial approval of projects that  
15 meet all the requirements in this Section 343. Section 329 of this Code shall not apply to projects that  
16 are approved pursuant to this Section 343.

17 (1) **Hearing.** The Planning Department shall conduct an informational public hearing  
18 for all projects that are subject to this Section 343 within 100 days of receipt of a complete application,  
19 as defined in subsection (f).

20 (2) **Decision.** Within 120 days of receipt of a complete application, as defined in  
21 subsection (f), the Planning Director or the Director's designee shall issue a written decision  
22 approving, disapproving, or approving subject to conditions, the project. The applicant and the  
23 Department may mutually agree to extend this 120-day period. If no written decision is issued within  
24 120 days of the Department's receipt of a complete application, or within the period mutually agreed  
25 upon by the Department and applicant, the project shall be deemed approved. The Planning Director

1 or the Director's designee shall include any certifications required by California Government Code  
2 Section 66205(e) in a copy of the written decision.

3 (3) **Grounds for Permit Denial.** The Department may deny a Central SoMa HSD  
4 project application only for one or more of the following reasons:

5 (A) The proposed project does not fully comply with this Section 343, including  
6 but not limited to meeting all adopted design review standards and demonstrating compliance with all  
7 applicable Mitigation Measures in the Central SoMa EIR that the Department determines are  
8 applicable to the project.

9 (B) The project sponsor has not submitted all of the information or paid any  
10 application fee required by this Section 343 and necessary for an adequate and timely design review or  
11 assessment of potential impacts on neighboring properties.

12 (C) The Department determines, based upon substantial evidence in light of the  
13 whole record of the public hearing on the project, that a physical condition on the site of development  
14 that was not known and could not have been discovered with reasonable investigation at the time the  
15 application was submitted would have a specific adverse impact upon the public health or safety and  
16 that there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. As used  
17 in this subsection (g)(3)(C), "specific adverse impact" means a significant, quantifiable, direct, and  
18 unavoidable impact based on identified objective written public health or safety standards, policies, or  
19 conditions, as in existence at the time the application is deemed complete.

20 (4) **Appeal.** The procedures for appeal to the Board of Appeals of a decision by the  
21 Department under this Section 343 shall be as set forth in Section 8 of the Business and Tax  
22 Regulations Code.

23 (5) **Discretionary Review.** No requests for discretionary review shall be accepted by  
24 the Planning Department or heard by the Planning Commission or Board of Appeals for projects  
25 subject to this Section 343. As long as the Planning Commission has delegated its authority to

1 the Planning Department to review applications for projects subject to this Section 343, the  
2 Planning Commission shall not hold a public hearing for discretionary review of projects  
3 subject to this Section 343.

4 ~~(6) Progress Requirement. The project sponsor of any project approved~~  
5 ~~pursuant to this Section 343 shall obtain the first site or building permit for the project from the~~  
6 ~~Department of Building Inspection within 36 months of the Department's issuance of a written~~  
7 ~~decision pursuant to subsection (g)(2) of this Section 343. If the project sponsor has not~~  
8 ~~obtained the first site or building permit from the Department of Building Inspection within 36~~  
9 ~~months, then as soon as is feasible after 36 months has elapsed, the Planning Director shall~~  
10 ~~hold a hearing requiring the project sponsor to report on the status of the project, to determine~~  
11 ~~whether the project sponsor has demonstrated good faith in its effort to obtain the first site or~~  
12 ~~building permit for the project. If the Planning Director finds that the project sponsor has not~~  
13 ~~demonstrated good faith in its efforts to obtain the first site or building permit for the project,~~  
14 ~~the Planning Director shall revoke the approvals for the project. Factors in determining~~  
15 ~~whether the project sponsor has demonstrated good faith in its efforts include, but are not~~  
16 ~~limited to, whether any delays are the result of conditions outside the control of the project~~  
17 ~~sponsor and whether changes in the financing of the project are necessary in order for~~  
18 ~~construction to proceed.~~ **Expiration of approval.** Approval of a project pursuant to this  
19 Section 343 shall expire if the project sponsor has not procured a building permit or site permit  
20 for construction of the project within 30 months of the date of the Department's issuance of a  
21 written decision pursuant to subsection (g)(2) of this Section 343. If the Planning Director finds  
22 that the project sponsor has demonstrated good faith in its efforts to obtain the first site or  
23 building permit for the project, the Planning Director may extend the approval for the project  
24 for a maximum of six additional months. Such deadline shall additionally be extended in the  
25

1 event of any appeal of such approval for the duration of the appeal, and in the event of  
2 litigation seeking to invalidate the approval for the duration of the litigation.

3 (h) Design Review Standards. Projects subject to this Section 343 shall be reviewed for  
4 compliance with the design standards set forth in the San Francisco Urban Design Guidelines and the  
5 Central SoMa Plan's Guide to Urban Design, which are on file with the Planning Department, as  
6 approved by the California Department of Housing and Community Development.

7 (i) District Affordability Requirement. At the request of the California Department of Housing  
8 and Community Development, the Planning Department shall demonstrate that at least 20% of the  
9 residential units constructed in the Central SoMa Housing Sustainability District during the life of the  
10 District and pursuant to this Section 343 will be affordable to very low, low-, and moderate-income  
11 households and subject to a recorded affordability restriction for at least 55 years.

12 (j) Monitoring and Enforcement. The Planning Department shall include, as conditions of  
13 approval of all projects approved pursuant to this Section 343, monitoring and enforcement provisions  
14 to ensure that the project meets all labor and wage requirements and complies with all identified  
15 applicable mitigation measures. Projects found to be in violation of any of these conditions shall be  
16 subject to the Administrative Enforcement Procedures in Section 176.1 of this Code, including  
17 initiation of abatement proceedings or referral to the City Attorney or District Attorney for prosecution,  
18 if not corrected within 90 days of service of any notice of violation issued under Section 176.1(c).  
19 Conditions of approval shall include, but are not limited to:

20 (1) A project sponsor shall submit weekly reports to the Office of Labor Standards  
21 Enforcement, certifying that a project approved pursuant to this Section 343 is complying with  
22 subsections (d)(11) and (d)(12), if applicable to the project. Projects found to be in violation of  
23 subsections (d)(11) and (d)(12) shall be subject to penalties pursuant to Section 1741 of the Labor  
24 Code, in addition to any penalties assessed pursuant to Section 176.1 of this Code. All penalties shall  
25 be paid prior to issuance of the project's First Certificate of Occupancy.

1                   (2) The Planning Department shall monitor compliance with Central SoMa EIR  
2 Mitigation Measures.

3                   (3) The Planning Department shall monitor and report the construction of affordable  
4 housing units under the Central SoMa Housing Sustainability District in its annual Housing Inventory,  
5 which shall include the following information:

6                   (A) Number of projects approved pursuant to this Section 343.

7                   (B) Number of projects under construction pursuant to approvals obtained  
8 under this Section 343.

9                   (C) Number of projects completed pursuant to approvals obtained under this  
10 Section 343.

11                   (D) Number of dwelling units within projects completed pursuant to approvals  
12 obtained under this Section 343.

13                   (E) Number of dwelling units affordable to very low, low, moderate, and middle  
14 income households within projects completed pursuant to approvals obtained under this Section 343.

15                   (k) Operative and Sunset Dates.

16                   (1) This Section 343 shall become operative upon receipt of preliminary approval by  
17 the California Department of Housing and Community Development under California Government  
18 Code Section 66202 ("Operative Date").

19                   (2) This Section 343 shall expire by operation of law seven years from the Operative  
20 Date, unless this Section 343 is renewed by ordinance pursuant to Government Code Section 66201(g),  
21 in which case this Section 343 shall expire on the date specified in that ordinance ("Sunset Date").

22                   (3) Upon the expiration of this Section 343, the City Attorney shall cause this Section  
23 343 to be removed from the Planning Code. Pursuant to Government Code Section 66205(b), this  
24 Section 343 shall govern the processing and review of any complete application submitted pursuant to  
25 this Section 343 prior to the Sunset Date.

1  
2 Section 4. Effective Date; Operative Date.

3 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
4 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
5 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
6 Mayor's veto of the ordinance.

7 (b) Consistent with Section 343(k)(1) of the Planning Code, this ordinance in its  
8 entirety shall become operative upon receipt of preliminary approval by the California  
9 Department of Housing and Community Development under California Government Code  
10 Section 66202.

11  
12 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
16 additions, and Board amendment deletions in accordance with the "Note" that appears under  
17 the official title of the ordinance.

18  
19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

21 By:

  
22 PETER R. MILJANICH  
Deputy City Attorney

23 n:\egana\as2018\1200444\01291535.docx  
24  
25

**EXHIBIT 9:**  
PLANNING CODE, ADMINISTRATIVE  
CODE, ZONING MAP, IMPLEMENTATION  
PROGRAM, AND HOUSING  
SUSTAINABILITY DISTRICT - ISSUES FOR  
CONSIDERATION



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Code, Administrative Code, Zoning Map, Implementation Program, and Housing Sustainability District – Issues for Consideration

HEARING DATE: SEPTEMBER 13, 2018

*Project Name:* Central SoMa Plan: Approval of Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance

*Date:* September 6, 2018

*Record Number:* 2011.1356TZU and 2018-004477PCA

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning  
(415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

This document includes a list of issues for Planning Commission consideration related to the Central SoMa Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Housing Sustainability Ordinance, and Implementation Program. These issues were brought to the attention of the legislative sponsors and/or Planning Department staff since adoption of the Plan at the May 10<sup>th</sup> Planning Commission hearing, but have not been included in the amendments to the legislation as of the July 23<sup>rd</sup> Land Use & Transportation Committee hearing at the Board of Supervisors.

Section	Request
263.33	If the development on Assessor's Block 3763, Lot 105 elects to build residential instead of a hotel, require that it exceed the affordable housing requirement pursuant to Section 415 in order to receive the special height exception.
329(e)(2)(b)	On the Key Site identified in 329(e)(2)(F) (Flower Mart), allow exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i).
329(e)(2)(b)(ii)	On the Key Site identified in 329(e)(2)(C) (2 <sup>nd</sup> & Harrison), allow an exception to the bulk controls in Section 270(h) to allow the project to include a rooftop bar. <sup>1</sup>
329(e)(2)(b)(iv)	On the Key Site identified in 329(e)(2)(E) (Park Block), allow an exception to the controls in Section 270.2 to allow the project to install security gates at the sidewalk entrances to the proposed mid-block alleys.

<sup>1</sup> Per Exhibit 3, ("Environmental Analysis Addressing Amendments to the Central South of Market (SoMa) Area Plan") this proposed Issue for Consideration could result in increased wind and shadow impacts, beyond that disclosed in the Final EIR. Should this amendment be recommended for inclusion in the Central SoMa Plan, staff recommend that the exception only be allowed if the project does not cause any new or substantially increased significant impacts that cannot be mitigated to less than significant levels.

329(e)(2)(b)(vi)	On the Key Site identified in 329(e)(2)(H) (Creamery), allow an exception to the controls in Section 138(d) to allow the project to include an indoor POPOS that does not meet the minimum height of 20’.
329(e)(2)(b)(vi)	On the Key Site identified in 329(e)(2)(H) (Creamery), allow an exception to the permitted obstructions in Section 136 to allow the project to include architectural projections over the right-of-way.
329(e)(3)(A)	Permit land dedication that is valued at less than the subject project’s Jobs-Housing Linkage Fee or Affordable Housing Fee obligation to be considered a Qualified Amenity in order to be a Key Site, pursuant to Sections 413.7 and 419.6, respectively. Projects would be required to pay the balance of the fee obligation, subject to the land value calculation in Section 413.7.
413.7	Specify that the land value for land dedication sites in fulfillment of Jobs-Housing Linkage Fees shall be determined by the Director of Property, not to exceed the acquisition cost incurred by the subject project for the portion of land dedicated. This determination shall take into account any circumstances that may impact the value of the property. The sponsor shall submit to the Department, with a copy to MOHCD and the Director of Property, documentation to substantiate the acquisition cost of land and any additional information that would impact the value of the property.
434	Reduce the Mello-Roos Community Facilities District (CFD) rates for residential projects. Consider applying the CFD to Tier B nonresidential projects in order to maintain CFD revenues.

**EXHIBIT 10:**  
**AUGUST 1, 2018 LETTER FROM HISTORIC  
PRESERVATION COMMISSION**



# SAN FRANCISCO PLANNING DEPARTMENT

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September 6, 2018

Land Use and Transportation Committee of the Board of Supervisors  
City Hall, Legislative Chamber, Room 250  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: Central SoMa Public Benefits Package and the Old U.S. Mint

Chair Katy Tang and Members of the Land Use and Transportation Committee,

At its August 1, 2018 hearing the Historic Preservation Commission (HPC) discussed the proposal to reduce the amount of potential funding from the Central SoMa Public Benefits Program towards the rehabilitation of the Old U.S. Mint (Old Mint), City Landmark No. 236. While a much greater investment is needed to realize the full potential of the Old Mint, the HPC strongly encourages the Land Use Committee to recommend retention of the 1% allocation (potentially \$20,000,000) considering its potential as a facility that supports the community and the City's history.

Built in 1874, The Old Mint is not only a locally-designated Landmark; it is listed as a National Historic Landmark, the highest recognition bestowed upon only the most significant places in America. In 1997, the federal government sold the Old Mint to the City of County of San Francisco for one dollar on the condition that it would be rehabilitated for public use. In 2015 the Old Mint was listed by the National Trust for Historic Preservation on its America's eleven most endangered places due to lack of investment. Despite stops and starts to revive the Old Mint, the City Family has made significant progress over the last three years by actively working with community partners to reposition the structure as one that represents the activity, safety, and stability of the surrounding neighborhood.

The HPC supports the many goals of the Public Benefits Package and agrees that the Central SoMa Plan should not shoulder the entire cost of rehabilitating the structure. The 1% allocation is a fraction of the total resources required to bring the Old Mint to current safety standards but remains a critical contribution to realizing its potential. As one of the most significant public buildings in the West, our community partners, along with the City family, are committed to sharing the financial responsibilities to reimagine the Old Mint as an anchor of safety, utility, and in service to the many communities that make up Central SoMa. The HPC strongly urges the Land Use Committee and the Board of Supervisors to retain the opportunity for the Old Mint to potentially capture \$20,000,000 from the Public Benefits Package commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wolfram".

Andrew Wolfram  
President  
Historic Preservation Commission

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

cc: Board of Supervisors  
Angela Calvillo, Clerk of the Board of Supervisors  
Historic Preservation Commission  
Planning Commission  
Jonas Ionin, Office of Commission Affairs  
Jon Lau, Mayor's Office of Employment and Workforce Development  
John Rahaim, Planning Department  
Timothy Frye, Planning Department  
Josh Switzky, Planning Department  
Lisa Chen, Planning Department



# SAN FRANCISCO PLANNING DEPARTMENT

## Central SoMa Plan – Additional Staff Recommendations and Issues for Consideration

HEARING DATE: SEPTEMBER 27, 2018

*Project Name:* Central SoMa Plan: Approval of Amendments to the Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Implementation Program Document, and Housing Sustainability District Ordinance

*Date:* September 27, 2018

*Record Number:* 2011.1356TZU and 2018-004477PCA

*Staff Contact:* Lisa Chen, Senior Planner, Citywide Planning  
(415) 575-9124; [lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)

*Reviewed By:* Joshua Switzky, Land Use & Housing Policy Program Manager, Citywide Planning; (415)-575-6815; [joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
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This document includes additional staff recommendations and issues for Planning Commission consideration that were not included in the September 6<sup>th</sup> case packet, related to the Central SoMa Planning Code and Administrative Code Ordinance, Zoning Map Ordinance, Housing Sustainability Ordinance, and Implementation Program. These issues were brought to the attention of the legislative sponsors and/or Planning Department staff since adoption of the Plan at the May 10<sup>th</sup> Planning Commission hearing, but have not been included in the amendments to the legislation as of the July 23<sup>rd</sup> Land Use & Transportation Committee hearing at the Board of Supervisors.

### ADDITIONAL STAFF RECOMMENDATIONS ON SEPTEMBER 27, 2018

Section	Request	Rationale
329(e)(2)(b)(vi)	On the Key Site identified in Section 329(e)(2)(vi) (the Creamery), allow exception to the requirement for protected street frontages in Section 155(r) (not 155.1 as stated in the September 6 <sup>th</sup> case packet).	Corrects code reference error.
138(e)(2)	Add language specifying that the Commission's determination of the adequacy of the location, amount, amenities, design and implementation of privately-owned public open spaces (POPOS) shall take into consideration the open space and recreational needs of the diverse inhabitants of the Plan Area, including, but not limited to: residents, workers, youth, families, and seniors.	To ensure that POPOS will provide a broad range amenities to serve the diverse open space and recreational needs in the Plan Area.

ADDITIONAL ISSUES FOR CONSIDERATION ON SEPTEMBER 27, 2018

Section	Request
249.78	Require “green” and/or “living” walls on new developments, subject to further exploration on feasible locations for these amenities.
263.34	Allow the project to provide a minimum 14’ floor-to-floor PDR ground floor height, and reduce the apparent mass reduction controls in Section 270(h) to 50% on Harrison Street and 0% on Fourth Street, contingent on the project providing land for affordable housing.
329	Require that Key Sites provide on-site child care facilities in satisfaction of their fee requirements under Sections 414, 414A, and 423 unless the project can demonstrate that it is infeasible to provide such facilities due to state licensing requirements that cannot be met on the site, or the Commission determines there is no need for additional childcare facilities in the area.
329(e)(2)(b)(ii)	On the Key Site identified in 329(e)(2)(C) (2 <sup>nd</sup> & Harrison), allow an exception to the controls in Section 135(h), to allow the project to include indoor POPOS in satisfaction of its residential publicly-accessible usable open space requirement.
329(e)(2)(b)(vi)	On the Key Site identified in 329(e)(2)(H) (Creamery), allow an exception to the controls in Section 138, subsection (d), to allow the project to include indoor POPOS that do not meet the minimum area of 2,500 square feet and minimum floor-to-ceiling height of 20’, and to allow POPOS under inhabitable portions of buildings that have a clearance height of less than 20’.
848	Require a Conditional Use Authorization for Cannabis Retail uses.
848	Prohibit market-rate Single Room Occupancy (SRO) units and group housing uses.
Uncodified section	Add language specifying that if the City is unable to apply any new development requirement that would generate revenue for the Public Benefits Program, the other provisions of the Planning and Administrative Code amendments would not apply.

BOARD of SUPERVISORS



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

April 13, 2018

File No. 180184-2

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

Dear Ms. Gibson:

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

**File No. 180184-2**

**Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

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

Environmental Impact Report Certified by the SF  
Planning Commission on May 10, 2018, Planning  
Department Case no. 2011.1356E.

Joy Navarrete

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Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org, c=US  
Date: 2018.06.01 13:50:16 -0700



# SAN FRANCISCO PLANNING DEPARTMENT

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May 14, 2018

Ms. Angela Calvillo, Clerk  
Honorable Mayor Farrell  
Honorable Supervisor Kim  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**Re: Transmittal of Planning Department Case Number 2011.1356EMTZU:  
CEQA Findings, Central SoMa Amendments to the General Plan, Planning  
Code, Administrative Code, and Zoning Maps, and Implementation Program**

**BOS File No:** \_\_\_\_\_ (pending)

**Planning Commission Recommendation:** Approval with modifications

Dear Ms. Calvillo, Mayor Farrell, and Supervisor Kim,

On May 10, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the General Plan Amendment, Planning Code and Administrative Code Amendment, Zoning Map Amendment, and Implementation Program related to the Central SoMa Plan Area. At the hearing, the Commission voted to approve and/or recommend approval with modifications to the various ordinances.

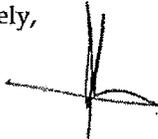
Also at the May 10 hearing, the Commission heard the proposed CEQA Findings, setting forth the basis for approving the Central SoMa Plan and its implementing actions, and the economic, social and other policy considerations, which support the rejection of alternatives in the EIR, which were not incorporated into the project. The Findings also provide for adoption by the Planning Commission all of the mitigation measures in the EIR. The Findings also identify the significant adverse environmental impacts of the project that have not been mitigated to a level of insignificance by adoption of mitigation measures, and contain a Statement of Overriding Considerations, setting forth the specific reasons in support of the approval of the implementing actions and the rejection of alternatives not incorporated into the project.

At the May 10 hearing, the Commission voted to recommend adoption of the proposed CEQA Findings.

Please find attached documents relating to the Commission's actions. The redlined version of the General Plan Amendment, along with two photo copies will be delivered to the Clerk of the Board

following this transmittal. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



Steve Wertheim  
Principal Planner

cc:

Andres Power, Senior Advisor, Mayor's Office,  
Barbara Lopez, Aide to Supervisor Kim  
Moses Corrette, Aide to Supervisor Kim  
Vicky Wong, Deputy City Attorney  
Peter Miljanich, Deputy City Attorney

Attachments (one copy of the following):

- Planning Commission Motion No. M-20182 (Case No. 2011.1356E – CEQA Findings)
- Planning Commission Resolution No. R-20183 (Case No. 2011.1356E – CEQA Findings)
- Planning Commission Resolution No. R-20184 (Case No. 2011.1356M – General Plan Amendments)
- Planning Commission Resolution No. R-20185 (Case No. 2011.1356T – Planning Code and Administrative Code Amendments)
- Planning Commission Resolution No. R-20186 (Case No. 2011.1356Z – Zoning Map Amendments)
- Planning Commission Resolution No. R-20187 (Case No. 2011.1356U – Implementation Program)
- Planning Commission Executive Summary for Case No. Case No. 2011.1356EMTZU
- Planning Commission Case Report for Case No. Case No. 2011.1356E
- Planning Commission Case Report for Case No. Case No. 2011.1356M
- Planning Commission Case Report for Case No. Case No. 2011.1356T
- Planning Commission Case Report for Case No. Case No. 2011.1356Z
- Planning Commission Case Report for Case No. Case No. 2011.1356U



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Motion No. 20182

HEARING DATE: MAY 10, 2018

*Case No.:* 2011.1356E  
*Project Address:* Central SoMa Plan  
*Zoning:* Various  
*Block/Lot:* Various  
*Project Sponsor:* San Francisco Planning Department  
Steve Wertheim- (415) 558-6612  
[steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Staff Contact:* Elizabeth White- (415) 575-6813  
[elizabeth.white@sfgov.org](mailto:elizabeth.white@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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Fax:  
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Information:  
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### ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CENTRAL SOMA PLAN.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2011.1356E, the "Central SoMa Plan" (hereinafter "Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
  - A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on April 24, 2013.
  - B. The Department held a public scoping meeting on May 15, 2013 in order to solicit public comment on the scope of the Project's environmental review.
  - C. On December 14, 2016, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
  - D. On December 14, 2016, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse.

- E. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on December 14, 2016.
2. The Commission held a duly advertised public hearing on said DEIR on January 26, 2017 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on February 13, 2017.
  3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 60-day public review period, prepared revisions to the text of the DEIR in responses to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in the Responses to Comments document, published on March 28, 2018, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
  4. A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Responses to Comments document all as required by law.
  5. Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.
  6. On May 10, 2018, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
  7. The project sponsor has indicated that the presently preferred alternative is the Central SoMa Plan.
  8. The Planning Commission hereby does find that the FEIR concerning File No. 2011.1356E: Central SoMa Plan reflects the independent judgement and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Responses to Comments document and the errata dated April 5, 2018 and May 9, 2018 contains no significant revisions to the DEIR that would require recirculation of the document pursuant to CEQA Guideline section 15088.5, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.
  9. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the Environmental Impact Report:
    - A. Will result in the following significant and unavoidable project-specific environmental impacts, which cannot be mitigated to a level of insignificance:

- a. Central SoMa Plan development, including proposed open space improvements and street network changes, would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating and environmental effect. Specifically, the Plan could result in traffic noise along Howard Street (under the two-way option for Howard and Folsom streets) that exceeds the noise standards in the General Plan's Environmental Protection Element.
- b. Central SoMa Plan development would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district, including as-yet unidentified resources, a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5.
- c. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in a substantial increase in transit demand that would not be accommodated by local transit capacity, and would cause a substantial increase in delays resulting in adverse impacts on local and regional transit routes.
- d. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in crosswalk overcrowding at the following intersections:
  - i. Third/Mission
  - ii. Fourth/Mission
  - iii. Fourth/Townsend
- e. Central SoMa Plan development would result in an increased demand for on-street commercial and passenger loading and a reduction in on-street loading supply such that the loading demand during the peak hour of loading activities would not be accommodated within on-street loading supply, would impact existing passenger loading/unloading zones, and may create hazardous conditions or significant delay that may affect transit, other vehicles, bicycles, or pedestrians.
- f. Construction activities associated with Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions.
- g. Central SoMa Plan development, including the proposed street network changes, would generate noise that would result in exposure of persons to noise levels in excess of standards in the *San Francisco General Plan* or Noise Ordinance (Article 29 of the *Police Code*), and would result in a substantial permanent increase in ambient noise above existing levels.

- h. Central SoMa Plan development, including the proposed street network changes and open space improvements, would result in construction activities in the Plan Area that could expose persons to substantial temporary or periodic increase in noise levels substantially in excess of ambient levels.
  - i. The operation of subsequent individual development projects in the Central SoMa Plan Area and the proposed street network changes (but not the proposed open space improvements) would violate an air quality standard, contribute to an existing or projected air quality violation, and/or result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
  - j. Central SoMa Plan development, including the proposed street network changes, would result in operational emissions of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants that would result in exposure of sensitive receptors to substantial pollutant concentrations.
  - k. Subsequent future development under the Plan could alter wind in a manner that substantially affects public areas.
- B. Will contribute considerably to the following cumulative environmental impacts, which cannot be mitigated to a level of insignificance:
- a. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to significant cumulative land use impact. Specifically, one-way and two-way options for Folsom and Howard Streets could make a considerable contribution to cumulative traffic noise levels, which would exceed the noise standards in the General Plan's Environmental Protection Element.
  - b. Central SoMa Plan development would contribute considerably to significant cumulative historical resources impacts because the Plan could result in demolition and/or alteration of historical resources.
  - c. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to significant cumulative transit impacts on local and regional transit providers.
  - d. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to significant cumulative pedestrian impacts.
  - e. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to significant cumulative loading impacts.

- f. Central SoMa development, including the proposed street network changes and open space improvements, would result in cumulative noise impacts.
- g. Central SoMa development, including the proposed street network changes, but not open space improvements, would contribute considerably to criteria air pollutant impacts under cumulative 2040 conditions.
- h. Central SoMa Plan development, including the proposed street network changes but not open space improvements, would result in exposure of sensitive receptors to substantial levels of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants under 2040 cumulative conditions.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 10, 2018.



Jonas P. Iorin  
Commission Secretary

AYES: Moore, Koppel, Johnson, Richards, Hillis, Melgar, and Fong  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018





# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20183 HEARING DATE MAY 10, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Central SoMa Plan – CEQA Findings  
*Record No.:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING SIGNIFICANT IMPACTS AND SIGNIFICANT AND UNAVOIDABLE IMPACTS, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND A STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVALS FOR THE CENTRAL SOUTH OF MARKET AREA PLAN ("CENTRAL SOMA PLAN").

### PREAMBLE

The San Francisco Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA"), has undertaken a planning and environmental review process for the proposed Central SoMa Plan and related approval actions ("Project") and provided appropriate public hearings before the Planning Commission.

The desire for a Central SoMa Plan began during the Eastern Neighborhoods planning process. In 2008 the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (SoMa), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods. At that time, the City determined that the development potential of the industrially zoned part of East SoMa, coupled with the improved transit to be provided by the Central Subway, necessitated a subsequent, focused planning process that took into account the city's growth needs and City and regional environmental goals. The Central SoMa Plan is the result of that subsequent process.

The Western SoMa Area Plan, adopted in 2013, also explicitly recognized the need to increase development capacity near transit in Objective 1.5, which states that the City should "Support continued evaluation of land uses near major transit infrastructure in recognition of citywide and regional sustainable growth needs." The explanatory text in Objective 1.5 concludes that "The City must continue evaluating how it can best meet citywide and regional objectives to direct growth to transit-oriented locations and whether current controls are meeting identified needs."

The Objective's implementing Policy 1.5.1 states that the City should "Continue to explore and re-examine land use controls east of 6th Street, including as part of any future evaluation along the 4th Street corridor." The Central SoMa Plan is intended to fulfill the Western SoMa Plan's Objective 1.5 and Policy 1.5.1.

The process of creating the Central SoMa Plan began in 2011. Throughout the process, the Central SoMa Plan has been developed based on robust public input, including ten public open houses; ten public hearings at the Planning Commission; two public hearings at the Board of Supervisor's Land Use & Transportation Committee; additional hearings at the Historic Preservation Commission, Arts Commission, and Youth Commission; a "technical advisory committee" consisting of multiple City and regional agencies; a "storefront charrette" (during which the Planning Department set up shop in a retail space in the neighborhood to solicit community input on the formulation of the plan); two walking tours, led by community members; two community surveys; an online discussion board; meetings with over 30 neighborhoods groups and other community stakeholders; and thousands of individual meetings, phone calls, and emails with stakeholders.

The Central SoMa Plan Area runs from 2nd Street to 6th Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan that comprise much of the area north of Folsom Street. The vision of the Central SoMa Plan is to create a sustainable neighborhood by 2040, where the needs of the present are met without compromising the ability of future generations to meet their own needs. The Central SoMa Plan seeks to achieve sustainability in each of its aspects – social, economic, and environmental. The Plan's philosophy is to keep what is already successful about the neighborhood, and improve what is not. Utilizing the Plan's philosophy to achieve the Plan's vision will require implementing the following three strategies:

- Accommodate growth;
- Provide public benefits; and
- Respect and enhance neighborhood character.

Implementing the Plan's strategies will require addressing all the facets of a sustainable neighborhood. To do so, the Plan seeks to achieve eight Goals:

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City.

The Plan would implement its vision, philosophy, and goals by:

- Accommodating development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the area's industrially-protective zoning and increasing height limits on many of the area's parcels;
- Maintaining the diversity of residents by requiring that over 33% of new housing units are affordable to low- and moderate-income households and requiring that these new units are built in SoMa;
- Facilitating an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area;
- Providing safe and convenient transportation by funding capital projects that would improve conditions for people walking, bicycling, and taking transit;
- Offering an abundance of parks and recreational opportunities by funding the construction and improvement of parks and recreation centers in the area and requiring large non-residential projects to provide publicly-accessible open space;
- Creating an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas energy sources, while funding projects to improve air quality, provide biodiversity, and help manage stormwater;
- Preserving and celebrating the neighborhood's cultural heritage by helping fund the rehabilitation and maintenance of historic buildings and funding social programs for the neighborhood's existing residents and organizations; and
- Ensuring that new buildings enhance the character of the neighborhood and the city by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

These core policies and supporting discussion have been incorporated into the Central SoMa Plan, which is proposed to be added as an Area Plan in the General Plan. The Central SoMa Plan and conforming amendments to the General Plan, together with proposed Planning Code, Administrative Code, and Zoning Map Amendments and an Implementation Document, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Implementation Document describes how the Plan's policies will be implemented, outlines public improvements, funding mechanisms, and interagency coordination that the City must pursue to implement the Plan, and provides controls for key development sites and key streets and design guidance for new development.

Since the Central SoMa Plan process began in 2011, the Planning Department has undertaken the environmental review process required by CEQA. Pursuant to and in accordance with the requirements of Section 21083.9 of the Public Resources Code and Section 15082 of the CEQA Guidelines, the Department, as lead agency, published and circulated a Notice of Preparation ("NOP") on April 24, 2013, which notice solicited comments regarding the scope of the environmental impact report ("EIR") for the proposed project. The NOP and its 30-day public review comment period were advertised in a newspaper of general circulation in San Francisco and mailed to governmental agencies, organizations and persons interested in the potential

impacts of the proposed project. The Department held a public scoping meeting on May 15, 2013 at The Mendelson House, located at 737 Folsom Street, San Francisco, CA 94107.

During the approximately 30-day public scoping period that ended on May 24, 2013, the Department accepted comments from agencies and interested parties that identified environmental issues that should be addressed in the EIR. Comments received during the scoping process were considered in preparation of the Draft EIR.

Pursuant to Section 15063 of the CEQA Guidelines, the Department published an Initial Study on February 12, 2014 in order to focus the scope of the EIR. The Department made the Initial Study available for a 30-day public review period beginning on February 12, 2014 and ending on March 14, 2014. The Department considered the comments received on the Initial Study when preparing the Draft EIR.

The Department prepared the Draft EIR, which describes the Draft EIR Project and the environmental setting, analyzes potential impacts, identifies mitigation measures for impacts found to be significant or potentially significant, and evaluates alternatives to the Draft EIR Project. The Draft EIR assesses the potential construction and operational impacts of the Draft EIR Project on the environment, and the potential cumulative impacts associated with the Draft EIR Project in combination with other past, present, and future actions with potential for impacts on the same resources. The analysis of potential environmental impacts in the Draft EIR utilizes significance criteria that are based on the guidance prepared by Department's Environmental Planning Division regarding the environmental effects to be considered significant. The Environmental Planning Division's guidance is, in turn, based on CEQA Guidelines Appendix G, with some modifications.

The Department published a Draft EIR on December 14, 2016, and circulated the Draft EIR to local, state, and federal agencies and to interested organizations and individuals for public review. On December 14, 2016, the Department also distributed notices of availability of the Draft EIR; published notification of its availability in a newspaper of general circulation in San Francisco; posted the notice of availability at the San Francisco County Clerk's office; and posted notices at locations within the project area. The Commission held a public hearing on January 26, 2017, to solicit testimony on the Draft EIR during the public review period. A court reporter, present at the public hearing, transcribed the oral comments verbatim, and prepared written transcripts. The Department also received written comments on the Draft EIR, which were sent through mail, fax, hand delivery, or email. The Department accepted public comment on the Draft EIR until February 13, 2017.

The Department then prepared the Comments and Responses to Comments on Draft EIR document ("RTC"). The RTC document was published on March 28, 2018, and includes copies of all of the comments received on the Draft EIR and written responses to each comment. In addition to describing and analyzing the physical, environmental impacts of the revisions to the Project, the RTC document provided additional, updated information, clarification, and modifications on issues raised by commenters, as well as Planning Department staff-initiated text changes to the Draft EIR.

The Final Environmental Impact Report ("Final EIR"), which includes the Draft EIR, the RTC document, the errata dated May 3, 2018, the Appendices to the Draft EIR and RTC document, and all of the supporting information, has been reviewed and considered. The RTC documents and appendices and all supporting information do not add significant new information to the Draft EIR that would individually or collectively constitute significant new information within the meaning of Public Resources Code Section 21092.1 or CEQA Guidelines Section 15088.5 so as to require recirculation of the Final EIR (or any portion thereof) under CEQA. The RTC documents and appendices and all supporting information contain no information revealing (1) any new significant environmental impact that would result from the Project or from a new mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project, but that was rejected by the project sponsor, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

On May 10, 2018, by Motion No. 20182, the Commission reviewed and considered the Final EIR for the Project and found the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

On May 10, 2018, by Motion No. 20182, the Commission found that the Final EIR was adequate, accurate, and objective, that it reflected the independent analysis and judgment of the Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the completion of the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

The Planning Department prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures, and significant impacts analyzed in the Final EIR, and overriding considerations for approving the Project and a proposed mitigation monitoring and reporting program ("MMRP"), attached as Exhibit B, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration, and actions.

The Commission, in certifying the Final EIR, found that the Project described in the Final EIR:

- A. Will result in the following significant and unavoidable project-specific environmental impacts, which cannot be mitigated to a level of insignificance:
  - a. Central SoMa Plan development, including proposed open space improvements and street network changes, would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating and environmental effect. Specifically, the Plan could result in traffic noise along Howard Street (under the two-way option

for Howard and Folsom streets) that exceeds the noise standards in the General Plan's Environmental Protection Element.

- b. Central SoMa Plan development would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district located in the Plan area, including as-yet unidentified resources, a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5.
- c. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in a substantial increase in transit demand that would not be accommodated by local transit capacity, and would cause a substantial increase in delays resulting in adverse impacts on local and regional transit routes.
- d. Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in crosswalk overcrowding at the following intersections:
  - i. Third/Mission
  - ii. Fourth/Mission
  - iii. Fourth/Townsend
- e. Central SoMa Plan development would result in an increased demand for on-street commercial and passenger loading and a reduction in on-street loading supply such that the loading demand during the peak hour of loading activities would not be accommodated within on-street loading supply, would impact existing passenger loading/unloading zones, and may create hazardous conditions or significant delay that may affect transit, other vehicles, bicycles, or pedestrians.
- f. Construction activities associated with Central SoMa Plan development, including the proposed open space improvements and street network changes, would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions.
- g. Central SoMa Plan development, including the proposed street network changes, would generate noise that would result in exposure of persons to noise levels in excess of standards in the *San Francisco General Plan* or Noise Ordinance (Article 29 of the *Police Code*), and would result in a substantial permanent increase in ambient noise above existing levels.

- h. Central SoMa Plan development, including the proposed street network changes and open space improvements, would result in construction activities in the Plan Area that could expose persons to substantial temporary or periodic increase in noise levels substantially in excess of ambient levels.
  - i. The operation of subsequent individual development projects in the Central SoMa Plan Area and the proposed street network changes (but not the proposed open space improvements) would violate an air quality standard, contribute to an existing or projected air quality violation, and/or result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.
  - j. Central SoMa Plan development, including the proposed street network changes, would result in operational emissions of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants that would result in exposure of sensitive receptors to substantial pollutant concentrations.
  - k. Subsequent future development under the Plan could alter wind in a manner that substantially affects public areas.
- B. Will contribute considerably to the following cumulative environmental impacts, which cannot be mitigated to a level of insignificance:
- a. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to a significant cumulative land use impact. Specifically, one-way and two-way options for Folsom and Howard Streets could make a considerable contribution to cumulative traffic noise levels, which would exceed the noise standards in the General Plan's Environmental Protection Element.
  - b. Central SoMa Plan development would contribute considerably to significant cumulative historical resources impacts because the Plan could result in demolition and/or alteration of historical resources.
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  - d. Central SoMa Plan development, including the proposed open space improvements and street network changes, would contribute considerably to significant cumulative pedestrian impacts.
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- f. Central SoMa development, including the proposed street network changes and open space improvements, would result in cumulative noise impacts.
- g. Central SoMa development, including the proposed street network changes, but not open space improvements, would contribute considerably to criteria air pollutant impacts under cumulative 2040 conditions.
- h. Central SoMa Plan development, including the proposed street network changes but not open space improvements, would result in exposure of sensitive receptors to substantial levels of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants under 2040 cumulative conditions.

The Planning Commission Secretary is the custodian of records for the Planning Department materials, located in the File for Case No. 2011.1356EMTZU, at 1650 Mission Street, Fourth Floor, San Francisco, California, 94103.

On May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2011.1356EMTZU to consider the various approvals necessary to implement the Project, including approvals of General Plan, Planning Code, Administrative Code, and Zoning Map Amendments, and approval of the Implementation Program. The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the Project, the Planning Department staff, expert consultants, and other interested parties.

MOVED, that the Planning Commission has reviewed and considered the Final EIR and the entire record of this proceeding, including the comments and submissions made to the Commission and the Department's responses to those comments and submissions, and, based on substantial evidence, hereby adopts these Environmental Findings required by CEQA attached hereto as Exhibit A, including a Statement of Overriding Considerations and rejecting alternatives as infeasible, and adopts the MMRP, included as Exhibit B, as a condition of approval for each and all of the approval actions described above.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 10, 2018.

  
Jonas P. Iorin  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018



# SAN FRANCISCO PLANNING DEPARTMENT

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## ATTACHMENT A

### Central SoMa Plan

# California Environmental Quality Act Findings: Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

## SAN FRANCISCO PLANNING COMMISSION

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In determining to approve the Central SoMa Plan and related approval actions (referred to herein as the Plan or Project), the San Francisco Planning Commission (Commission) makes and adopts the following findings of fact and decisions regarding mitigation measures and alternatives and a statement of overriding considerations based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act (CEQA), California Public Resources Code Sections 21000 et seq., particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Sections 15000 et seq. (CEQA Guidelines), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code.

## SECTION I

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### Introduction

This document is organized as follows:

- **Section I** provides a description of the Project, the environmental review process for the Project, the Planning Commission actions to be taken, and the location of records;
- **Section II** identifies the impacts found not to be significant that do not require mitigation;
- **Section III** identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation;
- **Section IV** identifies significant impacts that cannot be avoided or reduced to less-than significant levels;

- **Section V** discusses why a subsequent or supplemental environmental impact report is not required, including to address changes to the Plan that have evolved during the environmental review process and any issues that were raised during the public comment period;
- **Section VI** discusses and evaluates the different project alternatives and the economic, legal, social, technological, and other considerations that support the rejection as infeasible of the alternatives analyzed; and
- **Section VII** presents a statement of overriding considerations setting forth specific reasons in support of the actions for the Project and the rejection as infeasible of the alternatives not incorporated into the Project.
- **Section VIII** contains a statement of incorporation by reference to incorporate the Final EIR into these Findings.

Attached to these findings as Exhibit B is the Mitigation Monitoring and Reporting Program (MMRP) for the mitigation measures that have been proposed for adoption. The MMRP is required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in the Final EIR that is required to reduce or avoid a significant adverse impact. Exhibit B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report (Draft EIR) or Responses to Comments Document (RTC) are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

## **I.A Project Description**

The Central SoMa Plan is a comprehensive plan for the area surrounding much of southern portion of the Central Subway transit line, a 1.7-mile extension of the Third Street light rail line that will link the Caltrain Depot at Fourth and King Streets to Chinatown and provide service within the South of Market (SoMa) area. The Plan Area includes roughly 230 acres that comprise 17 city blocks, as well as the streets and thoroughfares that connect SoMa to its adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District.

The Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and by an irregular border that generally jogs along Folsom, Howard and Stevenson Streets to the north that represents the border of the Downtown Plan Area. The project analyzed in the EIR includes street network changes throughout the Plan Area, including specific designs within, and in some cases beyond, the Plan Area for the following streets: Howard, Folsom, Harrison, Bryant, Brannan, Third, and Fourth Streets. In addition, open space improvements would also occur within and outside of the Plan Area.

The Plan envisions Central SoMa becoming a sustainable neighborhood, one in which the needs of the present may be met without compromising the ability of future generations to meet their own needs. The Plan's sponsor, the City and County of San Francisco (the City), endeavors to address the social, economic, and environmental aspects of sustainability through a planning strategy that accommodates anticipated population and job growth, provides public benefits, and respects and enhances neighborhood character. That

strategy has informed the current draft of the Central SoMa Plan, which comprehensively addresses a wide range of topics that include: land use; transportation infrastructure; parks, open space and recreation facilities; ecological sustainability; historic preservation; urban design and urban form; and financial programs and implementation mechanisms to fund public improvements.

The Plan seeks to encourage and accommodate housing and employment growth by (1) removing land use restrictions to support a greater mix of uses while also emphasizing office uses in portions of the Plan Area; (2) amending height and bulk districts to allow for taller buildings; (3) modifying the system of streets and circulation within and adjacent to the Plan Area to meet the needs and goals of a dense, transit-oriented, mix-use district; and (4) creating new, and improving existing, open spaces.

The Plan also proposes project-level changes to certain individual streets analyzed in this EIR, including Howard, Folsom, Harrison, Bryant, Brannan, Third, and Fourth Streets. The EIR analyzes two different options for the couplet of Howard Street and Folsom Street. Under the One-Way Option, both streets would retain a one-way configuration (except Folsom Street east of Second Street, which would retain its existing two-way operation). Under the Two-Way Option, both streets would be converted into two-way operation, and some modifications to Harrison Street would also occur.

Plan policies include a call for public realm improvements, including planning for new open spaces; changes to the street and circulation system; policies to preserve neighborhood character and historic structures; and strategies that aim to improve public amenities and make the neighborhood more sustainable. The Plan also includes financial programs to support its public improvements through the implementation of one or more new fees, in addition to taxes or assessments on subsequent development projects.

In accordance with CEQA Guidelines Section 15124, an EIR must present a statement of objectives sought by the proposed project. Objectives define the project's intent, explain the project's underlying purpose, and facilitate the formation of project alternatives. In this EIR, the Plan's eight goals are used as the project objectives. The eight goals are:

1. Accommodate a substantial amount of jobs and housing;
2. Maintain the diversity of residents;
3. Facilitate an economically diversified and lively jobs center;
4. Provide safe and convenient transportation that prioritizes walking, bicycling, and transit;
5. Offer an abundance of parks and recreational opportunities;
6. Create an environmentally sustainable and resilient neighborhood;
7. Preserve and celebrate the neighborhood's cultural heritage; and
8. Ensure that new buildings enhance the character of the neighborhood and the city.

Consistent with its goal to increase the capacity for jobs and housing (Goal 1), the Plan includes the objective of increasing the area where space for jobs and housing can be built (Objective 1.1). The Plan would accomplish this by retaining existing zoning that supports capacity for new jobs and housing, and replacing existing zoning that restricts the capacity for office and residential development with zoning that enables office and residential development.

The Plan would result in the following land use zoning changes (as shown in Figures 1A and 1B of the legislative packet's Exhibit IV.1 – Zoning Map Amendments Case Report):

- North of Harrison Street, the Mixed Use, Residential (MUR) use district west of Fifth Street would be converted to Mixed Use General (MUG). The MUR, Western SoMa-Mixed Use General (WS-MUG), and Light Industrial (M-1) use districts east of Fifth Street would be converted to Central SoMa Mixed Use Office (CMUO). The existing zoning districts either limit or do not permit office uses, whereas the MUG and CMUO zoning designations would allow for greater flexibility in the mix of land uses, including office development as well as new all-commercial buildings in the CMUO use district.
- The parcels in the block bounded by Third, Folsom, Hawthorne, and Harrison Streets currently designated C-3-O (Downtown Office) would retain this designation.
- South of Harrison Street, existing use districts would all be converted to CMUO, except for parcels currently designated South Park District (SPD) and the West SoMa Service, Arts, Light Industrial (WS-SALI) area west of Fourth Street between Harrison and Bryant Streets, which would retain their current zoning designations. Use districts in this area that would be converted to CMUO include Residential Enclave (RED), Service/Light Industrial (SLI), M-1, Public (P), West SoMa Mixed Use Office (WS-MUO), and Service Secondary Office (SSO), as well as the area south of Bryant Street currently designated WS-SALI. These existing use districts either limit or restrict office uses or, when office uses are allowed, restrict other uses, such as entertainment or residential uses. Converting these use districts to CMUO would permit a mix of land uses that allow for greater flexibility, as the CMUO district generally allows office, residential, and most other uses without limitation.

Changes to height limits under the Plan would include the following (as shown in Figures 2A and 2B of the legislative packet's Exhibit IV.1 – Zoning Map Amendments Case Report)::

- Within the Plan Area north of Harrison Street, height limits on most parcels would remain between 45 and 85 feet, though there would be several adjustments, both higher and lower, within this range.
- The Plan would substantially increase the height limit for the north side of Harrison Street between Second and Third Streets, from the current range of 85–130 feet to a range of 130–200 feet.
- Other substantial height increases north of Harrison Street would include the southwest corner of Fourth and Clementina Streets, which would increase from the current range of 55–130 feet to 180 feet; and the southwest corner of Fifth and Howard Streets, which would increase from the current range of 45–85 feet to 180–300 feet.
- South of Harrison Street, proposed amendments to permitted height limits are concentrated on the south side of Harrison Street between Second and Fourth Streets, where current height limits would be increased from 40–85 feet to 130–350 feet.
- Substantial height increases would also be concentrated south of Bryant Street, from east of Fourth Street to Sixth Street. Many sites within this area would increase from the current height limit of 30–85 feet to 130–400 feet.
- Lower height limits would be maintained around South Park, along the west side of Fourth Street between Bryant and Brannan Streets, along most of the neighborhood's alleys, and along the south side of the I-80 freeway between Fourth and Sixth Streets.

Based on the change in zoning and height limits, the Plan includes capacity for approximately 16 million square feet of new development within the Plan Area. This includes nearly capacity for 8,300 units and approximately 33,000 new jobs.

To ensure that the proposed zoning changes foster the development of a neighborhood that is consistent with the Plan's other goals, the Plan contains numerous objectives, policies, and implementation measures that limit and condition development. In particular, these relate to Goal 2, maintain the diversity of residents; Goal 3, facilitate an economically diversified and lively jobs center; Goal 7, preserve and celebrate the neighborhood's cultural heritage; and Goal 8, ensure that new buildings enhance the character of the neighborhood and the city.

To ensure that removal of protective zoning proposed by the Plan does not result in a loss of Production, Distribution, and Repair (PDR) uses in the Plan Area (Plan Objective 3.3), the Plan would maintain a portion of the current SALI use district. The Plan also contains policies and implementation measures that would limit conversion of PDR space in former industrial districts, require PDR space as part of large commercial developments, and provide incentives to fund, build, and protect PDR uses. The result would be the protection of approximately 3 million square feet of PDR space.

To implement the circulation and streetscape principles in the Plan, the EIR studied changes in the street network to support an attractive pedestrian and cycling environment and to lessen the impact of traffic on transit performance, while accommodating regional and through traffic on a limited number of streets where necessary. Specific proposals have been developed for Folsom, Harrison, Third, Fourth, Bryant, and Brannan Streets, extending as far west as Eleventh Street (in the case of Howard and Folsom Streets) and east to The Embarcadero (Folsom Street only). The proposals include widening sidewalks on all of the neighborhood's major thoroughfares, increasing the number of and safety of street crossings by facilitating signalized mid-block crossings and sidewalk bulbouts that shorten the length of crosswalks, creating protected bicycle on Howard, Folsom, Brannan, Townsend, and 5<sup>th</sup> Streets, and transit-only lanes on Folsom, Brannan, 3<sup>rd</sup>, and 4<sup>th</sup> Streets. Under the two-way option, Howard and Folsom Streets would be converted from one-way traffic to two-way operations.

The Plan also includes proposals to upgrade existing parks and create new parks and open spaces, including a new one-acre park in the block bounded by 4<sup>th</sup>, 5<sup>th</sup>, Bryant, and Brannan Streets, and a new ½ acre linear park on Bluxome Street between 4<sup>th</sup> and 5<sup>th</sup> Streets, and new recreational amenities (such as skate ramps and basketball courts) underneath the I-80 freeway between 4<sup>th</sup> and 6<sup>th</sup> Streets. The Plan also helps fund construction of a new recreation center, and up to four acres of privately-owned public open space.

The Plan also includes proposals to create a more sustainable and resilient neighborhood (through such strategies as requiring living roofs and use of 100% renewable electricity), preserve important historical and cultural features (such as landmarking important individual resources and districts), and promote high-quality urban design (through the Plan's architectural requirements and the Central SoMa Guide to Urban Design, as shown in the legislative packet Exhibit V.3C).

In addition, pursuant to Assembly Bill 73, which took effect January 1, 2018, the City is analyzing the possibility of including a Housing Sustainability District (HSD) in the Plan Area. The Final EIR analyzes the potential creation of an HSD based on the assumption that all or part of the Plan Area could be included in an HSD.

## I.B Environmental Review

The Planning Department determined that an EIR was required for the Project. The Planning Department published the Draft EIR and provided public notice of the availability of the Draft EIR for public review and comment on December 14, 2016.

On December 14, 2016, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse. Notices of availability for the Draft EIR of the date and time of the public hearings were posted on the Planning Department's website on December 14, 2016.

The Planning Commission held a duly noticed public hearing on the Draft EIR on January 26, 2017. At this hearing, public comment was received on the Draft EIR. The Planning Department accepted public comments on the Draft EIR from December 14, 2016, to February 13, 2017.

The Planning Department published the Response to Comments on the Draft EIR on March 28, 2018. This document includes responses to environmental comments on the Draft EIR made at the public hearing on January 26, 2017, as well as written comments submitted on the Draft EIR from December 14, 2016, to February 13, 2017. The Response to Comments document also contains text changes to the Draft EIR made by EIR preparers to correct or clarify information presented in the Draft EIR, including changes to the Draft EIR text made in response to comments. The Response to Comments document was distributed to the Planning Commission and to all parties who commented on the Draft EIR, was posted on the Planning Department's website, and was available to others upon request at the Planning Department's office.

A Final EIR has been prepared by the Planning Department consisting of the Draft EIR, background studies and materials, all comments received during the review process, the Responses to Comments document and all errata memoranda. The Draft EIR, the Responses to Comments document, and all appendices thereto comprise the EIR referenced in these findings.

In certifying the EIR, the Planning Commission found that none of the information added after the publication of the Draft EIR, including an analysis of the Plan refinements, triggered the need for recirculation of the EIR under CEQA Guidelines Section 15088.5. Nor does the adoption of the Plan with the revisions of the Final EIR trigger the need for a supplemental or subsequent EIR under CEQA Guidelines Section 15162, as discussed in Section VI.

## I.C Approval Actions

Implementation of the Plan would require the following approvals and other action:

- Amendments to the General Plan (various elements and figures) to conform to the concepts of the Central SoMa Plan. *Planning Commission recommendation; Board of Supervisors Approval;*
- Determination of consistency of the proposed General Plan amendments and rezoning with the General Plan and Planning Code Section 101.1 Priority Policies. *Planning Commission;*
- Amendment of the Planning Code to conform to the concepts of the Central SoMa Plan. *Planning Commission recommendation; Board of Supervisors Approval;*

- Amendment of the Planning Code and Zoning Maps to change mapped use districts and height limits throughout the Plan Area. *Planning Commission recommendation; Board of Supervisors Approval*; and
- Approval of the Implementation Program to implement the concepts in the Central SoMa Plan. *Planning Commission recommendation; Board of Supervisors Approval*; and
- Approval of alterations to street rights-of-way, including, for example, the configuration of travel lanes, sidewalk widths, and bicycle lanes, addition of crosswalks, and alley way improvements that are part of the Plan's proposals for the street network and public realm. *San Francisco Transportation Agency; Department of Public Works*.

## I.D Location of Records

The record upon which all findings and determinations related to the Project are based includes the following:

- Central SoMa Plan.
- The EIR, and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the proposed approvals and entitlements, the Project, and the alternatives (Options) set forth in the EIR.
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR, or incorporated into reports presented to the Planning Commission.
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
- All applications, letters, testimony and presentations presented to the City by the project sponsor and its consultants in connection with the Project.
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the EIR.
- For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, General Plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- The Mitigation Monitoring and Reporting Program.
- All other documents comprising the record pursuant to Public Resources Code Section 2116.76(e)

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period, the entire administrative record, including all studies and submitted materials and background documentation for the Final EIR, are located at the Planning Department, 1650 Mission Street, Suite 400, San Francisco. Jonas P. Ionin, Commission Secretary, is the custodian of these documents and materials.

## **I.E Findings About Significant Environmental Impacts and Mitigation Measures**

The following Sections II, III, and IV set forth the findings about the determinations of the Final EIR regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide written analysis and conclusions regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted as part of the Project.

In making these findings, the opinions of the Planning Department and other City staff and experts, other agencies and members of the public have been considered. These findings recognize that the determination of significance thresholds is a judgment within the discretion of the City and County of San Francisco; the significance thresholds used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the Project impacts and mitigation measures designed to address those impacts. In making these findings, the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, are hereby ratified, adopted and incorporated in these findings, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the mitigation measures set forth in the Final EIR and the attached MMRP are hereby adopted and incorporated to substantially lessen or avoid the potentially significant impacts of the Project. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is nevertheless hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measure in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the numbers contained in the Final EIR.

In Sections II, III, and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding dozens of times to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance are the conclusions of the Final EIR, or the mitigation measures recommended in the Final EIR for the Project, except as specifically set forth in Section VI below, being rejected.

## SECTION II

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# Impacts Found Not to Be Significant, thus Requiring No Mitigation

Based on substantial evidence in the whole record of this proceeding, the Commission finds that the implementation of the Plan would not result any significant environmental impacts in the following areas: Aesthetics; Population and Housing; Greenhouse Gas Emissions; Shadow; Recreation; Utilities and Service Systems; Public Services; Geology and Soils; Hydrology and Water Quality (except sea level rise and combined sewer system); Mineral and Energy Resources; and Agricultural and Forest Resources. Each of these topics is analyzed and discussed in detail including, but not limited to, in EIR Chapters: IV.B; IV.H; IV.I; and Appendix B (the Initial Study). Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Res. Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a)(3), 15091).

As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, it is hereby found that implementation of the Plan would not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation. The statements below provide a brief summary of the analyses and explanations contained in the Final EIR, and do not attempt to include all of the information that is provided in the Final EIR. Such information can be found in EIR Chapters: IV.B; IV.H; IV.I; and Appendix B (the Initial Study), which is incorporated herein by this reference and in the summaries below.

### II.A Land Use and Land Use Planning

**Impact LU-1:** Development under the Plan, and proposed open space improvements and street network changes would not physically divide an established community.

### II.B Aesthetics

**Impact AE-1:** Development under the Plan, including the proposed open space improvements and street network changes, would not substantially degrade the visual character or quality of the Plan Area or substantially damage scenic resources.

**Impact AE-2:** Development under the Plan, including the proposed open space improvements and street network changes, would alter public views of the Plan Area from short-, mid-, and long-range vantage points and alter views into the surrounding neighborhoods from within the Plan Area, but would not adversely affect public views or have a substantial adverse effect on scenic vistas.

**Impact AE-3:** Development under the Plan, including the proposed open space improvements and street network changes, would not create a new source of substantial light or glare in the Plan Area that would adversely affect day or nighttime views or substantially impact other people or properties.

**Impact C-AE-1:** Development under the Plan, including the proposed street network changes and open space improvements, in combination with past, present and reasonably foreseeable future projects, would alter the visual character and public views of and through SoMa, but would not adversely affect visual character, scenic vistas, or scenic resources or substantially increase light and glare.

## **II.C Cultural and Paleontological Resources**

**Impact CP-2:** Neither the proposed open space improvements nor street network changes would adversely affect historic architectural resources in a way that would result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

**Impact CP-6:** Development under the Plan, including the proposed open space improvements and street network changes, would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

**Impact CP-7:** Development under the Plan, including the proposed open space improvements and street network changes, would not disturb human remains, including those interred outside of formal cemeteries.

**Impact C-CP-2:** The proposed open space improvements and street network changes within the Plan Area, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to significant cumulative historical resources impacts.

**Impact C-CP-4:** Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature, and would not disturb human remains, including those interred outside of formal cemeteries.

## **II.D Transportation and Circulation**

**Impact TR-1:** Development under the Plan, including the proposed open space improvements and the street network changes, would not cause substantial additional VMT or substantially increase automobile travel.

**Impact TR-2:** Development under the Plan, including the proposed open space improvements and the street network changes, would not result in traffic hazards.

**Impact TR-5:** Development under the Plan, including the proposed open space improvements and street network changes, would not result in potentially hazardous conditions for bicyclists, or otherwise substantially interfere with bicycle accessibility.

While the Plan's impacts on bicycle facilities and circulation would be less than significant, **Improvement Measure I-TR-5a: Protected Bicycle Lane Public Education Campaign**, and **Improvement Measure I-TR-5b: Protected Bicycle Lane Post-Implementation Surveys**, may be recommended for consideration by City decision makers to further reduce the less-than-significant impacts related to potential conflicts between bicyclists and pedestrians, transit, trucks, and autos.

**Impact TR-7:** Development under the Plan, including the proposed open space improvements and the street network changes, would not result in a substantial parking deficit that would create hazardous conditions or significant delays affecting transit, bicycles, or pedestrians, and where particular characteristics of the Plan demonstrably render use of other modes infeasible.

**Impact C-TR-1:** Development under the Plan, including the proposed open space improvements and the street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would not result in significant impacts related to VMT.

**Impact C-TR-2:** Development under the Plan, including the proposed open space improvements and the street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would not result in significant impacts related to traffic hazards.

**Impact C-TR-5:** Development under the Plan, including the proposed open space improvements and the street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would not result in cumulative bicycle impacts.

**Impact C-TR-7:** Development under the Plan, including the proposed open space improvements and the street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would not result in cumulative parking impacts.

**Impact C-TR-9:** Development under the Plan, including the proposed open space improvements and the street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would not result in significant cumulative construction-related transportation impacts.

## **II.E Air Quality**

**Impact AQ-1:** Development under the Plan, including the proposed open space improvements and proposed street network changes, would not conflict with or obstruct implementation of the *2010 Clean Air Plan*.

**Impact AQ-2:** The Plan would not violate an air quality standard or contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.

**Impact AQ-7:** Implementation of the Plan would not expose a substantial number of people to objectionable odors affecting a substantial number of people.

## **II.F Wind**

**Impact C-WI-1:** Development under the Plan, combined with past, present, and reasonably foreseeable future projects, would not result in cumulative significant impacts related to wind.

## **II.G Shadow**

**Impact SH-1:** Development under the Plan would not create new shadow in a manner that substantially affects existing outdoor recreation facilities or other public areas.

**Impact C-SH-1:** Implementation of the Plan, in combination with past, present and reasonably foreseeable future projects in the vicinity, would not contribute considerably to a significant cumulative impact on shadow conditions.

## II.H Population and Housing

**Impact PH-1:** Development under the Plan and proposed street network changes would not induce substantial population growth, either directly or indirectly.

**Impact PH-2:** Development under the Plan and proposed street network changes would not generate housing demand beyond projected housing forecasts.

**Impact PH-3:** Development under the Plan and proposed street network changes would not displace a large number of housing units or people or necessitate the construction of replacement housing outside of the Plan Area.

**Impact C-PH-1:** Development under the Plan and proposed street network changes would not make a considerable contribution to any cumulative impact on population or housing.

## II.I Greenhouse Gas Emissions

**Impact C-GG-1:** The Plan and development pursuant to the Plan would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with the City's GHG reduction strategy, *Plan Bay Area*, or AB 32, and would not result in cumulatively considerable GHG emissions.

**Impact C-GG-2:** The proposed street network changes and open space improvements would generate greenhouse gas emissions during construction, but not at levels that would result in a significant impact on the environment, and the proposed changes would be consistent with the City's GHG Reduction Strategy, *Plan Bay Area*, and the AB 32 Scoping Plan. The proposed street network changes and open spaces therefore would not result in cumulatively considerable GHG emissions.

## II.J Recreation and Public Space

**Impact RE-1:** Development under the Plan and the proposed street network changes would result in an increase in the use of existing parks and recreational facilities, but would not result in substantial deterioration or physical degradation of such facilities, and would result in the expansion of recreational facilities and enhance existing recreational resources.

**Impact C-RE-1:** Development under the Plan and the proposed street network changes, in combination with other past, present, or reasonably foreseeable projects would not result in a considerable contribution to cumulative impacts on recreational resources.

## **II.K Utilities and Service Systems**

**Impact UT-1:** Development under the Plan and proposed street network changes would not require or result in the construction of substantial new water treatment facilities and the City would have sufficient water supply available from existing entitlements.

**Impact UT-2:** Development under the Plan could require or result in the expansion or construction of new wastewater treatment or stormwater facilities, exceed capacity of the wastewater treatment provider when combined with other commitments, or exceed the wastewater treatment requirements of the Regional Water Quality Control Board.

**Impact UT-3:** Development under the Plan and proposed street network changes would continue to be served by a landfill with sufficient permitted capacity to accommodate solid waste generated by subsequent development in the Plan Area and would comply with federal, state, and local statutes and regulations related to solid waste.

**Impact C-UT-1:** Development under the Plan and proposed street network changes, in combination with past, present, and reasonably foreseeable future projects in the vicinity, could contribute considerably to a significant cumulative impact on wastewater facilities, but would not contribute to cumulative impacts on other utilities and services.

## **II.L Public Services**

**Impact PS-1:** Development under the Plan and proposed street network changes would not increase the demand for police service or fire protection service such that new or physically altered facilities, the construction of which could cause significant environmental impacts, would be required in order to maintain acceptable levels of service.

**Impact PS-2:** Development under the Plan and proposed street network changes would not directly or indirectly generate school students and increase enrollment in public schools such that new or physically altered facilities would be required.

**Impact C-PS-1:** Development under the Plan and proposed street network changes, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in a considerable contribution to cumulative impacts on police, fire, and school district services such that new or physically altered facilities, the construction of which could cause significant environmental impacts, would be required in order to maintain acceptable levels of service.

## **II.M Biological Resources**

**Impact BI-2:** Development under the Plan and the proposed street network changes could interfere with the movement of migratory or native resident bird species.

Because all development in the Plan Area would be required to comply with *Planning Code* Section 139, Standards for Bird-Safe Buildings, development under the Plan would ensure that potential impacts related to

bird hazards would be less than significant. Neither the proposed street network changes nor the proposed open spaces would result in a substantial increase in the potential for bird strikes, as neither would result in the construction of large structures or structures that would constitute bird hazards. None of the proposed open spaces in the Plan area, including the potential park on SFPUC property, would be large enough to be considered an Urban Bird Refuge.

Although development under the Plan and the proposed street network changes would have a less-than-significant effect, implementation of Improvement Measure I-BI-2 would further reduce the Plan's less-than-significant impacts related to bird strikes, and the effect would be less than significant.

**Impact BI-3:** Development under the Plan and the proposed street network changes, would not substantially interfere with the movement of fish or impede the use of native wildlife nursery sites.

**Impact BI-4:** Development under the Plan and proposed street network changes would not conflict with the City's local tree ordinance.

**Impact C-BI-1:** Development under the Plan and proposed street network changes, in combination with other past, present or reasonably foreseeable projects, would not result in a considerable contribution to cumulative impacts on biological resources.

## II.N Geology and Soils

**Impact GE-1:** Development under the Plan and the proposed street network changes would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic groundshaking, seismically induced ground failure, or landslides.

**Impact GE-2:** Development under the Plan and the proposed street network changes would not result in substantial erosion or loss of top soil.

**Impact GE-3:** Neither development under the Plan nor the proposed street network changes would be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the project.

**Impact GE-4:** Neither development under the Plan nor the proposed street network changes would create substantial risks to life or property as a result of location on expansive soils.

**Impact C-GE-1:** Development under the Plan and the proposed street network changes, in combination with other past, present, and reasonably foreseeable future projects, would not result in a considerable contribution to cumulative impacts related to geologic hazards.

## II.O Hydrology and Water Quality

**Impact HY-1:** Development under the Plan and the proposed street network changes could violate water quality standards or otherwise substantially degrade water quality.

Water quality impacts related to violation of water quality standards or degradation of water quality due to discharge of construction related stormwater runoff during implementation of individual development projects pursuant to the Plan would be less than significant with implementation of erosion control measures in compliance with Article 4.1 of the San Francisco Public Works Code. Where the proposed street network changes require excavation of soil, they would be also be required to implement erosion control measures in accordance with Article 4.1 of the San Francisco Public Works Code. Therefore, water quality impacts related to violation of water quality standards or degradation of water quality due to discharge of construction related stormwater runoff would also be less than significant for the proposed street network changes and open space improvements.

#### Construction-Related Groundwater Dewatering

If any groundwater produced during construction dewatering required discharge to the combined sewer system, the discharge would be conducted in accordance with Article 4.1 of the Public Works Code, as supplemented by Order No. 158170, which regulates the quantity and quality of discharges to the combined sewer system. The discharge permit would contain appropriate discharge standards and may require installation of meters to measure the volume of the discharge. Although the groundwater could contain contaminants related to past site activities, as well as sediment and suspended solids, the groundwater would be treated as necessary to meet permit requirements prior to discharge. With discharge to the combined sewer system in accordance with regulatory requirements, water quality impacts related to a violation of water quality standards or degradation of water quality due to discharge of groundwater during construction of individual development projects pursuant to the Plan would be less than significant.

The proposed street network changes and open space improvements would likely require only shallow excavation and thus would not extend to the groundwater table that is generally encountered 5 feet or more below ground surface, with the possible exception of the southwestern portion of the Plan area (south of Harrison Street and west of Fourth Street). In the event that groundwater dewatering would be required, the amount of dewatering would be minimal and the groundwater would be discharged to the combined sewer system in accordance with Article 4.1 of the San Francisco Public Works Code, supplemented by Order No. 158170, as discussed above. Therefore, impacts related to discharges of groundwater during construction of the proposed street network changes and open space improvements would also be less than significant.

#### Long-Term Groundwater Dewatering

Likewise, if any groundwater produced during other dewatering required discharge to the combined sewer system, the discharge would be conducted in accordance with Article 4.1 of the Public Works Code, as supplemented by DPW Order No. 158170. As an alternative to discharge to the combined sewer system, the extracted groundwater could be used on-site for non-potable purposes under the City's voluntary non-potable water program, if it is of suitable quality. With reuse of the groundwater produced during permanent dewatering for individual development projects implemented pursuant to the Plan, or discharge to the combined sewer system in accordance with regulatory requirements, long-term groundwater discharges would not violate water quality standards or degrade water quality and this impact would be less than significant. Further, reuse of groundwater for non-potable purposes such as landscape irrigation, toilet and urinal flushing, and custodial uses would reduce the potable water demand of individual development projects, thereby incrementally reducing potable water use.

The proposed street network changes and open space improvements would likely require only shallow excavation and thus would not extend to the groundwater table that is generally encountered 5 feet or more below ground surface, with the possible exception of the southwestern portion of the Plan area (south of Harrison Street and west of Fourth Street). Further, the proposed street network changes would not include construction of any facilities that would require long-term dewatering to relieve hydrostatic pressure. Therefore, the proposed street network changes and open space improvements would have less-than-significant water quality impacts.

**Impact HY-2:** Development under the Plan and the proposed street network changes would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

**Impact HY-3:** Development under the Plan and the proposed street network changes would not alter the existing drainage pattern of the area in a manner that would result in substantial erosion, siltation, or flooding on- or off-site.

**Impact HY-4:** Development under the Plan and the proposed street network changes would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

**Impact HY-5:** Development under the Plan and the proposed street network changes would not expose people, housing, or structures, to substantial risk of loss due to existing flooding risks and would not redirect or impede flood flows.

**Impact HY-6:** Development under the Plan, including the proposed open space improvements and street network changes, would not exacerbate future flood hazards in a manner that could expose people or structures to a significant risk of loss, injury, or death.

**Impact HY-7:** Development under the Plan and the proposed street network changes would not expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.

**Impact C-HY-1:** Development under the Plan and the proposed street network changes, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, could result in a considerable contribution to cumulative impacts on hydrology and water quality.

**Impact C-HY-2:** Operation of individual development projects through implementation of the Plan, in combination with past, present, and foreseeable future development in San Francisco, would not exceed the wastewater treatment requirements of the Southeast Treatment Plant (SEP); violate water quality standards or waste discharge requirements; otherwise substantially degrade water quality; or result in an increase in the frequency of combined sewer discharges from the City's combined sewer system.

**Impact C-HY-3:** Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable future projects, would not exacerbate future flood hazards that could expose people or structures to a significant risk of loss, injury, or death.

## II.P Hazards and Hazardous Materials

**Impact HZ-1:** Development under the Plan and the proposed street network changes would not create a significant hazard through routine transport, use, or disposal of hazardous materials.

**Impact HZ-2:** Development under the Plan and construction of the proposed street network changes could occur on site(s) identified on a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5. Excavation could also require the handling of potentially contaminated soil and groundwater, potentially exposing workers and the public to hazardous materials, or resulting in a release into the environment during construction.

Impacts related to closure of hazardous materials handling facilities (including underground storage tanks) would be less than significant due to compliance with Article 21 of the San Francisco Health Code, which specifies procedures ensure that must be followed when a hazardous materials handling facility is closed. Implementation of the requirements of the Maher Program (Article 22A of the San Francisco Health Code), Voluntary Remedial Action Program (California Health and Safety Code Sections 101480 through 101490) and the Local Oversight Program (Title 23 of the California Code of Regulations, Chapter 16) would ensure that impacts associated with construction within contaminated soil and groundwater would be less than significant. In addition, a generator of hazardous wastes would be required to follow state and federal regulations for manifesting the wastes, using licensed waste haulers, and disposing the materials at a permitted disposal or recycling facility. With implementation of these regulatory requirements, impacts related to disposal of hazardous wastes would be less than significant.

Furthermore, if any groundwater produced during construction dewatering required discharge to the combined sewer system, the discharge would be conducted in compliance with Article 4.1 of the San Francisco Public Works Code, as supplemented by Order No. 158170, which specifies conditions and criteria for discharge of groundwater. This article also prohibits discharge of hazardous wastes into the combined sewer system. The discharged water would have to be sampled during dewatering to demonstrate that discharge limitations in the ordinance are met. If the groundwater does not meet discharge requirements, on-site pretreatment may be required before discharge to the sewer system. If standards could not be met with on-site treatment, off-site disposal by a certified waste hauler would be required. Long-term dewatering could also be required to alleviate hydrostatic pressure on below-ground features such as parking garages. Much of the groundwater produced during this dewatering could be put to beneficial reuse in the buildings for nonpotable purposes (such as toilet flushing) as described in Topic 15, Hydrology and Water Quality. However, some of it could also be discharged to the combined sewer in accordance with Article 4.1 of the San Francisco Public Works Code, as supplemented by Order No. 158170. With implementation of the regulatory requirements described above, impacts related to the discharge of contaminated groundwater would be less than significant.

**Impact HZ-4:** Development under the Plan and the proposed street network changes would not result in adverse effects related to hazardous emissions or handling of acutely hazardous materials within one-quarter mile of an existing school.

**Impact HZ-5:** Development under the Plan and the proposed street network changes would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Impact HZ-6:** Development under the Plan and the proposed street network changes would not expose people or structures to a significant risk of loss, injury or death involving fires.

**Impact C-HZ-1:** Development under the Plan and the proposed street network changes, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not result in a considerable contribution to cumulative impacts related to hazardous materials.

## **II.Q Mineral and Energy Resources**

**Impact ME-1:** Development under the Plan and the proposed street network changes would not result in the loss of availability of a known mineral resource or locally-important mineral resource recovery.

**Impact ME-2:** Development under the Plan and the proposed street network changes would not result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner.

**Impact C-ME-1:** Development under the Plan and the proposed street network changes, in combination with other past, present or reasonably foreseeable projects would result in less-than significant impacts to mineral and energy resources.

## **II.R Agricultural and Forest Resources**

**Impact AF-1:** Development under the Plan and the proposed street network changes would not (a) convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; (b) conflict with existing zoning for agricultural use, or a Williamson Act contract; (c) conflict with existing zoning for or cause rezoning of forest land or timberland; (d) result in the loss of forest land or conversion of forest land to non-forest use; or (e) involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use.

**Impact C-AF-1:** Development under the Plan and the proposed street network changes, in combination with other past, present or reasonably foreseeable projects would not result in impacts to agricultural and forest resources.

## **SECTION III**

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### **Findings of Potentially Significant Impacts That Can Be Avoided or Reduced to a Less-than-Significant Level**

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible.

The findings in this Section III and in Section IV concern mitigation measures set forth in the Final EIR. These findings discuss mitigation measures as proposed in the Final EIR and recommended for adoption by the Board of Supervisors, which can be implemented by City agencies or departments.

As explained previously, Exhibit B, attached, contains the Mitigation Monitoring and Reporting Program (MMRP) required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091. The full text of the mitigation measures is contained in the MMRP, which also specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

The Planning Commission finds that, based on the record before it, the mitigation measures proposed for adoption in the Final EIR are feasible, and that they can and should be carried out by the identified agencies at the designated time. This Planning Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the Final EIR that are within the jurisdiction and responsibility of such entities. The Planning Commission acknowledges that if such measures are not adopted and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Section VI, the Planning Commission is adopting a Statement of Overriding Considerations as set forth in Section VII.

All mitigation measures set forth in the Final EIR and MMRP are agreed to and adopted by the Planning Commission.

### **III.A Cultural and Paleontological Resources**

#### **III.A.1 Impact CP-3**

**Impact CP-3: Construction activities in the Plan Area would result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5, through indirect construction damage to historic architectural resources.**

Construction activities such as pile driving can generate vibration that could cause structural damage in nearby buildings. Pile driving, and possibly other construction activity could damage historical resources, particularly unreinforced masonry structures. Should the damage materially impair an historic resource, this effect would be considered a substantial adverse change in the significance of a historical resource and would be a potentially significant impact under CEQA.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-CP-3a: Protect Historical Resources from Adjacent Construction Activities** and **M-CP-3b: Construction Monitoring Program for Historical Resources**, as set forth in the attached MMRP and will be implemented as provided therein.

#### **III.A.2 Impact CP-4**

**Impact CP-4: Development under the Plan, including the proposed open space improvements and street network changes, would cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines Section 15064.5.**

Significant prehistoric and historic-period archeological resources are present, or likely to be present, in the Plan Area and vicinity and currently unknown resources are also likely to be in the Plan Area and vicinity.

The entire Plan Area and vicinity is within the part of San Francisco that burned following the 1906 earthquake and is generally covered by up to 5 feet of artificial fill consisting of earthquake debris. Therefore, in general, any project-related ground disturbance deeper than 5 feet has the potential to affect archaeological resources. Earthwork, ground stabilization, or other subsurface construction activities undertaken by subsequent individual development projects allowed under the Plan (including open space and streetscape improvements) that would require deeper foundations due to poor underlying soils and/or taller structures being proposed could damage or destroy prehistoric or historic-period archeological resources. The ground-disturbing construction activities could adversely affect the significance of an archeological resource under CRHR Criterion 4 (has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation) by impairing the ability of such resources to convey important scientific and historical information. These effects would be considered a substantial adverse change in the significance of an archeological resource and would therefore be a potentially significant impact under CEQA.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-CP-4a: Project-Specific Preliminary Archeological Assessments and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources**, as set forth in the attached MMRP and will be implemented as provided therein.

### **III.A.3 Impact CP-5**

**Impact CP-5: Development under the Plan, including the proposed open space improvements and street network changes, could cause a substantial adverse change in the significance of a tribal cultural resource pursuant to CEQA Guidelines Section 21084.3.**

Earthwork, ground stabilization, or other subsurface construction activities undertaken by subsequent individual development projects allowed under the Plan (including open space and streetscape improvements) could damage or destroy tribal cultural resource sites. These effects would be considered a substantial adverse change in the significance of a tribal cultural resource and would therefore be a potentially significant impact under CEQA.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measure M-CP-5: Project-Specific Tribal Cultural Resource Assessment**, as set forth in the attached MMRP and will be implemented as provided therein.

### **III.A.4 Impact C-CP-4**

**Impact C-CP-3: Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable future projects in the vicinity, could cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 or a tribal cultural resource pursuant to CEQA Guidelines Section 21084.3.**

Ground-disturbing activities of projects allowed under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable future

projects in the vicinity, could encounter previously recorded and unrecorded archeological resources (which may also be considered tribal cultural resources), or human remains, resulting in a significant cumulative impact on archeological resources. These effects would be considered a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines Section 15064.5, and in the significance of a tribal cultural resource pursuant to CEQA Guidelines Section 21084.3. Therefore, development under the Plan could contribute considerably to a significant cumulative impact.

Based on the Final EIR and the entire administrative record, the City finds the Plan's contribution to cumulative archeological and tribal cultural resource impacts listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-CP-4a, M-CP-4b, and M-CP-5**, as set forth in the attached MMRP and will be implemented as provided therein.

## **III.B Transportation and Circulation**

### **III.B.1 Impact TR-8**

**Impact TR-8: Development under the Plan, including the proposed open space improvements and street network changes, could result in significant impacts on emergency vehicle access.**

Development under the Plan, in combination with the proposed street network changes, has the potential to impact emergency vehicle access primarily by creating conditions that would substantially affect the ability of drivers to yield the right-of-way to emergency vehicles, or preclude the ability of emergency vehicles to access streets within the transportation study area. Plans for development projects are required to undergo multidepartmental City review to ensure that proposed vehicular access and streetscape improvements do not impede emergency vehicle access to the proposed project's site or surrounding areas. The proposed street network changes would be required to undergo more detailed design and review. As part of that work, there is a preliminary review conducted by SFMTA's Transportation Advisory Staff Committee (TASC) and the San Francisco Fire Department, along with other City agencies. The TASC review ensures that any safety issues, including emergency vehicle access, are resolved prior to permit issuance.

The Plan's proposed street network changes would result in fewer mixed-flow travel lanes on a number of streets, which would reduce the available capacity for vehicles and thereby increase the number of vehicles in the remaining travel lanes, reduce the roadway width available for drivers to pull over to allow emergency vehicles to pass (e.g., due to raised buffers associated with cycle tracks), and result in additional vehicle delay on these streets. It is likely that the increased number of vehicles in the remaining travel lanes and increased levels of traffic congestion would occasionally impede emergency vehicle access in the Plan Area during periods of peak traffic volumes, and would be a significant impact on emergency vehicle access.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-TR-3a: Transit Enhancements, M-TR-8: Emergency Vehicle Access Consultation, M-NO-1a: Transportation Demand Management for New Development Projects, and M-AQ-5e: Central SoMa Air Quality Improvement Strategy**, as set forth in the attached MMRP and will be implemented as provided therein.

### **III.B.2 Impact C-TR-8**

**Impact C-TR-8: Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, could contribute considerably to significant cumulative emergency vehicle access impacts.**

Cumulative growth in housing and employment within Central SoMa and San Francisco would result in an increased demand of emergency response calls, and would also increase the number of vehicles on Central SoMa streets, and result in increased vehicle delays. The Plan's proposed street network changes, in combination with street network changes of other cumulative projects, would result in fewer mixed-flow travel lanes on a number of study area streets, which would reduce the available capacity for vehicles, and would thereby increase the number of vehicles in the remaining travel lanes and result in additional vehicle delay on these streets. This would be a significant cumulative impact on emergency vehicle access. Implementation of the Plan could contribute considerably to cumulative emergency vehicle access conditions in Central SoMa.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant cumulative emergency vehicle access impact would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-TR-3a, M-TR-8, M-NO-1a** as modified herein, and **M-AQ-5e**, as set forth in the attached MMRP and will be implemented as provided therein.

## **III.C Noise and Vibration**

### **III.C.1 Impact NO-3**

**Impact NO-3: Development under the Plan, including the proposed street network changes, would result in construction activities that could expose persons to temporary increases in vibration substantially in excess of ambient levels.**

Construction activities undertaken by subsequent individual development projects allowed under the Plan (including street network changes) could potentially expose people to the impacts of excess groundborne vibration or noise levels. With the exception of pile driving, most construction activities would generate ground-borne vibration levels that would not exceed the FTA criterion of 0.5 in/sec PPV for structural damage to typical construction (reinforced concrete), a less-than-significant vibration impact. If pile driving is required, vibration levels at adjacent buildings could exceed the FTA's criterion of 0.5 in/sec PPV for structural damage, resulting in a significant vibration impact. Potential effects of groundborne vibration on historic resources is discussed in Section III.A.1, Impact CP-1.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-NO-2b: Noise and Vibration Control Measures during Pile Driving, M-CP-3a: Protect Historical Resources from Adjacent Construction Activities, and M-CP-3b: Construction Monitoring Program for Historical Resources**, as set forth in the attached MMRP and will be implemented as provided therein

## III.D Air Quality

### III.D.1 Impact AQ-4

**Impact AQ-4:** Development under the Plan, but not the proposed street network changes and open space improvements, would result in construction activities that could violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.

#### a) Street Network Changes and Open Space Improvements

Construction activities to implement the street network changes and open space improvements would be subject to the Construction Dust Control Ordinance. Compliance with the regulations and procedures set forth in the San Francisco Dust Control Ordinance would ensure that potential dust-related construction air quality impacts from the street network changes and open space improvements would be less than significant.

Construction activities to implement the street network changes and open space improvements would not generate emissions of criteria air pollutants that exceed criteria air pollutant significance thresholds. Therefore, construction criteria pollutant emissions from street network changes and open space improvements would be less than significant.

#### b) Subsequent Development

Implementation of the Plan would allow for development of new office, residential, retail, and other uses, at a greater intensity than is currently allowed under existing land use controls. Most development projects in the Plan Area would entail demolition and removal of existing structures and/or parking lots, excavation, and site preparation and construction of new buildings.

##### Construction Dust

Construction activities undertaken by subsequent individual development projects allowed under the Plan that generate dust include building and parking lot demolition, excavation, and equipment movement across unpaved construction sites. Subsequent development would be subject to the regulations and procedures set forth in the San Francisco Dust Control Ordinance. Therefore, potential dust-related construction air quality impacts would be less than significant.

##### Construction Emissions

Emissions generated during construction activities would include exhaust emissions from heavy duty construction equipment, trucks used to haul construction materials to and from sites, and worker vehicle emissions. Construction activities of the larger projects in the Plan Area could potentially generate emissions of criteria air pollutants that would exceed criteria air pollutant significance thresholds. An analysis of construction emissions using CalEEMod showed that high rise residential developments in excess of 500 units and general office developments in excess of 825,000 square feet would have the potential to result in construction-related

ROG emissions in excess of 54 pounds per day. The amount of construction period emissions would vary depending on project characteristics. For example, a project proposing less than 500 units or 825,000 square feet of non-residential use that requires substantial excavation (e.g., due to contaminated soils and/or to accommodate below-grade parking) may also exceed the construction significance criteria. Therefore, construction of subsequent individual development projects that exceed the criteria air pollutant significance thresholds would result in a significant impact. Implementation of **Mitigation Measures M-AQ-4a: Construction Emissions Analysis** and **M-AQ-4b: Construction Emissions Minimization Plan**, would reduce construction-related emissions to a less-than-significant level.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-AQ-4a** and **M-AQ-4b**, as set forth in the attached MMRP and will be implemented as provided therein.

### **III.D.2 Impact AQ-6**

**Impact AQ-6: Development under the Plan, including proposed open space improvements and street network changes, would result in construction activities that could expose sensitive receptors to substantial levels of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants generated by construction equipment.**

Within the APEZ, construction activities undertaken by subsequent individual development projects allowed under the Plan would adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution. The Plan would also indirectly generate additional vehicle trips that would result in additional parcels meeting the APEZ criteria. Construction activities using off-road diesel equipment and vehicles in these areas would expose sensitive receptors to substantial levels of air pollution, and would be a significant impact.

The proposed street network changes and open space improvements would be publicly-funded projects and therefore subject to the conditions of the Clean Construction Ordinance to reduce diesel emissions, and thereby reduce related potential health risks. However, the Plan would indirectly generate additional vehicle trips that would result in additional areas meeting the APEZ health risk criteria. Construction activities on, or adjacent to, these parcels would adversely affect populations already at a higher risk for adverse long-term health risks, and would be a significant impact.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measures M-AQ-6a: Construction Emissions Minimization Plan**, and **M-AQ-6b: Implement Clean Construction Requirements**, as set forth in the attached MMRP and will be implemented as provided therein.

## III.E Biological Resources

### III.E.1 Impact BI-1

**Impact BI-1: Development under to the Plan and the proposed street network changes has the potential to adversely affect special-status species and to interfere with the movement of wildlife species.**

Given the limited quality of potential habitat, neither development within the Plan area nor the proposed street network changes would interfere substantially with migratory corridors. The proposed street network changes may require the relocation or removal of trees within the existing sidewalk of these streets; and demolition or renovation of existing buildings and construction of new buildings could also result in removal of existing trees. Tree removal at the start of construction could result in impacts on nesting birds, however this impact would be less than significant with compliance with the *California Fish and Game Code* and the Migratory Bird Treaty Act.

The Plan area provides limited potential roosting habitat for two special- status bat species, western red bat (*Lasiurus blossevillii*) and Townsend's big-eared bat (*Corynorhinus townsendii*). While the potential for their occurrence within the Plan area is low, it is possible that these bat species could be found in trees or underutilized buildings. Development under the Plan including the proposed street network changes and open space improvements could result in a potentially significant impact on special-status bats.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measure M-BI-1: Pre-Construction Bat Surveys**, as set forth in the attached MMRP and will be implemented as provided therein.

## III.F Hazards and Hazardous Materials

### III.F.1 Impact HZ-3

**Impact HZ-3: Demolition and renovation of buildings as part of individual development projects implemented pursuant to the Plan could potentially expose workers and the public to hazardous building materials including asbestos-containing materials, lead-based paint, polychlorinated biphenyls (PCBs), bis (2-ethylhexyl) phthalate (DEHP), and mercury, or result in a release of these materials into the environment during construction.**

The Plan area was nearly completely rebuilt during by the first two decades of the 20th century, after the 1906 earthquake and fire. Many of the existing buildings may contain hazardous building materials, including asbestos-containing materials, lead-based paint, and electrical equipment containing PCBs. Most of the existing buildings could also include fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. All of these materials were commonly employed until the second half of the 20th century. If a building is demolished or renovated as part of a development project implemented pursuant to the Plan, workers and the public could be exposed to hazardous building materials if they were not abated prior to demolition. Compliance with regulatory requirements and implementation of required procedures

would ensure that potential impacts due demolition or renovation of structures with asbestos-containing materials and lead-based paint would be less than significant.

Other hazardous building materials that could be present within the Plan area include electrical transformers that could contain PCBs, fluorescent light ballasts that could contain PCBs or DEHP, and fluorescent light tubes that could contain mercury vapors. Disruption of these materials could pose health threats for construction workers if not properly disposed of and would be a potentially significant impact.

Based on the Final EIR and the entire administrative record, the City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of **Mitigation Measure M-HZ-3: Hazardous Building Materials Abatement**, as set forth in the attached MMRP and will be implemented as provided therein.

## SECTION IV

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### Significant Impacts That Cannot Be Avoided or Reduced to a Less-than-Significant Level

Based on substantial evidence in the whole record of these proceedings, the City finds that, where feasible, changes or alterations have been required, or incorporated into, the Plan and proposed street network changes to reduce the significant environmental impacts listed below as identified in the Final EIR. Although all of the mitigation measures set forth in the Mitigation Monitoring and Reporting Plan (MMRP), attached as Exhibit B, are adopted, for some of the impacts listed below, despite the implementation of feasible mitigation measures, the effects remain significant and unavoidable.

It is further found, as described in this Section IV below, based on the analysis contained within the Final EIR, other considerations in the record, and the significance criteria identified in the Final EIR, that because some aspects of the Project could cause potentially significant impacts for which feasible mitigation measures are not available to reduce the impact to a less-than-significant level, those impacts remain significant and unavoidable. It is also recognized that although mitigation measures are identified in the Final EIR that would reduce some significant impacts, certain measures, as described in this Section IV below, are uncertain or infeasible for reasons set forth below, and therefore those impacts remain significant and unavoidable or potentially significant and unavoidable.

Thus, the following significant impacts on the environment, as reflected in the Final EIR, are unavoidable. As more fully explained in Section VII, below, under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, it is found and determined that legal, environmental, economic, social, technological and other benefits of the Project override any remaining significant adverse impacts of the Project for each of the significant and unavoidable impacts described below. This finding is supported by substantial evidence in the record of this proceeding. This finding is supported by substantial evidence in the record of this proceeding.

## IV.A Land Use and Land Use Planning

### IV.A.1 Impact LU-2

**Impact LU-2:** Development under the Plan, including proposed open space improvements and street network changes, would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. Specifically, the Plan could result in traffic noise along Howard Street (under the two-way option for Howard and Folsom Streets) that exceeds the noise standards in the General Plan's Environmental Protection Element.

The Plan would not conflict substantially with the great majority of policies in the *General Plan, Planning Code, Plan Bay Area, Climate Action Plan, Bicycle Plan, Better Streets Plan, or Transit First Policy*, and other regulations that were adopted for the purpose of avoiding or mitigating an environmental effect.

Implementation of the Plan could result in siting sensitive receptors in close proximity to noise sources by changing zoning to allow uses that may generate high noise levels, such as PDR and Places of Entertainment, in proximity to new and existing residences. This may conflict with the *General Plan's* Environmental Protection Element, Policy 11.1: Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.

Implementation of the Plan could result in increased traffic noise levels, which could conflict with the *General Plan's* Environmental Protection Element Policy 9.6: Discourage changes in streets which will result in greater traffic noise in noise-sensitive areas. This impact relates specifically to the potential for implementation of the Plan to result in increased traffic noise levels on Howard Street under the two-way option for Howard and Folsom Streets.

The EIR identifies and analyzes **Mitigation Measures M-NO-1a: Transportation Demand Management for New Development Projects** and **M-NO-1b: Siting of Noise-Generating Uses** to address this impact. The EIR finds that implementation of Mitigation Measure M-NO-1b would reduce noise from noise-generating uses to less-than-significant levels. However, while implementation of Mitigation Measure M-NO-1a would reduce traffic noise on Howard Street under the two-way option for Howard and Folsom Streets, it may not be sufficient to reduce the impact to a less-than-significant level. Therefore, the potential for a significant conflict with the General Plan's Environmental Protection Element Policy 9.6 would remain significant and unavoidable with mitigation.

### IV.A.2 Impact C-LU-1

**Impact C-LU-1:** Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would contribute considerably to a significant cumulative land use impact. Specifically, the Plan, under both the one-way and two-way options for Folsom and Howard Streets, could make a considerable contribution to cumulative traffic noise levels which would exceed the noise standards in the General Plan's Environmental Protection Element.

In general, the Plan, and particularly the proposed street network changes and open space improvements, would improve linkages within the Plan Area and serve to enhance the physical connection between and through various parts of the Plan Area. None of the individual projects in the Plan Area is expected to preclude or interfere with proposed public realm improvements, and many would contribute positively to pedestrian connections, new infrastructure, and/or include open space enhancements. Therefore, the Plan would not combine with these projects and plans and so as to result in significant cumulative impacts related to dividing established communities.

However, implementation of the Plan could result in a significant unavoidable impact with respect to increased traffic noise, which would conflict with a General Plan policy adopted for the purpose of mitigating or avoiding an environmental effect. The Plan, including both the one-way and two-way operation of Folsom and Howard Streets would make a considerable contribution to cumulative traffic noise levels. The EIR identifies and analyzes **Mitigation Measures M-NO-1a: Transportation Demand Management for New Development Projects** to address this impact, and concludes that no additional mitigation measures for new development projects have been identified to reduce this impact to less than significant. Therefore, the project's contribution to cumulative traffic noise impacts would remain significant and unavoidable with mitigation.

## **IV.B Cultural and Paleontological Resources**

### **IV.B.1 Impact CP-1**

**Impact CP-1: Development under the Plan would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district located in the Plan Area, including as-yet unidentified resources, a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.**

The EIR finds that development under the Plan would result in the demolition or substantial alteration of individually identified historic architectural resources and/or contributors to a historic district or conservation district located in the Plan Area, including as-yet unidentified resources, causing a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. The EIR concludes that such impacts could occur as a result of individual development projects under the Plan. The EIR also concludes that development under the Plan in combination with past, present, and reasonably foreseeable future projects in the vicinity could result in the demolition and/or alteration of historical resources, thereby contributing considerably to a cumulative historical resources impact.

The EIR identifies and analyzes **Mitigation Measures M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Historical Resources; M-CP-1b: Documentation of Historical Resource(s); M-CP-1c: Oral Histories; M-CP-1d: Interpretive Program; and M-CP-1e: Video Recordation** to address this impact. The EIR finds that, while the foregoing mitigation measures would reduce the adverse impacts of the Plan on historical resources, they would not reduce the impacts to a less-than-significant level because it cannot be stated with certainty that no historical resources would be demolished or otherwise

adversely affected in the Plan Area with implementation of the Plan. Therefore, the impact would remain significant and unavoidable with mitigation.

## **IV.B.2 Impact C-CP-1**

**Impact C-CP-1: Development under the Plan, in combination with past, present, and reasonably foreseeable future projects in the vicinity, could result in demolition and/or alteration of historic resources, thereby contributing considerably to significant cumulative historical resources impacts.**

The EIR finds that development under the Plan may contribute to the loss of individual historic resources and contributors to historic districts by encouraging demolition and alteration of such resources in the Plan Area. These impacts could combine with similar impacts in areas outside the Plan Area to result in significant cumulative impacts in the number of individually eligible historic resources within the SoMa neighborhood and cumulative effects to historic districts that overlap within the Plan Area and adjacent areas. The proposed Plan could contribute considerably to this impact, and several mitigation measures have been identified and analyzed that could mitigate this impact to less than significant, including **Mitigation Measures M-CP-1a through M-CP-1e**, as noted above. However, because it is uncertain whether or not these mitigation measures could reduce impacts to a less-than-significant level, this impact would remain significant and unavoidable with mitigation.

## **IV.C Transportation and Circulation**

### **IV.C.1 Impact TR-3**

**Impact TR-3: Development under the Plan, including the proposed open space improvements and street network changes, would result in a substantial increase in transit demand that would not be accommodated by local transit capacity, and would cause a substantial increase in delays resulting in adverse impacts on local and regional transit routes.**

Development associated with the Plan would generate 4,160 transit trips during the a.m. peak hour, and 4,430 transit trips during the p.m. peak hour. The EIR finds that development under the Plan, including the proposed open space improvements and street network changes, would result in significant adverse transit impacts on Muni capacity and East Bay regional transit screenlines, and would result in transit delays for Muni, Golden Gate Transit, and SamTrans buses. The EIR identifies and analyzes **Mitigation Measures M-TR-3a: Transit Enhancements, M-TR-3b: Boarding Improvements, and M-TR-3c, Signalization and Intersection Restriping at Townsend/Fifth Streets** to address this impact. The EIR finds that even with implementation of these mitigation measures, impacts would not be reduced to a less-than-significant level. Implementation of Mitigation Measures M-TR-3a, M-TR-3b, and M-TR-3c would reduce the effect of increased ridership and could reduce the travel time impacts or mitigate them to less-than-significant levels. However, because it is not known how much additional funding would be generated for transit service as part of these mitigation measures, or whether SFMTA would provide additional service on the impacted routes to fully mitigate the Plan's impacts, the impacts remain significant and unavoidable with mitigation.

## IV.C.2 Impact TR-4

**Impact TR-4: Development under the Plan, including the proposed open space improvements and street network changes, would not result in pedestrian safety hazards nor result in a substantial overcrowding on sidewalks or at corner locations, but would result in overcrowding at crosswalks.**

Development associated with the Plan would generate about 10,550 pedestrian trips (4,430 transit and 6,120 walk and other modes trips) during the p.m. peak hour. New development under the Plan would result in a substantial increase in pedestrians, bicyclists, and vehicle trips in Central SoMa, which could increase the potential for conflicts between modes. However, some of the development projects would include pedestrian improvements, as required under the *Better Streets Plan*, and ongoing City projects such as the Vision Zero effort focused on eliminating traffic deaths by 2024. The proposed street network changes include numerous improvements to the pedestrian network including sidewalk widening to meet the standards in the *Better Streets Plan* where possible, corner sidewalk extensions, pedestrian signal timing upgrades, signalized midblock pedestrian crossings, and opening currently closed crosswalks. Impacts of the Plan related to pedestrian safety hazards would be less than significant.

Implementation of the street network changes, in combination with the additional pedestrians generated by development under the Plan, would result in significant pedestrian LOS impacts at the west and east crosswalks at the intersections of Third/Mission and Fourth/Mission, and at the west crosswalks at the intersections of Fourth/Townsend and Fourth/King during the midday and/or p.m. peak hours. The EIR identifies and analyzes **Mitigation Measure M-TR-4: Upgrade Central SoMa Area Crosswalks**, to address this impact. The EIR finds that even with implementation of this mitigation measure, because the feasibility of the crosswalk widening beyond the current width is uncertain due to roadway or other physical constraints (e.g., presence of bus stops or platforms), the pedestrian impact at the crosswalks due to implementation of the Plan would remain significant and unavoidable with mitigation.

## IV.C.3 Impact TR-6

**Impact TR-6: Development under the Plan, including the proposed open space improvements and street network changes, would result in an increased demand of on-street commercial and passenger loading and a reduction in on-street commercial loading supply such that the loading demand during the peak hour of loading activities would not be accommodated within on-street loading supply, would impact existing passenger loading/unloading zones, and may create hazardous conditions or significant delay that may affect transit, other vehicles, bicycles, or pedestrians.**

Implementation of the street network changes associated with the Plan would remove on-street commercial loading spaces and passenger loading/unloading zones on a number of streets either permanently or during peak periods. The EIR finds that development under the Plan, including the proposed open space improvements and street network changes, would result in significant impacts on commercial vehicle loading/unloading activities and passenger loading/unloading activities.

The EIR identifies and analyzes **Mitigation Measures M-TR-6a: Driveway and Loading Operations Plan (DLOP)** and **M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones** to address this impact.

The EIR finds that these mitigation measures would reduce the potential for disruption to traffic and transit circulation, and impacts on pedestrians and bicycles in the Plan Area as a result of commercial loading activities. However, replacement of on-street loading and passenger loading/unloading zones may not always be possible due to conditions such as existing parking prohibitions or availability of general on-street spaces that could be converted to commercial loading spaces, or pedestrian circulation area on adjacent sidewalks. Thus, the feasibility of providing replacement commercial loading spaces of similar length on the same block and side of the street or within 250 feet on adjacent side streets cannot be assured in every situation where loading spaces are removed as a result of the street network changes. Locations adjacent to transit-only lanes would also not be ideal for loading spaces because they may introduce new conflicts between trucks and transit vehicles. Given these considerations, the potential locations for replacing all on-street commercial loading spaces on streets where circulation changes are proposed (i.e., Folsom, Howard, Harrison, Bryant, Brannan, Third and Fourth Streets) are limited, and it is unlikely that a sufficient amount of spaces could be provided to offset the net loss in supply and ensure that conflicts between trucks, bicyclists, and other vehicles do not occur. Similarly, for passenger loading/unloading zones, replacement may not always be possible due to conditions such as existing parking prohibitions or lack of general on-street spaces that could be converted to passenger loading spaces. As such, the feasibility of providing replacement passenger loading/unloading zones of similar length that would serve the affected properties, particularly the Moscone Center, hotels, and the Bessie Carmichael School/Filipino Education Center, cannot be assured. For these reasons, loading impacts, particularly during peak hour of loading activities, would remain significant and unavoidable with mitigation.

#### **IV.C.4 Impact TR-9**

**Impact TR-9: Construction activities associated with development under the Plan, including the proposed open space improvements and street network changes, would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions.**

In general, the analysis of construction impacts is specific to individual projects, and includes a discussion of temporary roadway and sidewalk closures, relocation of bus stops, effects on roadway circulation due to construction trucks, and the increase in vehicle trips, transit trips and parking demand associated with construction workers. Construction-related transportation impacts associated with individual development, open space, or transportation projects are temporary and generally of short-term duration (e.g., typically between two and three years), and are conducted in accordance with City requirements to ensure that they do not substantially affect transit, pedestrian, or bicycle conditions or circulation in the area. However, given the magnitude of projected development anticipated to occur, and the uncertainty concerning construction schedules, construction activities associated with multiple overlapping projects under the Plan could result in multiple travel lane closures, high volumes of trucks in the local vicinity, and travel lane and sidewalk closures. These in turn could disrupt or delay transit, pedestrians, or bicyclists, or result in potentially hazardous

conditions (e.g., high volumes of trucks turning at intersections). As such, the EIR finds that construction-related transportation impacts would be significant.

The EIR identifies and analyzes **Mitigation Measure M-TR-9: Construction Management Plan and Construction Coordination** to address this impact. The EIR finds that implementation of Mitigation Measure M-TR-9 would minimize, but would not eliminate, the significant impacts related to conflicts between construction activities and pedestrians, transit, bicyclists, and vehicles. Other measures, such as imposing sequential (i.e., non-overlapping) construction schedules for all projects in the vicinity, were considered but deemed infeasible due to potentially lengthy delays in implementation of subsequent projects. As such, construction-related transportation impacts would remain significant and unavoidable with mitigation.

#### **IV.C.5 Impact C-TR-3**

**Impact C-TR-3: Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would contribute considerably to significant cumulative transit impacts on local and regional transit providers.**

Implementation of the Plan would result in significant cumulative impacts, or contribute considerably to cumulative impacts, on capacity utilization on multiple Muni downtown screenlines and corridors, and Central SoMa cordons and corridors. Under 2040 cumulative conditions, development under the Plan would contribute considerably to BART ridership for travel from the East Bay during the a.m. peak hour and to the East Bay during the p.m. peak hours, and the BART East Bay screenlines would operate at more than the 100 percent capacity utilization standard. All other regional screenlines and transit providers were not projected to exceed the capacity utilization standard under 2040 cumulative conditions. Implementation of the Plan would contribute considerably to significant cumulative impacts, as a result of increased congestion and transit delay on Muni, Golden Gate Transit, and SamTrans routes that operate within the Central SoMa transportation study area.

The EIR identifies and analyzes **Mitigation Measures M-TR-3a: Transit Enhancements, M-TR-3b: Boarding Improvements, and M-TR-3c: Signalization and Intersection Restriping at Townsend/Fifth Streets)** to address this impact. The EIR finds that the feasibility of identified mitigation measures is uncertain and may not be adequate to mitigate cumulative impacts to less-than-significant levels. Therefore, implementation of the Plan, in combination with past, present and reasonably foreseeable development in San Francisco, would contribute considerably to the significant and unavoidable with mitigation cumulative local and regional transit impacts.

#### **IV.C.6 Impact C-TR-4**

**Impact C-TR-4: Development under the Plan, including the proposed open space improvements and street network changes, in combination with past, present, and reasonably foreseeable development in San Francisco, would contribute considerably to significant cumulative pedestrian impacts.**

The Plan's proposed street network changes, in combination with other cumulative projects would improve the pedestrian network in Central SoMa and enhance pedestrian safety, including for seniors and persons with

disabilities. Under 2040 cumulative conditions, impacts related to cumulative pedestrian safety hazards would be less than significant.

Under year 2040 cumulative conditions, the Plan would contribute considerably to significant cumulative pedestrian impacts at one or more crosswalks at the intersections of Third/Mission, Third/Howard, Fourth/Mission, Fourth/Howard, Fourth/Folsom, Fourth/Harrison, Fourth/Bryant, Fourth/Brannan, Fourth/Townsend, and Fourth/King during the midday and/or p.m. peak hours. The EIR identifies and analyzes **Mitigation Measure M-TR-4: Upgrade Central SoMa Area Crosswalks**, to address this impact. The EIR finds that because the feasibility of the crosswalk widening beyond the current width is uncertain due to roadway or other physical constraints (e.g., presence of bus stops or platforms), the pedestrian impact at the crosswalks due to implementation of the Plan would remain significant and unavoidable. Therefore, implementation of the Plan, in combination with past, present and reasonably foreseeable development in San Francisco, would contribute considerably to the significant and unavoidable with mitigation cumulative pedestrian impacts.

#### **IV.C.7 Impact C-TR-6**

**Impact C-TR-6: Development under the Plan, including the proposed open space improvements and street network changes, and the associated increased demand of on-street loading in combination with past, present, and reasonably foreseeable development in San Francisco, would contribute considerably to significant cumulative loading impacts.**

Implementation of the street network changes associated with the Plan would remove on-street commercial loading spaces and passenger loading/unloading zones on a number of streets either permanently or during peak periods. These conditions would worsen with cumulative projects that also remove on-street commercial loading spaces and passenger loading/unloading zones, resulting in significant cumulative impacts. The EIR identifies and analyzes **Mitigation Measures M-TR-6a: Driveway and Loading Operations Plan (DLOP)** and **M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones** to address this impact. The EIR finds that because the feasibility of providing replacement commercial loading spaces and passenger loading/unloading zones of similar lengths is uncertain, loading impacts due to implementation of the Plan would remain significant and unavoidable. Therefore, implementation of the Plan, in combination with past, present and reasonably foreseeable development in San Francisco, would contribute considerably to the significant and unavoidable with mitigation cumulative loading impacts.

### **IV.D Noise and Vibration**

#### **IV.D.1 Impact NO-1**

**Impact NO-1: Development under the Plan, including the proposed street network changes, would generate noise that would result in exposure of persons to noise levels in excess of standards in the *San Francisco***

**General Plan or Noise Ordinance (Article 29 of the Police Code), and would result in a substantial permanent increase in ambient noise above existing levels.**

#### Traffic Noise Impacts

Noise modeling was undertaken for 149 street segments to evaluate changes in traffic noise between existing conditions and each of the three development scenarios: (1) Existing + Growth Attributed to the Plan; (2) Existing + Growth Attributed to the Plan with Street Improvements (Folsom/Howard one-way); and (3) Existing + Growth Attributed to the Plan with Street Improvements (Folsom/Howard two-way). The results of the traffic noise modeling revealed that effects of Plan-generated growth on the existing noise environment would be relatively limited.

Under the Existing + Growth Attributed to the Plan scenario, traffic increases would result in noise increases of 2.5 dBA or less. Therefore, traffic generated by anticipated Plan Area development alone would not result in a substantial permanent increase in ambient noise levels, and would not expose persons to noise levels in excess of standards in the *San Francisco General Plan*. When compared to the three dBA perceptibility threshold, a 2.5 dBA noise increase would have a less-than-significant impact on existing residential and other noise-sensitive uses. The proposed open space improvements would generate little, if any, new vehicular traffic and, accordingly, would result in little or no increase in indirect traffic-generated noise.

Under the Existing + Growth Attributed to the Plan with Street Improvements (Folsom/Howard one-way) scenario, traffic increases would result in noise increases of 2.4 dBA or less along study segments; these increases of less than three dBA would not be noticeable and would be less than significant.

Under the Existing + Growth Attributed to the Plan with Street Improvements (Folsom/Howard two-way) scenario, two street segments would experience an increase in traffic noise of three dBA or more. The two-way Folsom and Howard Street network changes would result in noise increases of 3.1 dBA and 5.2 dBA along Howard Street between 10th and 11th Streets and Howard Street west of 11th Street, respectively. This would be a significant impact. At all other locations under this scenario, traffic noise increases would be less than three dBA and thus would be less than significant.

The EIR identifies and analyzes **Mitigation Measures M-NO-1a: Transportation Demand Management for New Development Projects** to reduce this impact. The EIR finds that while implementation of Mitigation Measure M-NO-1a would reduce traffic noise on Howard Street under the two-way option for Howard and Folsom Streets, it may not be sufficient to reduce the impact to a less-than-significant level. Therefore, noise impacts associated with implementation of the Plan and the two-way option for Howard and Folsom Streets would remain significant and unavoidable with mitigation.

Mitigation Measure M-NO-1a requires project sponsors to develop and implement a Transportation Demand Management (TDM) Plan pursuant to the Planning Department's TDM Program. One of the benefits of the TDM Program is to provide more certainty to project sponsors in the development review process. Under the TDM program, because a project sponsor knows its TDM requirements before submitting a development application, it can take those requirements into account when designing and financing the project. However, the TDM requirements proposed in the Central SoMa Plan legislation are substantially greater than those originally adopted in Planning Code Section 169. As a result, many development projects that submitted a development application prior to the introduction of the Central SoMa legislation were designed and financed

in ways that make it infeasible for those projects to meet the Central SoMa TDM requirements. Construction of these projects is integral to achieving the goals of the Central SoMa Plan.

For these reasons, the Commission hereby finds that Mitigation Measure M-NO-1a is infeasible to the extent it applies to projects with completed development applications or environmental evaluation applications on file with the Planning Department before January 1, 2018.

The Commission hereby adopts Mitigation Measure M-NO-1a as modified below. With these modifications, the Commission finds that Mitigation Measure M-NO-1a is feasible.

**Mitigation Measure M NO 1a:** Transportation Demand Management for New Development Projects. To reduce vehicle noise from subsequent development projects in the Plan Area, the project sponsor and subsequent property owners (excluding 100 percent affordable housing projects) shall develop and implement a TDM Plan for a proposed project's net new uses (including net new accessory parking spaces) as part of project approval. The scope and number of TDM measures included in the TDM Plan shall be in accordance with Planning Department's TDM Program Standards for the type of development proposed, and accompanying appendices, except that projects with complete development applications or Environmental Evaluation Applications (EEAs) on file with the Planning Department before January 1, 2018 shall meet a minimum of 75% of the TDM requirements in the Planning Department's TDM Program Standards. The TDM Program Standards and accompanying appendices are expected to be refined as planning for the proposed TDM Ordinance continues. Each subsequent development project's TDM Plan for proposed net new uses shall conform to the most recent version of the TDM Program Standards and accompanying appendices available at the time of the project Approval Action, as Approval Action is defined in Section 31.04(h) of the San Francisco Administrative Code. The Planning Department shall review and approve the TDM Plan, as well as any subsequent revisions to the TDM Plan. The TDM Plan shall target a reduction in the vehicle miles traveled (VMT) rate (i.e., VMT per capita), monitor and evaluate project performance (actual VMT), and adjust TDM measures over time to attempt to meet VMT target reduction. This measure is applicable to all projects within the Plan Area that do not otherwise qualify for an exemption under Article 19 of the CEQA Guidelines. This measure is superseded for those projects that are already required to fully comply with the TDM Program Standards (i.e., without reductions in target requirements) in the Plan Area. The TDM Plan shall be developed in consultation with the Planning Department and rely generally on implementation of measures listed in the Planning Department TDM Program Standards and accompanying appendices in effect at the time of the Project Approval Action. The TDM program may include, but is not limited to the types of measures, which are summarized below for explanatory example purposes. Actual development project TDM measures shall be applied from the TDM Program Standards and accompanying appendices, which describe the scope and applicability of candidate measures in detail:

1. Active Transportation: Provision of streetscape improvements to encourage walking, secure bicycle parking, shower and locker facilities for cyclists, subsidized bike share memberships for project occupants, bicycle repair and maintenance services, and other bicycle-related services;
2. Car-Share: Provision of car-share parking spaces and subsidized memberships for project occupants;
3. Delivery: Provision of amenities and services to support delivery of goods to project occupants;

4. Family-Oriented Measures: Provision of on-site childcare and other amenities to support the use of sustainable transportation modes by families;
5. High-Occupancy Vehicles: Provision of carpooling/vanpooling incentives and shuttle bus service;
6. Information: Provision of multimodal wayfinding signage, transportation information displays, and tailored transportation marketing services;
7. Land Use: Provision of on-site affordable housing and healthy food retail services in underserved areas; and
8. Parking: Provision of unbundled parking, short-term daily parking provision, parking cash out offers, and reduced off-street parking supply.

#### Noise Generating Sources

Development of certain commercial uses in proximity to existing residential uses would increase the potential for noise disturbance or conflicts. Depending on the type of commercial activities, noise generated from the sources such as loading/unloading activities, delivery trucks, garbage trucks, PDR and light industrial uses, could result in a substantial permanent, temporary or periodic increase in ambient noise levels, creating noise conflicts between residential and commercial uses. The EIR identifies and analyzes **Mitigation Measure M-NO-1b: Siting of Noise-Generating Uses** to address this impact. The EIR finds that implementation of Mitigation Measure M-NO-1b and compliance with the Section 2909 of the Noise Ordinance would render impacts less than significant with respect to potential conflicts between new noise-generating uses and noise-sensitive land uses.

#### Noise Compatibility of Future Uses

The Plan proposes to permit nighttime entertainment uses within a limited area, south of Harrison Street between Fourth and Sixth Streets, where the Plan would establish a new Central SoMa SUD. Because entertainment uses typically generate nighttime noise and residential uses require quieter nighttime noise levels, noise conflicts could result where these land uses are in proximity to one another and where buildings may not be sufficiently insulated to prevent the intrusion of excessive noise. The EIR identifies and analyzes **Mitigation Measure M-NO-1b: Siting of Noise-Generating Uses** to address this impact. The EIR finds that implementation of Mitigation Measure M-NO-1b and compliance with the San Francisco Building Code, Administrative Code, Planning Code, and Police Code, and Regulation of Noise from Places of Entertainment would reduce noise impacts to the maximum extent feasible, consistent with the General Plan, and would reduce the potential for noise conflicts between new entertainment and residential uses to a less-than-significant level.

## **IV.D.2 Impact NO-2**

**Impact NO-2: Development under the Plan, including the proposed street network changes and open space improvements, would result in construction activities in the Plan Area that could expose persons to substantial temporary or periodic increases in noise levels substantially in excess of ambient levels.**

Development that could result from implementation of the Plan would result in construction of new buildings, demolition, or retrofitting (if applicable) near existing residential or other noise-sensitive uses. The noise levels associated with construction equipment such as pile driving and concrete saws would exceed the ambient noise levels of approximately 70 to 75 dBA, and, absent noise controls, would exceed the limit specified in the *Police Code* of 80 dBA at 100 feet. This would be a significant impact. Similar noise levels could be reached with operation of multiple pieces of construction equipment, on the same site or on multiple sites, depending on their distance from sensitive receptors. Similarly, the duration of noise experienced by receptors may be increased due to overlapping construction projects. The EIR identifies and analyzes **Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise and Vibration Control Measures during Pile Driving** to address this impact.

The EIR finds implementation of Mitigation Measures M-NO-2a and M-NO-2b would reduce the noise impact from future construction throughout the Plan Area to a less-than-significant level from individual construction sites. However, a number of projects have environmental applications on file and are dependent upon the Central SoMa Plan's proposed zoning. It is possible that such projects, some of which are located in close proximity to each other, could be under construction at the same time. The combined effect of these noise impacts may result in noise levels for which available feasible mitigation measures may not be sufficient to reduce the impact to less than significant. Therefore, this impact remains significant and unavoidable with mitigation.

### **IV.D.3 Impact C-NO-1**

**Impact C-NO-1: Development under the Plan, including the proposed street network changes and open space improvements, in combination with past, present, and reasonably foreseeable future projects, would result in cumulative noise impacts.**

Noise modeling was undertaken for 149 street segments to evaluate changes in traffic noise between 2040 conditions and each of the three development scenarios: (1) 2040 Cumulative + Growth Attributed to the Plan; (2) 2040 Cumulative + Growth Attributed to the Plan with Street Improvements (Folsom/Howard one-way); and (3) 2040 Cumulative + Growth Attributed to the Plan with Street Improvements (Folsom/Howard two-way). The results of the traffic noise modeling revealed that effects of Plan-generated and cumulative traffic growth would be relatively minimal overall.

Under the 2040 Cumulative + Growth Attributed to the Plan scenario, traffic noise increases would generally be less than three dBA. One street segment on Fifth Street between Bryant and Brannan Streets would experience a noise increase greater than three dBA; this would be a significant cumulative impact. However, the Plan contribution would be minimal (less than 0.5 dBA) and thus not a considerable contribution to the significant cumulative impact.

Under the 2040 Cumulative + Growth Attributed to the Plan with Street Improvements (Folsom/Howard one-way) scenario, a significant cumulative impact would occur on Fourth Street between Bryant and Brannan Streets and on Bryant Street east of Fourth Street. Under the 2040 Cumulative + Growth Attributed to the Plan with Street Improvements (Folsom/Howard two-way) scenario, significant cumulative impacts would occur on Howard Street west of Fifth Street, Fourth Street between Bryant and Brannan Streets, and on Bryant Street east of Fourth Street. Therefore, the Plan growth plus the street network changes with both one-way and two-

way options for Folsom and Howard Streets would make a considerable contribution to cumulative significant traffic noise impacts. Therefore, this impact remains significant and unavoidable.

## **IV.E Air Quality**

**Impact AQ-3: Operation of subsequent individual development projects in the Plan Area and street network changes, but not proposed open space improvements, would violate an air quality standard, contribute to an existing or projected air quality violation, and/or result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.**

Development of individual development projects within the Plan Area could generate vehicle trips and other operational emissions, such as emissions from natural gas combustion, landscape maintenance activities, and painting that would result in a significant increase in criteria air pollutants. With regard to proposed street network changes, these projects would include conversion of Howard and Folsom Streets to accommodate additional travel modes including bicycles and transit, reduction in travel lanes and installation of transit only lanes and bicycle facilities on Third Street and Fourth Street, creation of transit only lanes on Bryant Street and Harrison Street and minor reconfiguration to Brannan Street. Given the number of proposed street network changes, it is conservatively judged that the street network changes would result in significant criteria air pollutant emissions as a result of slower moving vehicle speeds, which would result in an increase in vehicle emissions. The EIR identifies and analyzes **Mitigation Measures M-NO-1a: Transportation Demand Management for New Development Projects, M-AQ-3a: Education for Residential and Commercial Tenants Concerning Low-VOC Consumer Products, and M-AQ-3b: Reduce Operational Emissions**, to address this impact.

The EIR finds that implementation of these mitigation measures is required for future individual development projects in the Plan Area that would exceed BAAQMD screening criteria. However, without specific detail on the size and extent of these projects, it is not possible to estimate emissions or the effectiveness or feasibility of the mitigation measures. Additionally, local government has no authority over vehicle emissions standards, which are established by federal and state law. Existing emissions laws and regulations, including the federal Corporate Average Fuel Economy requirements and California's Clean Car (Pavley) Standards to reduce greenhouse gas emissions, would result in declining vehicle emissions over time. However, no feasible mitigation exists for criteria air pollutant emissions resulting from slower vehicle speeds (and increased idling times) that may occur as a result of the proposed street network changes. Therefore, this impact remains significant and unavoidable with mitigation. It should be noted that the identification of this significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects that comply with applicable screening criteria or meet applicable thresholds of significance.

**Impact AQ-5: Development under the Plan, including proposed street network changes, would result in operational emissions of fine particulate matter (PM<sub>2.5</sub>) and toxic air contaminants that would result in exposure of sensitive receptors to substantial pollutant concentrations.**

The EIR finds that Plan traffic would incrementally expand the geographic extent of the Air Pollutant Exposure Zone (APEZ), adding to the APEZ all of the approximately 40 parcels north of the I-80 freeway that are currently outside the zone (these parcels are largely concentrated near Second and Folsom Streets and along Shipley Street

between Fifth and Sixth Streets), and also adding to the APEZ a large number of parcels south of the freeway, including South Park. As a result of Plan-generated traffic, including the proposed street network changes, excess cancer risk within the APEZ would increase by as much as 226 in a million and PM<sub>2.5</sub> concentrations would increase by up to 4.54 µg/m<sup>3</sup> at individual receptor points, which substantially exceed the thresholds identified in the EIR. The EIR also finds that both existing and new stationary sources, as well as other non-permitted sources in the Plan Area, could result in potential health risks (primarily lifetime cancer risk) to sensitive receptors, which would be expected to consist mostly of persons living in residential projects developed in the Plan Area, particularly if these projects were to include sources of TACs. Among these sources would be diesel-powered emergency generators, which are generally required to be installed in buildings with occupiable floors above 75 feet in height. Finally, the EIR finds that indirect traffic generated by the Plan, as well as the reconfiguration of the street network in the Plan Area, would add and relocate vehicle emissions that would change the geographic extent and severity of the APEZ, significantly exacerbating existing localized air quality conditions. With Plan traffic, the additional parcels that would be added to the APEZ are not currently subject to *Health Code* Article 38; therefore, new sensitive use projects proposed on these lots would be exposed to substantial pollutant concentrations resulting from Plan-generated traffic, which would result in a significant impact. The EIR identifies and analyzes **Mitigation Measure M-NO-1a: Transportation Demand Management for New Development Projects**, to address the impact associated with Plan-generated traffic. Additionally, the EIR identifies and analyzes **Mitigation Measures M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps; M-AQ-5b: Siting of Uses that Emit Particulate Matter (PM<sub>2.5</sub>), Diesel Particulate Matter, or Other Toxic Air Contaminants; M-AQ-5c: Update Air Pollution Exposure Zone for San Francisco Health Code Article 38; M-AQ-5d: Land Use Buffers around Active Loading Docks; and M-AQ-5e: Central SoMa Air Quality Improvement Strategy**, to address these impacts.

The EIR notes that Mitigation Measures M-AQ-5a and M-AQ-5b would reduce emissions of PM<sub>2.5</sub> and other TACs from new stationary sources to less-than-significant levels. Mitigation Measure M-AQ-5c and M-AQ-5d would protect new sensitive land uses from emissions associated with truck activity areas and on sites not currently subject to Article 38, thereby reducing exposure of new sensitive land uses from Plan-generated traffic emissions to less than significant. Mitigation Measure M-AQ-5e would establish a strategy to reduce the exposure of residents and other sensitive land uses to TACs generated by the Plan. However, mobile sources generated by the Plan would significantly affect the geography and severity of the Air Pollutant Exposure Zone. Mitigation Measure M-NO-1a would reduce the number of vehicle trips generated by the Plan, but because the degree to which trips (and thereby emissions) could be reduced by these measures cannot be reliably estimated. In addition, vehicle emissions are regulated at the state and federal level, and local jurisdictions are preempted from imposing stricter emissions standards for vehicles. For this reason, and because no other feasible mitigations are available, the impact of traffic-generated TACs on existing sensitive receptors remains significant and unavoidable with mitigation.

**Impact C-AQ-1: Development under the Plan, including proposed street network changes, but not open space improvements, in combination with past, present, and reasonably foreseeable future projects in the vicinity, under cumulative 2040 conditions, would contribute considerably to criteria air pollutant impacts.**

BAAQMD considers criteria air pollutant impacts to be cumulative by nature. Operational criteria air pollutant emissions of the Plan (assessed using the Plan-level thresholds from the BAAQMD), addressed

individually and cumulatively in the EIR, would not make a considerable contribution to regional emissions of criteria air pollutants, given the Plan's consistency with the *Clean Air Plan* and the modest growth in VMT compared to population growth, and would not result in intersection volumes that would trigger a concern with regard to localized CO concentrations. However, as discussed above, subsequent individual development projects and proposed street network changes could emit criteria air pollutants or result in increased vehicle delays, thereby increasing vehicle emissions in excess of the project-level significance criteria, resulting in a considerable contribution to cumulative air quality impacts. Potential open space improvements in the Plan Area would be considerably smaller in size and less than 20 acres, and would therefore not make a considerable contribution to criteria pollutant emissions. Therefore, cumulative operational criteria air pollutant impacts from open space improvements would be less than significant.

The EIR identifies and analyzes **Mitigation Measures M-NO-1a: Transportation Demand Management for New Development Projects, M-AQ-3a: Education for Residential and Commercial Tenants Concerning Low-VOC Consumer Products, M-AQ-3b: Reduce Operational Emissions, M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps, Mitigation Measure M-AQ-5e: Central SoMa Air Quality Improvement Strategy, M-AQ-4a: Construction Emissions Analysis, and M-AQ-4b: Construction Emissions Minimization Plan** to address this impact.

The EIR finds that even with implementation of these mitigation measures, impacts with respect to subsequent development projects in the Plan Area and the proposed street network changes under 2040 cumulative conditions would remain significant and unavoidable with mitigation. However, the identification of this significant impact does not preclude the finding of future less-than-significant impacts for subsequent projects that comply with applicable screening criteria or meet applicable thresholds of significance.

**Impact C-AQ-2: Development under the Plan, including proposed street network changes, but not open space improvements, in combination with past, present, and reasonably foreseeable future projects in the vicinity, under cumulative 2040 conditions, would contribute considerably to criteria air pollutant impacts. (Significant and Unavoidable with Mitigation)**

The EIR finds that the Plan would indirectly result in traffic emissions and emissions from stationary sources that would have a significant effect on sensitive receptors. These emissions would contribute considerably to cumulative health risk effects within the Plan Area and vicinity. Therefore, the Plan would result in a significant cumulative impact with respect to PM 2.5 and TAC emissions. In addition, the results of the cumulative health risk assessment indicate that Plan-generated traffic would increase the geographic extent of the APEZ under 2040 cumulative conditions, as compared to existing conditions. Within the APEZ, Plan-generated traffic would increase excess cancer risk by more than seven per one million persons exposed, while PM<sub>2.5</sub> concentrations would increase by up to 0.17 µg/m<sup>3</sup> at individual receptor points. Therefore, Plan-generated traffic would significantly affect both the geography and severity of health risks within the Plan Area under 2040 cumulative conditions, resulting in a considerable contribution to cumulative health risk impacts. The proposed street network changes would not generate new vehicle trips but would relocate vehicle trips, thereby potentially exacerbating this impact. The proposed open space improvements would not be of sufficient magnitude to draw large numbers of users from outside the immediate neighborhood and would be expected to generate little, if any, motor vehicle travel. Therefore, the proposed open space improvements would not make a considerable contribution to cumulative health risk impacts.

The EIR identifies and analyzes **Mitigation Measure M-NO-1a: Transportation Demand Management for New Development Projects**, and **Mitigation Measure M-AQ-4a: Construction Emissions Analysis**, to address this impact. The EIR also identifies and analyzes **Mitigation Measures M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps; M-AQ-5b: Siting of Uses that Emit Particulate Matter (PM<sub>2.5</sub>), Diesel Particulate Matter, or Other Toxic Air Contaminants; and M-AQ-5c: Update Air Pollution Exposure Zone for San Francisco Health Code Article 38**, to address this impact as well. Finally, the EIR identifies and analyzes **Mitigation Measure M-AQ-6b: Implement Clean Construction Requirements**, to address this impact.

The EIR finds that even with implementation of these mitigation measures, cumulative impacts with respect to subsequent development projects and proposed street network changes, and emissions of TACs generated by development occurring pursuant to the Plan under 2040 cumulative conditions would result in significant cumulative impacts to existing sensitive receptors; therefore, this impact remains significant and unavoidable with mitigation.

## **IV.F Wind**

### **IV.F.1 Impact WI-1**

**Impact WI-1: Subsequent future development anticipated under the Plan could alter wind in a manner that substantially affects public areas.**

Wind tunnel testing was performed to generally define the pedestrian wind environment that currently exists, and would exist with Plan implementation, on sidewalks and open spaces around the Plan Area. For this program-level wind testing, wind tunnel models did not include detailed landscape features in open areas or specific building articulation beyond basic setbacks. The results indicate that the Plan could result in four new exceedances of the 26 mph hazard criterion, resulting in a significant impact. Because building designs, large street trees, and street furniture were not included in the wind tunnel model, the test results reported are conservative and likely to indicate higher wind speeds than would actually occur. It is expected that the landscaping features and building articulation would be expected to eliminate the five hazard criterion exceedances that were identified in the Plan model.

The EIR identifies and analyzes **Mitigation Measure M-WI-1: Wind Hazard Criterion for the Plan Area** to address this impact. The EIR finds that implementation of Mitigation Measure M-WI-1 would reduce the potential for a net increase in wind hazard exceedances and the hours of wind hazard exceedances. However, it cannot be stated with certainty that each subsequent development project would be able to meet the one-hour wind hazard criterion of 26 miles per hour equivalent wind speed performance standard without substantial modifications to the project's design and program such that the project would not be able to be developed to allowable building heights proposed by the Plan. Therefore, this impact remains significant and unavoidable with mitigation. This determination does not preclude the finding that specific development projects would result in less-than-significant wind impacts depending on the design and site conditions.

## SECTION V

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### Why Subsequent Environmental Analysis or Recirculation Is Not Required

For the reasons set forth below and elsewhere in the Administrative Record, none of the factors are present that would necessitate recirculation of the Final EIR under CEQA Guideline Section 15088.5 or the preparation of a subsequent or supplemental EIR under CEQA Guideline Section 15162. The Response to Comments document thoroughly addressed all public comments that the Planning Department received on the Draft EIR. In response to these comments, the Department added new and clarifying text to the EIR and modified some mitigation measures.

The Response to Comments document, which combined with the Draft EIR and the Errata comprise the Final EIR, analyzed all of these changes, including the Project, and determined that these changes did not constitute new information of significance that would alter any of the conclusions of the EIR. Further, additional changes to the Project have been incorporated into the project after publication of the Response to Comments document. These changes have been addressed orally by staff or in staff reports, which statements and reports are incorporated herein by reference, and based on this information, the Planning Department has determined that these additional changes do not constitute new information of significance that would alter any of the conclusions of the EIR.

Based on the information set forth above and other substantial evidence in light of the whole record on the Final EIR, the Commission determines that (1) the Project is within the scope of the project description analyzed in the Final EIR; (2) approval of Project will not require important revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) taking into account the Project and other changes analyzed in the Final EIR, no substantial changes have occurred with respect to the circumstances under which the Project are undertaken which would require major revisions to the Final EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Final EIR; and (4) no new information of substantial importance to the Project has become available which would indicate (a) the Project or the approval actions will have significant effects not discussed in the Final EIR, (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment. Consequently, there is no need to recirculate the Final EIR under CEQA Guideline 15088.5 or to prepare a subsequent or supplemental EIR under CEQA Guideline Section 15162.

## SECTION VI

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### Evaluation of Project Alternatives

This section describes the EIR alternatives and the reasons for rejecting the Alternatives as infeasible. This Article also outlines the Project's purposes and provides the rationale for selecting or rejecting alternatives, and describes the Project alternative components analyzed in the EIR.

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project, which would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen effects of the project, and evaluate the comparative merits of the project" (CEQA Guidelines Section 15126.6(a)).

CEQA requires that every EIR evaluate a "No Project" alternative as part of the range of alternatives analyzed in the EIR. The Central SoMa Plan EIR's No Project analysis was prepared in accordance with CEQA Guidelines Sections 15126.6(e)(3)(A) and (C).

Alternatives provide a basis of comparison to the Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of the Preferred Project.

#### VI.A Alternatives Rejected and Reasons for Rejection

The Alternatives set forth in the Final EIR and listed below are hereby rejected as infeasible based upon substantial evidence in the record, including evidence of economic, legal, social, technological, and other considerations described in this Section, in addition to those described in Section VII below, which are hereby incorporated by reference, that make these alternatives infeasible. These determinations are made with the awareness that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines § 15364.) Under CEQA case law, the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project; and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

##### VI.A.1 No Project Alternative (Alternative 1)

Under the No Project Alternative, development within the Plan area would proceed consistent with existing land use controls, including the East SoMa Area Plan and existing use and height and bulk districts. The No Project Alternative would not include implementation of the Plan's proposed street network changes, nor would the open spaces or open space improvements set forth in the Plan be expected to be implemented. Although both the East SoMa Plan and the Western SoMa Plan call for increasing the amount of open space in their respective plan areas, neither adopted area plan identifies specific park sites or open space improvements to facilitate these plans' respective policy objectives. Therefore, no specific open space or street network

improvements are assumed under the No Project Alternative other than efforts currently under way or recently completed, such as the proposed Sixth Street Improvement Project along the western boundary of the Plan Area (which would include widened sidewalks and street tree planting), and the new Annie Alley Plaza (off of Mission Street between Second and Third Streets) and portions of San Francisco Public Works' SoMa Alleyway Improvement Project that are located in the western portion of the Plan Area, along Minna, Natoma, Tehama, Clementina, Shipley, and Clara Streets. Individual development projects under the No Project Alternative are assumed to meet Better Streets Plan requirements. The No Project Alternative has been identified as the environmentally superior alternative.

If the No Project Alternative were implemented, in the area of Land Use and Land Use Planning, changes in land use would be expected to occur more slowly under the No Project Alternative, compared to those with implementation of the Plan because, without changes in use districts (e.g., SLI to CMUO) and increased height limits, there would be less incentive to redevelop many of the parcels in the Plan Area. Moreover, as shown in Table VI-1, less overall development would occur in the Plan Area, compared with that forecast under the Plan. This alternative would not involve any construction within, or alter the physical or operational characteristics of, current public rights of way or open space areas. Consequently, the No Project Alternative would not include new mid-block crosswalks or other improvements that would improve connectivity within and adjacent to the Plan Area.

Under this alternative, impacts would be the same in the topic area of Cultural and Paleontological Resources, although less than significant construction-related impacts on architectural historical resources and impacts to human remains and tribal cultural resources would be lessened, and significant but mitigable impacts to archeological resources would be avoided.

Transportation and Circulation impacts would differ somewhat from the Plan. VMT and traffic hazard impacts would be the same as under the Plan, while regional transit capacity utilization under this alternative would be less than significant and transit capacity impacts would be significant and unavoidable. Pedestrian impacts under this alternative would remain significant and bicycle impacts would remain less than significant, as under the Plan. Loading impacts would be reduced to a less than significant level under this alternative; parking impacts would remain less than significant; and emergency vehicle access impacts would be less than significant as compared to the less than significant with mitigation under the Plan. Construction impacts to transit would be expected to be less than significant with project-specific mitigation.

Noise and Vibration impacts from traffic would be lessened, but overall cumulative traffic noise impacts would be significant and unavoidable, as with the Plan. It is anticipated that construction noise and vibration impacts would be less than significant with project-specific mitigation, similar to the Plan.

In the area of Air Quality and Greenhouse Gas Emissions, this alternative would have similar impacts to the Plan, including significant and unavoidable impacts related to traffic-generated toxic air contaminants. Furthermore, to the extent that development under this alternative that is precluded in the Plan Area occurs in less dense areas and areas less well-served by transit, this development could generate substantially greater air quality and greenhouse gas impacts than under the Plan.

This alternative would avoid the Plan's impacts in the topic areas of Aesthetics (less than significant under the Plan) and Wind (significant and unavoidable under the Plan). The Plan's less than significant Shadow impacts would also be reduced. Hydrology and Water Quality (sea level rise and combined sewer system) impacts would remain less than significant, as under the Plan.

The No Project Alternative is hereby rejected as infeasible because, although it would eliminate some of the Project's significant and unavoidable impacts, it would fail to meet most of the basic objectives of the Project. The No Project Alternative would not accommodate a substantial amount of growth, allowing up to approximately 2,400 residential units, and thus would not alleviate the demand for housing or pressure on rents. Nor would this alternative allow the Plan Area to accommodate a substantial amount of new jobs. Increasing housing and jobs capacity is necessary to accommodate some of the City and region's substantial demand for growth in a transit-rich, walkable, and bike-able location. While any development under the current zoning would still pay the City's applicable development impact fees for any new development, the reduced development would pay lower total fees, which would not be enough to support the same level of improvements for the neighborhood. Under the No Project Alternative, the City would generate only a small percentage of the funding necessary to improve conditions for people walking, bicycling, and taking transit. As a result, the City would be unable to improve pedestrian conditions by widening sidewalks, creating new crosswalks, and improving existing crossings as envisioned by the Plan. Nor would the No Project Alternative allow the City to fund protected bicycle lanes on many of the neighborhood's streets, as envisioned by the Plan. Nor would it allow the City to fund transit improvements to serve this neighborhood to the same extent. Under the No Project Alternative the City would generate much less funding necessary to offer parks and recreational opportunities in this neighborhood compared to the Plan. And under the No Project Alternative, reduced development in this transit-rich location would result in a lesser reduction of greenhouse gas emissions from driving as well as a lesser reduction of pressure on undeveloped greenfield locations that have high environmental benefit. Furthermore, under the No Project Alternative, existing historic buildings would not be able to sell Transferable Development Rights to fund their rehabilitation and maintenance, which could result in less preservation of historic resources. Nor would the No Project Alternative support the designation of historically significant and contributory buildings under *Planning Code* Articles 10 and 11. Under the No Project Alternative there would be no funding to build new facilities for community services such as health care clinics and job training centers. For these reasons, the No Project Alternative is not a feasible alternative.

A proposal to include a Mello-Roos Community Facilities District (CFD) in the Central SoMa Plan is also under consideration. This CFD would provide funding towards regional transit; funding for maintenance and operations of parks and open space; funding for environmental sustainability and resilience strategies such as neighborhood greening, air quality improvements, and stormwater management; funding to help preserve the Old Mint; and funding for cultural and social programming. The No Project Alternative would not include this CFD, and thus not provide for these public services and quality of life improvements. For this additional reason, the No Project Alternative is hereby rejected as infeasible economically, socially and from an urban planning perspective because it does not meet the City's goals to create an economically diversified and lively jobs center, provide safe and convenient transportation that prioritizes walking, bicycling, and transit, offer an abundance of parks and recreational opportunities, create an environmentally sustainable and resilient neighborhood, and accommodate a substantial amount of jobs and housing.

## **VI.A.2 Reduced Heights Alternative (Alternative 2)**

The Reduced Heights Alternative would result in implementation of the same land use districts and General Plan amendments as under the Plan, except for text and height amendments that relate to maximum permitted building heights as well as building bulk (regulated through the use of floor-plate size restrictions and required setbacks) within Plan Area height districts. The Reduced Heights Alternative would permit

fewer tall buildings south of the elevated Interstate 80 freeway than would be allowable under the Plan. Both the Reduced Heights Alternative and the Project would increase height limits along much of Fourth, Harrison, and Bryant Streets from 65 feet to 85 feet. However, the Reduced Heights Alternative would allow for four towers of 160 feet or more in height south of the freeway, whereas the Plan would allow up to 10 towers in this area. Also, on the south side of Harrison Street between Second and Fourth Streets, the Reduced Heights Alternative would allow future buildings at heights no greater than 130 feet, whereas the Plan would allow for four towers 160 feet tall and greater. The Reduced Heights Alternative would include the same street network changes and open space improvements that are proposed under the Plan. This alternative assumes that most of the same sites would be developed as under the Plan, although the reduced heights make some development infeasible, and on other sites the development would occur at a lower intensity, resulting in less development than that assumed under the Plan. Overall, the Reduced Heights Alternative would result in a decrease of development potential of approximately 25% within the Plan Area.<sup>1</sup>

If the Reduced Heights Alternative were implemented, it would not reduce to a less-than-significant level any of the significant impacts of the Project. Land use and land use planning impacts would be similar to the Plan, including a significant and unavoidable conflict with General Plan policy regarding traffic noise. The alternative's impacts on would be the same as under the Plan. Although the Reduced Heights Alternative would have a somewhat lesser impact than the Plan in the topic area of Transportation and Circulation, none of the significant impacts would be reduced to less-than significant levels. Shadow impacts, which were less than significant under the Plan, would be substantially lessened under this alternative. The Reduced Heights Alternative would have the same impacts as the Plan in the topic areas of Aesthetics, Cultural and Paleontological Resources, Noise and Vibration, Air Quality and Greenhouse Gas Emissions, Wind and Hydrology and Water Quality (combined sewer system and sea level rise).

The Reduced Heights Alternative is hereby rejected as infeasible because it would not eliminate any of the significant and unavoidable effects associated with the Plan, and it would not meet several of the basic project objectives to the same extent that the Project would. Under the Reduced Heights Alternative, the capacity of the Plan Area to accommodate jobs and housing would be increased from the current capacity, but would be approximately 75% of the amount allowed by the Plan. Therefore, this alternative would not alleviate the demand for housing or pressure on rents to the same degree as the Plan. Nor would this alternative allow the Plan Area to support the creation of as many jobs as the Plan would. Increasing housing and jobs capacity is necessary to accommodate some of the City and region's substantial demand for growth in a transit-rich, walkable, and bike-able location. Under the Reduced Heights Alternative, while new development would still pay the City's applicable development impact fees, the reduced development would pay a lower total amount of fees, which would not be enough to support the same level of improvements for the neighborhood. The City would not generate the funding necessary to improve conditions for people walking, bicycling, and taking transit to the same extent as the Plan. As a result, the City would be unable to improve pedestrian conditions by widening sidewalks, creating new crosswalks, and improving existing crossings to the extent

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<sup>1</sup> Calculation based on the Planning Department's *Buildout Analysis for Central SoMa* (accessed January 25, 2018, on file and available for public review as part of Case File No. 2011.1356E at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, 94103), which includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR. For purposes of this analysis, the parcel-level development potential of the proposed Reduced Heights Alternative was compared against the proposed project.

that the Plan would. Nor would it allow the City to fund transit improvements to serve this neighborhood to the same extent. Under the Reduced Heights Alternative the City would not be able to generate funding necessary to offer parks and recreational opportunities in this neighborhood in the same abundance as the Plan. And under the Reduced Heights Alternative, reduced development in this transit-rich location would result in a lesser reduction of greenhouse gas emissions from driving as well as a lesser reduction of pressure on undeveloped greenfield locations that have high environmental benefit. Furthermore, under the Reduced Heights Alternative there would be reduced funding to build new facilities for community services such as health care clinics and job training centers. For these reasons, the No Project Alternative is not a feasible alternative.

A proposal to include a Mello-Roos Community Facilities District (CFD) in the Central SoMa Plan is also under consideration. This CFD would provide funding towards regional transit; funding for maintenance and operations of parks and open space; funding for environmental sustainability and resilience strategies such as neighborhood greening, air quality improvements, and stormwater management; funding to help preserve the Old Mint; and funding for cultural and social programming. As the CFD would be expected to apply to the tallest buildings, which will be particularly limited under the Reduced Heights Alternative, it can be expected that under the Reduced Height alternative, the CFD would provide substantially less funding compared to the Plan for these public services and quality of life improvements. For this additional reason, the Reduced Heights Alternative is hereby rejected as infeasible.

### **VI.A. 3 Modified TODCO Plan (Alternative 3)**

The Modified TODCO Plan Alternative would result in a substantial amount of zoning that would not allow housing south of the freeway, as well reduced heights in some areas where housing would be anticipated.

Of the total of 15 million square feet of office development that this alternative assumes would occur in San Francisco over the next 20 years, the Modified TODCO Plan proposes that up to about five million square feet be accommodated in the southern portion of the Plan Area (from the north side of Harrison Street south), with the remainder foreseen to be developed in the Financial District, including the Transit Center District east of the Plan Area and the existing C-3 use districts northeast of the Plan Area; Mission Bay and the Central Waterfront, including Pier 70 and the Seawall Lot 337/Pier 48 site where large mixed-use developments are proposed; and, to a lesser extent, in the Civic Center/Mid-Market area. Thus, assuming these other neighborhoods could accommodate this level of growth, the Modified TODCO Plan envisions that the Plan Area would be anticipated to accommodate less growth in office employment, but citywide office job growth would likely be comparable to city and regional forecasts.

The Modified TODCO Plan would have a somewhat different boundary than the Plan. In particular, the Modified TODCO Plan would exclude the SoMa Neighborhood Commercial Transit (NCT) parcels within the Plan Area fronting along the east side of Sixth Street between Stevenson Street and just north of Folsom Street and would include certain additional parcels outside the Plan Area south of Mission Street, east of Sixth Street, and west of Third Street, including, but not limited to, the 5M development site, Moscone Center, and Yerba Buena Gardens.

In addition, the Modified TODCO Plan proposes a number of use district changes within its plan boundary. The primary difference would be that the Modified TODCO Plan would extend the Western SoMa Plan's Folsom Street Neighborhood Commercial Transit (F-NCT) district two blocks east to Fourth Street. The

Modified TODCO Plan would also slightly vary the distribution of CMUO and MUG use districts between Folsom and Harrison Streets and Fourth and Sixth Streets. Between Harrison and Bryant Streets, south of where the elevated I-80 freeway passes, the Modified TODCO Plan would designate the blocks between Second and Fourth Streets as Western SoMa MUO (WMUO), rather than the Central SoMa Plan's CMUO allowing office use but prohibiting residential units on parcels abutting the freeway. Between Fourth and Sixth Streets, both the Modified TODCO Plan and the Central SoMa Plan would retain the Western SoMa Plan's Service-Arts-Light Industrial (SALI) zoning.

In contrast to the Central SoMa Plan, between Bryant and Townsend Streets, the Modified TODCO Plan would retain nearly one-half of the existing SALI use district between Fourth and Sixth Streets, and retain all of the existing Residential Enclave (RED) use district parcels between Fourth and Fifth Streets. The Modified TODCO Plan would convert the remainder of the existing SALI use district between Bryant and Townsend Streets to CMUO (allowing office use and residential), with the exception of one parcel along the west side of Fifth Street between Brannan and Bluxome Streets that would be converted to WMUO, but which would permit student housing. Between Second and Fourth Streets, the Modified TODCO Plan would, like the Plan, designate most of the area CMUO (retaining the South Park District), but would also create a new Fourth Street Neighborhood Commercial (4-NCT) use district, similar to the F-NCT but allowing office and other commercial uses above the second story while requiring that second-story commercial uses be neighborhood-serving.

The Modified TODCO Plan also proposes a number of use district changes within the Modified TODCO Plan Area, but outside the Central SoMa Plan Area. North of the Central SoMa Plan Area between Fourth and Sixth Streets, the Modified TODCO Plan proposes to convert a number of parcels currently designated C-3-S to MUG. The Modified TODCO Plan also would convert the existing C-3-S portions of the two blocks of Yerba Buena Gardens and Moscone Center, bounded by Mission, Third, Folsom and Fourth Streets as a new Yerba Buena Gardens Special Use District (SUD). South of the boundary of the Central SoMa Plan Area (and the Modified TODCO Plan Area), the Modified TODCO Plan would designate a parcel located at the southeast corner of Fourth and Townsend Streets (the site of the Caltrain station) as WMUO<sup>2</sup>.

In addition, the Modified TODCO Plan proposes a number of PDR/Arts protections. Specifically, the Modified TODCO Plan proposes to incorporate all the provisions of Proposition X (passed by the voters in November 2016), which will require, among other provisions, Conditional Use authorization in the Central SoMa Plan Area (among other plan areas) for conversion of at least 5,000 square feet of a PDR use, or at least 2,500 square feet of an Arts Activity use; and in addition, in SALI, SLI, CMUO and MUG districts would require replacement of the space proposed for conversion on-site as part of the new project. The Modified TODCO Plan would also extend its requirements for MUG districts to the current and future WS-MUG and CMUO districts within the Central SoMa Plan Area, as well as a number of other areas within SoMa.

Within the Modified TODCO Plan Area, including that encompassed by the Central SoMa Plan Area, the Modified TODCO Plan proposes no height limit increases for any new development above the existing height limits currently in effect, except as specified for certain major development sites within the Central SoMa Plan Area. At those major development sites, the Modified TODCO Plan would increase height limits to the same heights limits proposed at those sites under the Central SoMa Plan.

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<sup>2</sup> The Caltrain station is the subject of a separate Planning Department planning process, the Fourth and King Streets Railyards Study.

Like the proposed Plan, the Modified TODCO Plan proposes a new park in the area of Fifth and Bryant Streets. While the Plan proposes evaluating park use of a mid-block property owned by the San Francisco Public Utilities Commission (SFPUC), the Modified TODCO Plan proposes a park that would occupy both sides of Fifth Street between Bryant and Brannan Streets, providing about 1.4 acres of parkland on either side of Fifth Street (2.8 acres total)—twice the size of the SFPUC parcel.

Additional components of the Modified TODCO Plan include a proposal to modify the existing SoMa Youth and Family Zone by incorporating into the zone provisions regarding senior citizens, expanding the area subject to the zone's inclusionary housing provisions, and increasing the emphasis on the provision of affordable housing (the Plan does not propose any changes to the existing SoMa Youth and Family Zone); as well as a specific proposal for affordable senior housing atop the Central Subway Moscone Center station being built at the northwest corner of Fourth and Folsom Streets.

The Modified TODCO Plan Alternative would have the same impacts as the Plan in the topic areas of Land Use and Land Use Planning, Aesthetics, Transportation and Circulation, and Noise and Vibration.

The Modified TODCO Plan Alternative would, like the Plan, have significant and unavoidable impacts on Cultural and Paleontological Resources, but unlike the Plan would not provide protection for identified historic resources under Articles 10 and 11. This alternative would avoid some of the Plan's construction-related impacts to architectural historic resources, which were less than significant under the Plan. The Modified TODCO Plan Alternative would have many of the same impacts as the Plan in the topic area of Air Quality and Greenhouse Gas Emissions. It would have a somewhat lesser but still significant and unavoidable impact on operational criteria air pollutants and could have a substantially greater impact on air quality and greenhouse gases due to the shift of development from the Plan Area to other parts of the Bay Area that are less dense and less well-served by transit.

The Modified TODCO Plan Alternative would avoid the Plan's significant and unavoidable Wind impacts in a majority of the Plan Area. However, wind effects at major development sites in the Plan Area would remain significant and unavoidable.

This alternative's Shadow impacts, which under the Plan would be less than significant, would be lessened near major development sites and therefore, as under the Plan, would be less than significant. The Modified TODCO Plan Alternative would also lessen the less-than-significant Hydrology and Water Quality (sea level rise and combined sewer system) effects of the Plan.

The Modified TODCO Plan Alternative is hereby rejected as infeasible because it would not avoid any of the significant and unavoidable effects associated with the Plan and would not meet several of the basic project objectives to the same extent that the Project would. Under this alternative, the capacity of the Plan Area to accommodate jobs and housing would be increased, but development capacity would be approximately 80% of the amount allowed by the Plan because of the increase in industrially-protective zoning and reduced heights, as discussed above.<sup>3</sup> By accommodating less growth in this high-demand area, this alternative would not alleviate the demand for housing or pressure on rents to the same degree as the Plan. Nor would this alternative allow the Plan Area to support the creation of as many jobs as the Plan would. Increasing housing

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<sup>3</sup> Calculation based on the Planning Department's *Buildout Analysis for Central SoMa* (January 25, 2018), which includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR. For purposes of this analysis, the parcel-level development potential of the proposed Modified TODCO Alternative was compared against the proposed project.

and jobs capacity is necessary to accommodate some of the City and region's substantial demand for growth in a transit-rich, walkable, and bike-able location. In addition, under the Modified TODCO Plan Alternative, while any development would still pay the City's applicable development impact fees, the reduced development would pay lower total fees, which would not support the same level of improvements for the neighborhood. The City would not generate the funding necessary to improve conditions for people walking, bicycling, and taking transit to the same extent. This lower level of funding would not allow the City to improve pedestrian conditions to the same extent by widening sidewalks, creating new crosswalks, and improving existing crossings. Nor would it allow the City to fund protected bicycle lanes on many of the neighborhood's streets. Nor would it allow the City to fund transit improvements to serve this neighborhood to the same extent. Furthermore, under the Modified TODCO Plan Alternative the City would not be able to generate funding necessary to offer parks and recreational opportunities in this neighborhood in the same abundance as the Plan. Additionally, reduced development in this transit-rich location will not result in the same benefit of reduction of greenhouse gas emissions from driving as well as reduction of pressure on undeveloped greenfield locations that have high environmental benefit. Under the Modified TODCO Alternative there would also be reduced funding to build new facilities for community services such as health care clinics and job training centers. For these reasons, the Modified TODCO Plan Alternative is not a feasible alternative.

A proposal to include a Mello-Roos Community Facilities District (CFD) in the Central SoMa Plan is also under consideration. This CFD would provide funding towards regional transit; funding for maintenance and operations of parks and open space; funding for environmental sustainability and resilience strategies such as neighborhood greening, air quality improvements, and stormwater management; funding to help preserve the Old Mint; and funding for cultural and social programming. The Modified TODCO Alternative would provide less funding compared to the Plan for these public services and quality of life improvements. For this additional reason, the Modified TODCO Alternative is hereby rejected as infeasible.

#### **VI.A. 4 Land Use Variant (Alternative 4)**

The Land Use Variant is a variant of the Plan that would not permit residential uses in the WS-SALI and WS MUO use districts in the area roughly bounded by Bryant, Townsend, Fourth and Sixth Streets. Although this area would be zoned CMUO as proposed under the Plan, the prohibition on new housing adopted as part of the Western SoMa Plan would remain in effect. The intention of the Land Use Variant is to minimize potential land use conflicts in this approximately four-block area between new housing and existing and future commercial and entertainment uses. The Land Use Variant would allow for development at the same heights and same locations as under the Plan; only the above-described land use changes would be different within the area covered by the Land Use Variant. All other aspects of the Land Use Variant would be the same as under the Plan, including the street network changes proposed under the Plan. This would not result in a decrease of overall development potential within the Plan Area, but would reduce potential for housing by approximately 1,500 units, representing 18% of the Plan's potential.<sup>4</sup>

The Land Use Variant's impacts would be the same as the Plan's in the topic areas of Land Use and Land Use Planning, Aesthetics, Cultural and Paleontological Resources, Transportation and Circulation, Air Quality and

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<sup>4</sup> Calculation based on the Planning Department's *Buildout Analysis for Central SoMa* (January 25, 2018), which includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR. For purposes of this analysis, the parcel-level development potential of the proposed Land Use Variant was compared against the proposed project.

Greenhouse Gas Emissions, Wind, Shadow, and Hydrology and Water Quality (sea level rise and combined sewer system). Noise and Vibration impacts would also be similar, although under this variant there would be less potential for conflicts between entertainment and residential uses, although that impact would remain less than significant with mitigation, as under the Plan.

The Land Use Variant is hereby rejected as infeasible for because it would not avoid any of the significant and unavoidable effects associated with the Plan and would not meet several of the basic project objectives to the same extent that the Plan would. Under this alternative, the capacity of the Plan Area to accommodate housing would be increased from the current zoning, but would be approximately 82% of the amount allowed by the Plan. By accommodating less housing in this high-demand area, this alternative would not alleviate the demand for housing or pressure on housing rents to the same degree as the Plan. Increasing housing capacity is necessary to accommodate some of the City and region's substantial demand for growth in a transit-rich, walkable, and bike-able location. By not permitting housing in a large portion of the Plan Area, this alternative would not help facilitate a fully mixed-use community that provides a diversity of amenities to fully serve the neighborhood's needs.

## **VI.A.5 Land Use Plan Only Alternative (Alternative 5)**

The Land Use Plan Only Alternative assumes the same policies and *Planning Code* and *General Plan* amendments would be implemented as with the Plan, except that this alternative would exclude implementation of the Plan's proposed street network changes. As such, development assumptions for this alternative would be the same as those for the Plan, including the addition, by 2040 in the Plan Area, of approximately 8,300 households, 14,700 residents and approximately 33,000 jobs. Total floor area developed by 2040 in the Plan Area under this alternative would also be the same as the Plan, at 16 million square feet. Aside from the No Project Alternative, the Land Use Plan Only Alternative has been identified as the environmentally superior alternative.

The impacts of the Land Use Plan Only Alternative would be the same as under the Plan in the topic area of Hydrology and Water Quality (sea level rise and combined sewer system). This alternative would avoid the Plan's significant and unavoidable conflict with General Plan policy regarding traffic noise in the Land Use and Land Use Planning topic area. In the Cultural and Paleontological Resources topic area, this alternative would lessen the Plan's less-than-significant impacts on in the areas of archeological resources, human remains and tribal cultural resources, and would avoid the Plan's less-than-significant construction-related impacts on architectural historical resources. Other Cultural and Paleontological Resources would remain the same.

Transportation and Circulation impacts would differ somewhat from under the Plan. This alternative's impacts would be lessened compared to the Plan in that the Land Use Plan Only Alternative would avoid increased delays on some transit lines. However, this alternative would cause significant delays on other lines during both AM and PM peak hours. The Land Use Plan Only Alternative would result in significant bicycle-related impacts, as compared to the less-than-significant with mitigation impacts of the Plan. This is because the Land Use Plan Only Alternative would exclude the Plan's bicycle improvements and could result in greater potential for bicycle conflicts with vehicles and pedestrians. In addition, the Land Use Plan Only Alternative would result in a greater number of significant impacts at a number of crosswalk locations under existing plus Plan and under 2040 conditions. The Land Use Plan Only Alternative's impacts on loading would, unlike the Plan, be less than significant with mitigation, and its impacts on emergency vehicle access would be less than significant, unlike the Plan's impacts, which would be less than significant with mitigation.

The Land Use Plan Only Alternative would avoid the Plan's significant and unavoidable traffic noise impact on Howard Street west of Tenth Street under existing plus Plan conditions for the Howard and Folsom Streets two-way option. This alternative would also result in a significant cumulative increase in traffic noise on Fifth Street between Bryant and Brannan Streets that would not occur under the Plan. This alternative would avoid significant cumulative traffic noise impacts of the Plan on Howard St (west of Fifth St), on Fourth Street between Bryant and Brannan Streets, on Fifth Street between Brannan and Townsend Streets and on Bryant Street east of Fourth Street. Other noise impacts would be similar to the Plan.

In addition, the Land Use Plan Only Alternative's Air Quality and Greenhouse Gas Emissions impacts would vary somewhat from the Plan's. This alternative would reduce congestion-related omissions to a less-than-significant level, but emissions from subsequent development would remain significant and unavoidable. The overall impact of this alternative on operational criteria air pollutants would also remain significant and unavoidable, although this alternative, unlike the Plan, would not reduce the number of mixed-flow travel lanes and therefore would not have the Plan's potential to result in increased vehicle congestion. Impacts from construction emissions of criteria pollutants would be marginally less than the Plan's less than significant Impacts. As under the Plan, impacts from vehicle-generated particulates and toxic air contaminants would be significant and unavoidable and construction-related toxic air contaminant impacts would be marginally less and remain less than significant with mitigation.

The Land Use Plan Only Alternative is hereby rejected as infeasible because under the Land Use Plan Only Alternative, the City would not fulfill its goal to provide safe and convenient transportation that prioritizes walking, bicycling, and transit. The City would not improve pedestrian conditions by making improvements associated with the Plan's street network changes, including widening sidewalks, creating new crosswalks, and improving existing crossings. Nor would it allow the City to provide protected bicycle lanes on many of the neighborhood's streets. Finally, the City would not facilitate transit enhancements in the neighborhood, such as transit-only lanes.

## **VI.A.6 Alternatives Considered but Rejected**

The TODCO Group submitted its TODCO Plan to the City for consideration in October 2016 after the draft Central SoMa Plan was revised in August 2016. All aspects of the October 2016 TODCO Plan were included and analyzed as the "Modified TODCO Plan" in the Alternatives Chapter of the Draft EIR, with the exception of the TODCO Plan's proposed height limits. The October 2016 TODCO Plan proposed changes in height limits at certain major development sites within the Central SoMa Plan Area that would be greater than that proposed for those same sites in the Central SoMa Plan. Specifically, under the TODCO Plan, the proposed 250-foot height limits at the Academy of Art Student Housing site and the Fourth and Harrison Streets site would be greater than the height limit for those sites proposed under the Central SoMa Plan (160 feet, and 240 feet, respectively). In addition, at the Second and Harrison Street site, the proposed height limits of 400 feet under the TODCO Plan would be greater than the 350-foot height limit for that site proposed under the Central SoMa Plan.

The TODCO Plan alternative was not selected because it could result in greater shadow and wind impacts than the Plan, the No Project Alternative, and the Reduced Heights Alternative. Specifically, given that the TODCO Plan proposes higher height limits on two parcels on Harrison Street as compared to the Plan, shadow effects on Yerba Buena Gardens, Alice Street Community Gardens, Jessie Square, Yerba Buena Lane,

and Mint Plaza may be greater than under the Plan. These higher heights could also result in greater pedestrian-level winds.

Furthermore, this alternative would not avoid any of the significant and unavoidable effects associated with the Plan and would not meet several of the basic project objectives to the same extent that the Project would. Under this alternative, the capacity of the Plan Area to accommodate jobs and housing would be increased, but would be approximately 80% of the amount allowed by the Plan. By accommodating less growth in this high-demand area, this alternative would not alleviate the demand for housing or the pressure on rents to the same degree as the Plan. Increasing housing capacity is necessary to accommodate some of the City and region's substantial demand for growth in a transit-rich, walkable, and bike-able location.

## SECTION VII

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### Statement of Overriding Considerations

Pursuant to CEQA Section 21081 and CEQA Guidelines Section 15093, the City hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, this determination is that each individual reason is sufficient. The specific reasons for this finding, based on substantial evidence in the record, constitute the following Statement of Overriding Considerations. The substantial evidence supporting the various benefits can be found in the Final EIR and the preceding findings, which are incorporated by reference into this Section, and in the documents found in the administrative record, as described in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project in spite of the unavoidable significant impacts. The Commission further finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. The Planning Commission acknowledges that if any of the mitigation measures identified in Exhibit B herein that fall within the authority of other City agencies are not adopted and implemented, the Project may result in other significant unavoidable impacts, in addition to those identified in Section IV, above. For these reasons the Planning Commission is adopting a Statement of Overriding Considerations.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social, and other considerations:

A. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains a substantial amount of developable land. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It

is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan (the “Plan”) contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future.

B. The Plan is an important evolution in the planning of this neighborhood. The desire for a Central SoMa Plan began during the Eastern Neighborhoods planning process. In 2008 the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (SoMa), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods. At that time, the City determined that the development potential of the industrially zoned part of East SoMa, coupled with the improved transit to be provided by the Central Subway, necessitated a subsequent, focused planning process that took into account the city’s growth needs and City and regional environmental goals. The Central SoMa Plan is the result of that subsequent process, and is an important tool to guide development in the Central SoMa area.

Similarly, the Western SoMa Area Plan, adopted in 2013, explicitly recognized the need to increase development capacity near transit in Objective 1.5, which states that the City should “Support continued evaluation of land uses near major transit infrastructure in recognition of citywide and regional sustainable growth needs.” The explanatory text in Objective 1.5 concludes that “The City must continue evaluating how it can best meet citywide and regional objectives to direct growth to transit-oriented locations and whether current controls are meeting identified needs.” The Objective’s implementing Policy 1.5.1 states that the City should “Continue to explore and re-examine land use controls east of 6th Street, including as part of any future evaluation along the 4th Street corridor.” The Central SoMa Plan is intended to fulfill the Western SoMa Plan’s Objective 1.5 and Policy 1.5.1 and is important to allow development near major transit infrastructure.

C. The Plan accommodates a substantial amount of jobs and housing. Specifically, the Plan would enable up to 8,300 new housing units and approximately 30,000 new jobs. Currently, the City and region are undergoing tremendous growth pressure. Economically, there is the continuing national and regional shift from an economy based on things to one based on ideas. These knowledge sector businesses tend to cluster in regions – and the Bay Area is the world’s leading knowledge region. The result is that job growth in the Bay Area the past several years has nearly doubled that of the rest of the nation, and commensurately so has the demand for housing. Simultaneously, there is increasing demand among both younger and older generations to live in walkable, transit-oriented, amenity-rich locations. In this largely suburban and auto-dependent region, many of the accessible and dynamic urban neighborhoods are in San Francisco. This Plan facilitates this kind of development in the Central SOMA area.

D. Cumulatively, demands for urban neighborhoods have created an ongoing and strong demand for space in San Francisco – one that outstrips the supply of new space. When demand is high relative to supply, the price inevitably goes up. In 2018, prices have risen to a level that is socially unsustainable – rents for housing are the highest in the country, and greatly exceed what can be afforded by the majority of today’s San Franciscans. Rents for commercial space are similarly unaffordable, pushing out non-profit organizations, mom-and-pop businesses, artists and industrial businesses. Fortunately, Central SoMa is an appropriate location for such development. The area is served by some of the region’s best transit, including BART and Caltrain, Muni Metro and many bus lines, in addition to the Central Subway currently under construction.

Flat streets and a regular grid pattern can make destinations easy to reach for people walking and bicycling. There is already an incredibly strong cluster of technology companies that new and growing companies want to locate near. There is also a diversity of other uses, including thousands of residential units, local- and regional-serving retail, cultural and entertainment facilities, hotels, and production/distribution/repair businesses. Simultaneously, there is substantial opportunity to increase density in Central SoMa. There are numerous undeveloped or underdeveloped sites, such as surface parking lots and single-story commercial buildings. Recognizing this opportunity, the Plan facilitates approximately 16 million square feet in new development, relatively evenly split between space for housing and jobs. Such an increase in development, at this appropriate location, is an important and necessary step towards accommodating the demand for growth in San Francisco. By doing so, the Plan can help increase the upward pressure on rents for residential and non-residential uses and thereby foster a more economically and socially sustainable neighborhood, city, and region.

E. The Plan strives to maintain the existing diversity of residents and encourage continuing diversity. SoMa already has an incredibly diverse population, in terms of race, income, unit size, and ownership status. Implementation of this Plan would maintain that diversity by ensuring that at least 33% of new units are affordable to low- and moderate-income families. In doing so, the Plan meets the City's target for provision of such units established in 2014's Proposition K. The Plan would enable production of at least 2,700 affordable units. Such units would be expected to be provided through a range of mechanisms, including direct provision by new development on-site and off-site, and provision by the City through in-lieu and Jobs-Housing Linkage Fees. Whereas typically City-funded projects could be built anywhere within the City, the Plan requires that these units would be built within SoMa, therefore supporting the diversity of residents. The Plan maintains the City's requirements that a mix of unit sizes be created in new development, thus supporting a range from smaller units to family-sized units. Finally, the Plan includes strategies meant to create a balance of rental and for-sale units.

F. The Plan facilitates an economically diversified and lively jobs center. By requiring its large sites to be commercially-oriented, the implementation of this Plan would create a jobs center in this location, expected to result in at least 30,000 new jobs. Locating jobs in this transit-rich location is a more effective use of our transit investments, given jobs are of greater density than housing, that people are more likely to walk from transit to their jobs than to their homes, and because lower-paid workers can save on not having to purchase their own vehicles. Locating jobs here can also support the economic synergies of co-location by bridging the job centers of Downtown and Mission Bay. Locating jobs in new buildings will also relieve pressure on other spaces citywide – particularly for non-profit offices and other organizations that cannot compete for rent with technology companies. It is also important to locate jobs at this location because only ten percent of San Francisco's land is zoned to allow office, whereas 90 percent can accommodate housing. While many of these jobs would be expected to be for office workers, the Plan would support the diversity of jobs by requiring Production, Distribution, and Repair uses in many new developments, requiring ground floor retail and other commercial uses on many of the major streets, and allowing hotel and entertainment uses that facilitate a 24-hour neighborhood with accompanying amenities.

G. The Plan provides safe and convenient transportation that prioritizes walking, bicycling, and transit. The neighborhood's streets were built to accommodate industrial uses and move trucks and cars through quickly by having many lanes of fast-moving traffic, narrow sidewalks, limited street crossings, and almost no

bicycle lanes and transit-protected lanes. Implementation of this Plan would redistribute the street right-of-way to better serve people walking, bicycling, and taking transit by widening sidewalks on all of the neighborhood's major thoroughfares, increasing the number of and safety of street crossings by facilitating signalized mid-block crossings and sidewalk bulbouts that shorten the length of crosswalks, creating protected bicycle on Howard, Folsom, Brannan, Townsend, and 5<sup>th</sup> Streets, and transit-only lanes on Folsom, Brannan, 3<sup>rd</sup>, and 4<sup>th</sup> Streets.

H. The Plan offers parks and recreational opportunities. Implementation of the Plan would facilitate a variety of improvements to offer additional public parks and recreational opportunities, from improving and expanding Gene Friend Recreation Center to creating multiple new parks, including a new one-acre park in the block bounded by 4<sup>th</sup>, 5<sup>th</sup>, Bryant, and Brannan Streets; a new ½ acre linear park on Bluxome Street between 4<sup>th</sup> and 5<sup>th</sup> Streets; and new recreational amenities (such as skate ramps and basketball courts) underneath the I-80 freeway between 4<sup>th</sup> and 6<sup>th</sup> Streets. The Plan also helps fund construction of a new recreation center, and up to four acres of privately-owned public open space.

I. The Plan creates an environmentally sustainable and resilient neighborhood. Implementation of this Plan will result in a substantial number of new buildings, infrastructure investment, and public benefits within the Plan Area, leading to dramatic opportunities for significant improvements to environmental quality. Given current State and City regulations, new buildings are required to be greener and more resilient than buildings from earlier eras. The Plan would further require additional cost-effective regulations for new development, such as living roofs and the use of 100 percent greenhouse gas-free electricity. Implementation of the Plan's street improvements would shift mode share away from personal vehicles. Finally, directing regional development to this central, transit-rich location will result in a reduction of greenhouse gas emissions from driving as well as reduction of pressure on undeveloped greenfield locations that have high environmental benefit.

J. The Plan ensures that new buildings enhance the character of the neighborhood and the city. The Plan's height and bulk requirements ensure that the area largely maintain the feel of a mid-rise district, where the perceived height of the building is similar to the width of the street it faces. Towers would be allowed in select locations along the edge of Downtown/Rincon Hill and around the Caltrain station, and would ensure that the overall development pattern is complementary to the overall city skyline. Where towers are permitted, they will be required to be slender and appropriately spaced from other towers. Design guidance contained in the Plan is intended to ensure that new buildings are in keeping with the best aspects of SoMa's design heritage.

K. The Plan preserves and celebrates the neighborhood's cultural heritage by supporting the designation and protection of historically significant and contributory buildings under *Planning Code* Articles 10 and 11. Pursuant to Article 10, the following buildings are under consideration for City landmark status: 228-248 Townsend Street, and 457 Bryant Street, 500-504 Fourth Street. In addition, pursuant to Article 10, creation of the Clyde and Crooks Warehouse Historic District and the designation of numerous properties in that district as contributory is being considered. Pursuant to Article 11, expansion of the boundaries of the Kearny-Market-Mason-Sutter Conservation District and designation of 55 Fifth Street as a contributory building in that district are being considered; and creation of the Mint-Mission Conservation District and designation of a number of properties in that district as contributory and significant are being considered. In addition, the designation of 27 other properties as significant and contributory pursuant to Article 11 is being considered. Eligible historic

properties will be able to sell their Transferable Development Rights, which would help to fund the rehabilitation and preservation of those properties.

L. If the City decides to include a Community Facilities District, implementation of the Plan will result in a re-envisioning of the streets, sidewalks, and open spaces of the Plan Area—not only to be more vibrant and safer, but also to complement the neighborhood’s environmental health and resilience. Strategies include supporting maintenance and operations of Victoria Manalo Draves park and other new parks and recreation centers in the Plan Area and the incorporation of elements beneficial to environmental sustainability and resilience, such as trees, green infrastructure for stormwater management, and energy efficient street lights. With the CFD, the Plan would also preserve and celebrate the neighborhood’s cultural heritage. Implementation of the Plan will help preserve the neighborhood’s tangible heritage by helping fund the rehabilitation of the Old Mint. It will also help the neighborhood’s intangible resources continue to thrive by funding ongoing social and cultural programming, helping fund the rehabilitation and/or creation of new cultural facilities, and require space for industrial and arts uses.

Having considered these Project benefits and considerations, the Planning Commission finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects that cannot be mitigated to insignificant levels are therefore acceptable.

## SECTION VIII

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### Incorporation by Reference

The Final EIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of the mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for significant and unavoidable adverse environmental effects.

**TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

(TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO)

This table identifies Plan-level mitigation measures to be implemented by the City and County of San Francisco. Subsequent development projects within the Central SoMa Plan area, street network changes, and open space improvements would be required to comply with applicable mitigation measures listed in Table B. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>A. Land Use</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>B. Aesthetics</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>C. Cultural and Paleontological Resources</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>D. Transportation and Circulation</b>				
<p><b>*M-TR-3a: Transit Enhancements<sup>1</sup>.</b> The following are City and County and sponsors of subsequent development projects actions that would reduce the transit impacts associated with implementation of the Central SoMa Plan.</p> <p><i>Enhanced Transit Funding.</i> To accommodate project transit demand, the SFMTA, and other City agencies and departments as appropriate, shall seek sufficient operating and capital funding, including through the following measures:</p> <ul style="list-style-type: none"> <li>• Establish fee-based sources of revenue.</li> <li>• Establish a congestion-charge scheme for downtown San Francisco, with all or a portion of the revenue collected going to support improved local and regional transit service on routes that serve Downtown and the Central SoMa Plan Area.</li> <li>• Area Plan funding for transit enhancements.</li> </ul> <p><i>Transit Corridor Improvement Review.</i> During the design phase, the SFMTA shall review each street network project that contains portions of Muni transit routes where significant transit delay impacts have been identified (routes 8 Bayshore, 8AX Bayshore Express, 8BX Bayshore Express, 10 Townsend, 14 Mission, 14R Mission Rapid, 27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness). Through this review, SFMTA shall incorporate feasible street network design modifications that would meet the performance criteria of maintaining accessible transit service,</p>	San Francisco Municipal Transportation Agency (SFMTA).	Ongoing	SFMTA, San Francisco County Transportation Agency, and Planning Department.	Ongoing

<sup>1</sup> M-TR-3a: Transit Enhancements is identified in Table A (Mitigation Measures to be implemented by City and County of San Francisco) and Table B (Mitigation Measures to be implemented by the project sponsor).

TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL

(TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO)

This table identifies Plan-level mitigation measures to be implemented by the City and County of San Francisco. Subsequent development projects within the Central SoMa Plan area, street network changes, and open space improvements would be required to comply with applicable mitigation measures listed in Table B. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>enhancing transit service times, and offsetting transit delay. Such features could include, but shall not be limited to, transit-only lanes, transit signal priority, queue jumps, stop consolidation, limited or express service, corner or sidewalk bulbs, and transit boarding islands, as determined by the SFMTA, to enhance transit service times and offset transit delay. Any subsequent changes to the street network designs shall be subject to a similar review process.</p> <p><i>Transit Accessibility.</i> To enhance transit accessibility, the Planning Department and the SFMTA shall establish a coordinated planning process to link land use planning and development in Central SoMa to transit and other sustainable transportation mode planning. This shall be achieved through some or all of the following measures:</p> <ul style="list-style-type: none"> <li>• Implement recommendations of the <i>Better Streets Plan</i> that are designed to make the pedestrian environment safer and more comfortable for walk trips throughout the day, especially in areas where sidewalks and other realms of the pedestrian environment are notably unattractive and intimidating for pedestrians and discourage walking as a primary means of circulation. This includes traffic calming strategies in areas with fast-moving, one-way traffic, long blocks, narrow sidewalks and tow-away lanes, as may be found in much of the Central SoMa area.</li> <li>• Implement building design features that promote primary access to buildings from transit stops and pedestrian areas, and discourage the location of primary access points to buildings through parking lots and other auto-oriented entryways.</li> <li>• Develop Central SoMa transportation implementation programs that manage and direct resources brought in through pricing programs and development-based fee assessments, as outlined above, to further the multimodal implementation and maintenance of these transportation improvements.</li> <li>• Sponsors of development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues do not substantially affect public transit operations on the public right-of-way near the off-street vehicular parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period</li> </ul>				

**TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

**(TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO)**

This table identifies Plan-level mitigation measures to be implemented by the City and County of San Francisco. Subsequent development projects within the Central SoMa Plan area, street network changes, and open space improvements would be required to comply with applicable mitigation measures listed in Table B. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>of three minutes or longer on a daily or weekly basis.</p> <p>If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).</p> <p>Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or onsite queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; transportation demand management strategies such as those listed in the San Francisco Planning Code TDM Program.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.</p> <p><i>Muni Storage and Maintenance.</i> To ensure that Muni is able to service additional transit vehicles needed to serve increased demand generated by development in Central SoMa, the SFMTA shall provide maintenance and storage facilities.</p>				
<p>*M-TR-3b: Boarding Improvements. The SFMTA shall implement boarding improvements, such as the construction of additional bus bulbs or boarding islands where appropriate, that would reduce the boarding times to mitigate the impacts on transit travel times on routes where Plan ridership increases are greatest, such as the 8 Bayshore, 8AX/8BX Bayshore Expresses, 10 Townsend, 14 Mission, 14R Mission Rapid,</p>	<p>SFMTA</p>	<p>Upon submittal of a Planning entitlement application for any size project that</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete with implementation of boarding improvements.</p>

**TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

**(TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO)**

This table identifies Plan-level mitigation measures to be implemented by the City and County of San Francisco. Subsequent development projects within the Central SoMa Plan area, street network changes, and open space improvements would be required to comply with applicable mitigation measures listed in Table B. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness routes. These boarding improvements, which would reduce delay associated with passengers boarding and alighting, shall be made in combination with Mitigation Measure M-TR-3c, Signalization and Intersection Restriping at Townsend/Fifth Streets, which would serve to reduce delay associated with traffic congestion along the transit route.</p>		<p>would result in the approval under the Plan of a total of 75,000 square feet of residential and/or commercial development in the area bounded by Townsend, Fifth, Brannan, and Fourth Streets, SFMTA shall identify and initiate planning for boarding improvements to be made.</p>		
<p><b>*M-TR-3c: Signalization and Intersection Restriping at Townsend/Fifth Streets.</b> The SFMTA shall design and construct a new traffic signal at the intersection of Townsend/Fifth Streets, and reconfigure the Townsend Street eastbound approach to provide one dedicated left-turn lane (with an exclusive left turn phase) adjacent to a through lane. This reconfiguration would require restriping of the two existing travel lanes at the eastbound approach to this intersection.</p>	<p>SFMTA</p>	<p>Upon submittal of a Planning entitlement application for any size project that would result in the approval under the Plan of a total of 75,000 square feet of residential and/or commercial development in the area bounded by Townsend, Fifth, Brannan, and</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete with the signal installation and implementation of restriping at Fifth/Townsend Streets.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
		<p>Fourth Streets, SFMTA shall initiate planning for signaling and intersection restriping at Townsend/Fifth Streets. If infeasible due to construction coordination and timing for SFMTA's streetscape projects, then upon the SFMTA or Public Works completion of construction of major streetscape changes along Townsend or Fifth streets.</p>		
<p><b>*M-TR-4: Upgrade Central SoMa Area Crosswalks.</b> As appropriate and feasible, the SFMTA shall widen and restripe the crosswalks to the continental design when there is a street network improvement that upgrades sidewalk widths.</p> <p>With either the Howard/Folsom One-Way Option or Howard/Folsom Two-Way Option street network changes, the SFMTA shall, as feasible, widen the following crosswalks:</p> <ul style="list-style-type: none"> <li>• At the intersection of Third/Mission widen the east and west crosswalks.</li> <li>• At the intersection of Fourth/Mission widen the east crosswalk, and widen the west crosswalk.</li> </ul>	<p>SFMTA</p>	<p>Included in the design of any SFMTA streetscape improvement project and implemented as part of streetscape construction.</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete with the implementation of crosswalk upgrades.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>• At the intersection of Fourth/Townsend widen the west crosswalk.</p> <p><b>*M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones.</b><sup>2</sup> The SFMTA shall develop a curb management strategy (strategy) for Central SoMa or within proximity of the street network changes that articulates curb use priorities for different types of streets, while safely managing loading demands. This strategy should guide the approach to any affected commercial and passenger loading/unloading zones (loading zones) during any City agency's development of detailed plans for each segment of the proposed street network changes. Replacement of loading zones will be considered, to the extent feasible.</p> <p>The SFMTA and the Planning Department shall develop protocols for ongoing assessment of commercial and passenger loading needs on the affected streets, and for review of new development projects along the affected street segments to identify needed changes to the street network design (e.g., when a new driveway to a development site is required), or need for additional on-street commercial and passenger loading spaces.</p> <p>Sponsors of development projects that provide more than 100,000 square feet of residential or commercial uses with frontages along a public right-of-way identified on the High Injury Network, with an existing or proposed bicycle facility, or a public right-of-way that includes public transit operations shall develop a Passenger Loading Plan. The plan shall address passenger loading activities and related queueing effects associated with for-hire services (including taxis, and Transportation Network Companies) and vanpool services, as applicable. Elements of this Passenger Loading Plan may include but would not be limited to the following measures:</p> <ul style="list-style-type: none"> <li>• Coordination with for-hire vehicle companies to request passenger loading zones are incorporated into companies' mobile app device to better guide passengers and drivers where to pick up or drop off.</li> <li>• Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow no other</li> </ul>	<p>SFMTA</p>	<p>Prior to final design of each SFMTA street network project.</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete upon completion of plans for each segment of the street network project and following that an evaluation of any affected loading zones has occurred.</p>

<sup>2</sup> M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones is identified in Table A (Mitigation Measures to be implemented by City and County of San Francisco) and Table B (Mitigation Measures to be implemented by the project sponsor).

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stopped/parked over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.</p> <ul style="list-style-type: none"> <li>• Notifications and information to visitors and employees about passenger loading activities and operations, including detailed information on vanpool services and locations of pick-up/drop-off of for-hire services.</li> <li>• Detailed roles and responsibilities for managing and monitoring the passenger loading zone(s) and properly enforcing any passenger vehicles that are in violation (e.g., blocking bicycle lane, blocking a driveway, etc.).</li> </ul> <p>The plan shall be reviewed and approved by the Environmental Review Officer or designee of the Planning Department and the Sustainable Streets Director or designee of the SFMTA. The plan shall be evaluated by a qualified transportation professional, retained by the Project Sponsor after a building(s) reaches 50% occupancy and once a year going forward until such time that the SFMTA determines that the evaluation is no longer necessary or could be done at less frequent intervals. The content of the evaluation report shall be determined by SFMTA staff, in consultation with the Planning Department, and generally shall include an assessment of on-street loading conditions, including actual loading demand, loading operation observations, and an assessment of how the project meets this mitigation measure. The evaluation report may be folded into other mitigation measure reporting obligations. If ongoing conflicts are occurring based on the assessment, the evaluation report shall put forth additional measures to address ongoing conflicts associated with loading operations. The evaluation report shall be reviewed by SFMTA staff, which shall make the final determination whether ongoing conflicts are occurring. In the event that ongoing conflicts are occurring, the above plan requirements may be altered (e.g., the hour and day restrictions listed above, number of loading vehicle operations permitted during certain hours listed above).</p>				
<b>E. Noise and Vibration</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>F. Air Quality</b>				
<p><b>M-AQ-5c: Update Air Pollution Exposure Zone for <i>San Francisco Health Code</i> Article 38.</b> The Department of Public Health is required to update the Air Pollution Exposure Zone Map in <i>San Francisco Health Code</i> Article 38 at least every five years. The Planning Department shall coordinate with the Department of Public Health to update the Air Pollution Exposure Zone taking into account updated health risk methodologies and traffic generated by the Central SoMa Plan.</p>	<p>Planning Department and Department of Public Health (DPH).</p>	<p>Ongoing at 5-year intervals.</p>	<p>Planning Department and Department of Public Health.</p>	<p>Ongoing at 5-year intervals.</p>
<p><b>M-AQ-5e Central SoMa Air Quality Improvement Strategy.</b>                      The Central SoMa Plan is expected to generate \$22 million in revenue dedicated to greening and air quality improvements. A portion of these monies shall be dedicated to identifying and exploring the feasibility and effectiveness of additional measures that would reduce the generation of, and/or exposure of such emissions to persons whose primary residence is within the Plan Area and whose residence does not provide enhanced ventilation that complies with San Francisco Health Code Article 38. Objective 6.5 of the Plan calls for improvements to air quality, with specific strategies to support reduced vehicle miles traveled, increased greening around the freeway to improve air quality and use of building materials and technologies that improve indoor and outdoor air quality. The Planning Department, in cooperation with other interested agencies or organizations, shall consider additional actions for the Central SoMa Plan Area with the goal of reducing Plan-generated emissions and population exposure including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Collection of air quality monitoring data that could provide decision makers with information to identify specific areas of the Plan where changes in air quality have occurred and focus air quality improvements on these areas</li> <li>• Additional measures that could be incorporated into the City's Transportation Demand Management program with the goal of further reducing vehicle trips</li> <li>• Incentives for replacement or upgrade of existing emissions sources</li> <li>• Other measures to reduce pollutant exposure, such as distribution of</li> </ul>	<p>Planning Department, in cooperation with other interested agencies or organizations.</p>	<p>Strategy will be developed within four years of the Central SoMa Plan adoption.</p>	<p>Planning Department, in cooperation with other interested agencies or organizations.</p>	<p>Ongoing for the duration of the Central SoMa Plan.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
portable air cleaning devices <ul style="list-style-type: none"> <li>• Public education regarding reducing air pollutant emissions and their health effects</li> </ul> The Department shall develop a strategy to explore the feasibility of additional air quality improvements within four years of plan adoption.				
<b>G. Wind</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>H. Shadow</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>I. Hydrology and Water Quality (Combined Sewer System and Sea Level Rise)</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>Biological Resources (from Initial Study)</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				
<b>Hazardous Materials (from Initial Study)</b>				
No mitigation measures required to be implemented by the City and County of San Francisco.				

**TABLE B: MITIGATION MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW**

**(TO BE IMPLEMENTED BY PROJECT SPONSOR)**

This table identifies mitigation measures that may be applicable to subsequent development projects, street network changes, and open space improvements. During subsequent project review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>A. Land Use</b>				
<p>M-LU-2: Conflict with <i>General Plan</i> Environmental Protection Element Noise Standards. Implement Mitigation Measures NO-1a, Transportation Demand Management, and Mitigation Measure NO-1b, Siting of Noise-Generating Uses, for new development projects.</p>	See Mitigation Measures NO-1a and NO-1b.			
<b>B. Aesthetics</b>				
No mitigation measures required to be implemented by the Project Sponsor.				
<b>C. Cultural and Paleontological Resources</b>				
<p>Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on-Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department at the time of submittal of an environmental evaluation application or consolidated development application to determine whether there are feasible means to avoid a substantial adverse change in the significance of an historic architectural resource (including historic districts), whether previously identified or identified as part of the project's historical resources analysis. Pursuant to CEQA Guidelines Section 15064.5(b), "[s]ubstantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." If avoidance is not feasible, the project sponsor shall consult with Planning Department staff to determine whether there are feasible means to reduce effects on historic architectural resource(s). Avoidance and minimization measures shall seek to retain the resource's character-defining features, and may include, but are not limited to: retention of character-defining features, building setbacks, salvage, or adaptive reuse. In evaluating the feasibility of avoidance or reduction of effects, the Planning Department shall consider whether avoidance or</p>	<p>Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to approval of project environmental document.</p>	<p>Planning Department</p>	<p>Considered complete when environmental document approved by Environmental Review Officer.</p>

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This table identifies mitigation measures that may be applicable to subsequent development projects, street network changes, and open space improvements. During subsequent project review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>reduction can be accomplished successfully within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, along with the Central SoMa Plan policies and project objectives. The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.</p> <p>Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable.</p>				
<p><b>M-CP-1b: Documentation of Historical Resource(s).</b> Where avoidance of effects to a less-than-significant level is not feasible, as described in M-CP-1a, the project sponsor of a subsequent development project in the Plan Area shall undertake historical documentation prior to the issuance of demolition or site permits. To document the buildings more effectively, the sponsor shall prepare Historic American Buildings Survey (HABS)-level photographs and an accompanying HABS Historical Report, which shall be maintained on-site, as well as in the appropriate repositories, including but not limited to, the San Francisco Planning Department, San Francisco Architectural Heritage, the San Francisco Public Library, and the Northwest Information Center. The contents of the report shall include an architectural description, historical context, and statement of significance, per HABS reporting standards. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the <i>Secretary of the Interior's Professional Qualification Standards</i> (36 Code of Federal Regulations, Part 61). HABS documentation shall provide the appropriate level of visual documentation and written narrative based on the importance of the resource (types of visual documentation typically range from producing a sketch plan to developing measured drawings and view camera (4x5) black and white photographs). The appropriate level of HABS documentation and written narrative shall be determined by the Planning Department's Preservation staff. The report shall be reviewed by the Planning</p>	<p>Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of any demolition or adverse alteration on a designated historic resource.</p>	<p>Planning Department (Preservation Technical Specialist).</p>	<p>Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Department's Preservation staff for completeness. In certain instances, Department Preservation staff may request HABS-level photography, a historical report, and/or measured architectural drawings of the existing building(s).</p>				
<p><b>M-CP-1c: Oral Histories.</b> For projects that would demolish a historical resource or contributor to a historic district for which Planning Department preservation staff determined that such a measure would be effective and feasible, the project sponsor shall undertake an oral history project prior to demolition or adverse alteration of the resource that includes interviews of people such as residents, past owners, or former employees. The project shall be conducted by a professional historian in conformance with the Oral History Association's Principles and Standards (<a href="http://alpha.dickinson.edu/oha/pub_eg.html">http://alpha.dickinson.edu/oha/pub_eg.html</a>). In addition to transcripts of the interviews, the oral history project shall include a narrative project summary report containing an introduction to the project, a methodology description, and brief summaries of each conducted interview. Copies of the completed oral history project shall be submitted to the San Francisco Public Library, Planning Department, or other interested historical institutions.</p>	<p>Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of any demolition or adverse alteration on a designated historic resource.</p>	<p>Professional historian, Planning Department (Preservation Technical Specialist).</p>	<p>Considered complete upon submittal of completed oral histories to the San Francisco Public Library or other interested historical institution.</p>
<p><b>M-CP-1d: Interpretive Program.</b> For projects that would demolish a historical resource or contributor to a historic district for which Department Preservation staff determined that such a measure would be effective and feasible, the project sponsor shall work with Department Preservation staff or other qualified professional to institute an interpretive program on-site that references the property's history and the contribution of the historical resource to the broader neighborhood or historic district. An example of an interpretive program is the creation of historical exhibits, incorporating a display featuring historic photos of the affected resource and a description of its historical significance, in a publicly accessible location on the project site. This may include a website or publically-accessible display. The contents of the interpretative program shall be determined by the Planning Department Preservation staff. The development of the interpretive displays should be overseen by a qualified professional who meets the standards for history, architectural history, or architecture</p>	<p>Project sponsor and qualified historic preservation individual for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of any demolition or adverse alteration of a designated historic resource.</p>	<p>Planning Department (Preservation Technical Specialist).</p>	<p>Considered complete upon installation of display.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>(as appropriate) set forth by the <i>Secretary of the Interior's Professional Qualification Standards</i> (36 Code of Federal Regulations, Part 61). An outline of the format, location and content of the interpretive displays shall be reviewed and approved by the San Francisco Planning Department's Preservation staff prior to issuance of a demolition permit or site permit. The format, location and content of the interpretive displays must be finalized prior to issuance of any Building Permits for the project.</p>				
<p><b>M-CP-1e: Video Recordation.</b> For projects that would demolish a historical resource or contributor to a historic district for which Department Preservation staff determined that such a measure would be effective and feasible, the project sponsor shall work with Department Preservation staff or other qualified professional, to undertake video documentation of the affected historical resource and its setting. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources. The documentation shall be narrated by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the <i>Secretary of the Interior's Professional Qualification Standards</i> (36 Code of Federal Regulations, Part 61). The documentation shall use visuals in combination with narration about the materials, construction methods, current condition, historic use, and historic context of the historical resource.</p> <p>Archival copies of the video documentation shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would supplement the traditional HABS documentation, and would enhance the collection of reference materials that would be available to the public and inform future research.</p> <p>The video documentation shall be reviewed and approved by the San Francisco Planning Department's Preservation staff prior to issuance of a demolition permit or site permit or issuance of any Building Permits for the project.</p>	<p>Project sponsor and qualified historic preservation individual for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of any demolition or adverse alteration of a designated historic resource.</p>	<p>Qualified videographer, Planning Department (Preservation Technical Specialist).</p>	<p>Considered complete upon submittal of completed video documentation to the San Francisco Public Library or other interested historical institution.</p>

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><b>M-CP-3a: Protect Historical Resources from Adjacent Construction Activities.</b> The project sponsor of a development project in the Plan Area shall consult with Planning Department Environmental Planning/Preservation staff to determine whether buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site for a subsequent development project if pile driving would be used at that site; otherwise, it shall include historic buildings within 25 feet if vibratory and vibration-generating construction equipment, such as jackhammers, drill rigs, bulldozers, and vibratory rollers would be used. If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department Preservation staff), using construction techniques that reduce vibration (such as using concrete saws instead of jackhammers or hoe-rams to open excavation trenches, the use of non-vibratory rollers, and hand excavation), appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire. No measures need be applied if no vibratory equipment would be employed or if there are no historic buildings within 100 feet of the project site.</p>	<p>Project sponsor and qualified historic preservation individual for each applicable subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of any demolition, construction or earth movement.</p>	<p>Planning Department (ERO and, optionally, Preservation Technical Specialist).</p>	<p>Considered complete upon acceptance by Planning Department of construction specifications to avoid damage to adjacent and nearby historic buildings.</p>
<p><b>M-CP-3b: Construction Monitoring Program for Historical Resources.</b> For those historical resources identified in Mitigation Measure M-CP-3a, and where heavy equipment would be used on a subsequent development project, the project sponsor of such a project shall undertake a monitoring program to minimize damage to historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components, subject to access being granted by the owner (s) of adjacent properties, where applicable. Prior to</p>	<p>Project sponsor and construction contractor for each applicable subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to and during construction activity identified by Planning Department as potentially damaging to historic</p>	<p>Planning Department (Preservation Technical Specialist).</p>	<p>Considered complete upon submittal to Planning Department of post-construction report on construction monitoring program and effects, if any, on proximate historical resources.</p>

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This table identifies mitigation measures that may be applicable to subsequent development projects, street network changes, and open space improvements. During subsequent project review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

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<p>the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a standard maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard. Should owner permission not be granted, the project sponsor shall employ alternative methods of vibration monitoring in areas under control of the project sponsor.</p> <p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p>		building(s).		
<p><b>M-CP-4a: Project-Specific Preliminary Archeological Assessment.</b> This archeological mitigation measure shall apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of 5 feet or greater below ground surface, for which no archeological assessment report has been prepared.</p> <p>Projects to which this mitigation measure applies shall be subject to Preliminary Archeology Review (PAR) by the San Francisco Planning Department archeologist.</p>	Project sponsor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department Environmental Review Officer (ERO) for each	During the environmental review of subsequent projects.	Planning Department (ERO; Department's archeologist or qualified archaeological consultant).	Considered complete upon submittal of PAR to ERO.

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<p>Based on the PAR, the Environmental Review Officer (ERO) shall determine if there is a potential for effect to an archeological resource, including human remains, and, if so, what further actions are warranted to reduce the potential effect of the project on archeological resources to a less-than-significant level. Such actions may include project redesign to avoid the potential to affect an archeological resource; or further investigations by an archeological consultant, such as preparation of a project-specific Archeological Research Design and Treatment Plan (ARDTP) or the undertaking of an archeological monitoring or testing program based on an archeological monitoring or testing plan. The scope of the ARDTP, archeological testing or archeological monitoring plan shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation (OHP) for purposes of compliance with CEQA (OHP Preservation Planning Bulletin No. 5). Avoidance of effect to an archeological resource is always the preferred option.</p>	<p>subsequent project undertaken in the Central SoMa Plan Area.</p>			
<p><b>M-CP-4b: Procedures for Accidental Discovery of Archeological Resources.</b> This mitigation measure is required for projects that would result in soil disturbance and are not subject to Mitigation Measure M-CP-4a.</p> <p>Should any indication of an archeological resource, including human remains, be encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the San Francisco Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological</p>	<p>Project sponsor, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department Environmental Review Officer (ERO) for each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>During soil-disturbing activities.</p>	<p>Planning Department (ERO; Planning Department archeologist).</p>	<p>Considered complete upon ERO's approval of FARR.</p>

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<p>resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include preservation in situ of the archeological resource, an archeological monitoring program, an archeological testing program, or an archeological treatment program. If an archeological treatment program, archeological monitoring program or archeological testing program is required, it shall be consistent with the Planning Department's Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions. If human remains are found all applicable state laws will be followed as outlined in Impact CP-7 and an archeological treatment program would be implemented in consultation with appropriate descendant groups and approved by the ERO.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and</p>				

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
distribution from that presented above.				
<p><b>Mitigation Measure M-CP-5: Project-Specific Tribal Cultural Resource Assessment.</b> This tribal cultural resource mitigation measure shall apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of 5 feet or greater below ground surface.</p> <p>Projects to which this mitigation measure applies shall be reviewed for the potential to affect a tribal cultural resource in tandem with the preliminary archeology review of the project by the San Francisco Planning Department archeologist. For projects requiring a mitigated negative declaration or environmental impact report, the Planning Department "Notification Regarding Tribal Cultural Resources and CEQA" shall be distributed to the department's tribal distribution list. Consultation with California Native American tribes regarding the potential of the project to affect a tribal cultural resource will occur at the request of any notified tribe. For all projects subject to this mitigation measure, if staff determines that the proposed project may have a potential significant adverse effect on a tribal cultural resource, then the following shall be required as determined warranted by the ERO.</p> <p>If staff determines that preservation-in-place of the tribal cultural resource is both feasible and effective, based on information provided by the applicant regarding feasibility and other available information, then the project archeological consultant shall prepare an archeological resource preservation plan. Implementation of the approved plan by the archeological consultant shall be required when feasible. If staff determines that preservation-in-place of the Tribal Cultural Resource is not a sufficient or feasible option, then the project sponsor shall implement an interpretive program of the resource in coordination with affiliated Native American tribal representatives. An interpretive plan produced in coordination with affiliated Native American tribal representatives, at a minimum, and approved by the ERO shall be required to guide the interpretive program. The plan shall identify proposed locations for installations or displays, the proposed content and materials of those displays or</p>	<p>Planning Department's archeologist, California Native American tribal representative, Planning Department-qualified archeological consultant.</p>	<p>During the environmental review of subsequent projects.</p>	<p>Planning Department archeologist, Planning Department-qualified archeological consultant, project sponsor.</p>	<p>Considered complete if no Tribal Cultural Resource is discovered or Tribal Cultural Resource is discovered and either preserved in-place or project effects to Tribal Cultural Resource are mitigated by implementation of Planning Department approved interpretive program.</p>

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installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.				
<b>D. Transportation and Circulation</b>				
<p><b>*M-TR-3a: Transit Enhancements<sup>3</sup>.</b> The following are City and County and sponsors of subsequent development projects that would reduce the transit impacts associated with implementation of the Central SoMa Plan.</p> <p><i>Enhanced Transit Funding.</i> To accommodate project transit demand, the SFMTA, and other City agencies and departments as appropriate, shall seek sufficient operating and capital funding, including through the following measures:</p> <ul style="list-style-type: none"> <li>• Establish fee-based sources of revenue.</li> <li>• Establish a congestion-charge scheme for downtown San Francisco, with all or a portion of the revenue collected going to support improved local and regional transit service on routes that serve Downtown and the Central SoMa Plan Area.</li> <li>• Area Plan funding for transit enhancements.</li> </ul> <p><i>Transit Corridor Improvement Review.</i> During the design phase, the SFMTA shall review each street network project that contains portions of Muni transit routes where significant transit delay impacts have been identified (routes 8 Bayshore, 8AX Bayshore Express, 8BX Bayshore Express, 10 Townsend, 14 Mission, 14R Mission Rapid, 27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness). Through this review, SFMTA shall incorporate feasible street network design modifications that would meet the performance criteria of maintaining accessible transit service, enhancing transit service times, and offsetting transit delay. Such features could</p>	Sponsors of subsequent development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues do not substantially affect public transit operations on the public right-of-way near the off-street vehicular parking facility.	Ongoing	Planning Department and project sponsor.	Ongoing

<sup>3</sup> M-TR-3a: Transit Enhancements is identified in both Table A (Mitigation measures to be implemented by City and County of San Francisco) and Table B (Mitigation Measures to be implemented by the project sponsor).

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<p>include, but shall not be limited to, transit-only lanes, transit signal priority, queue jumps, stop consolidation, limited or express service, corner or sidewalk bulbs, and transit boarding islands, as determined by the SFMTA, to enhance transit service times and offset transit delay. Any subsequent changes to the street network designs shall be subject to a similar review process.</p> <p><i>Transit Accessibility.</i> To enhance transit accessibility, the Planning Department and the SFMTA shall establish a coordinated planning process to link land use planning and development in Central SoMa to transit and other sustainable transportation mode planning. This shall be achieved through some or all of the following measures:</p> <ul style="list-style-type: none"> <li>• Implement recommendations of the <i>Better Streets Plan</i> that are designed to make the pedestrian environment safer and more comfortable for walk trips throughout the day, especially in areas where sidewalks and other realms of the pedestrian environment are notably unattractive and intimidating for pedestrians and discourage walking as a primary means of circulation. This includes traffic calming strategies in areas with fast-moving, one-way traffic, long blocks, narrow sidewalks and tow-away lanes, as may be found in much of the Central SoMa area.</li> <li>• Implement building design features that promote primary access to buildings from transit stops and pedestrian areas, and discourage the location of primary access points to buildings through parking lots and other auto-oriented entryways.</li> <li>• Develop Central SoMa transportation implementation programs that manage and direct resources brought in through pricing programs and development-based fee assessments, as outlined above, to further the multimodal implementation and maintenance of these transportation improvements.</li> <li>• Sponsors of development projects with off-street vehicular parking facilities with 20 or more vehicular parking spaces shall ensure that recurring vehicle queues do not substantially affect public transit operations on the public right-of-way near the off-street vehicular parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking</li> </ul>				

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<p>any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.</p> <p>If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).</p> <p>Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or onsite queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; transportation demand management strategies such as those listed in the San Francisco Planning Code TDM Program.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.</p> <p><i>Muni Storage and Maintenance.</i> To ensure that Muni is able to service additional transit vehicles needed to serve increased demand generated by development in Central SoMa, the SFMTA shall provide maintenance and storage facilities.</p>				
<p>M-TR-6a: Driveway and Loading Operations Plan (DLOP). Sponsors of development projects that provide more than 100,000 square feet of residential, office, industrial, or</p>	<p>Project sponsors of subsequent projects</p>	<p>Prior to the approval of any</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete for each subsequent</p>

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<p>commercial uses shall prepare a DLOP, and submit the plan for review and approval by the Planning Department and the SFMTA in order to reduce potential conflicts between driveway operations, including loading activities, and pedestrians, bicycles and vehicles, and to maximize reliance of on-site loading spaces to accommodate new loading demand. The DLOP shall be submitted along with a building permit and approval should occur prior to the certificate of occupancy.</p> <p>Prior to preparing the DLOP, the project sponsor shall meet with the Planning Department and the SFMTA to review the proposed number, location, and design of the on-site loading spaces, as well as the projected loading demand during the entitlement/environmental review process. In addition to reviewing the on-site loading spaces and projected loading demand, the project sponsor shall provide the Planning Department and SFMTA a streetscape plan that shows the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way. In the event that the number of on-site loading spaces does not accommodate the projected loading demand for the proposed development, the project sponsor shall pursue with the SFMTA conversion of nearby on-street parking spaces to commercial loading spaces, if determined feasible by the SFMTA.</p> <p>The DLOP shall be revised to reflect changes in accepted technology or operation protocols, or changes in conditions, as deemed necessary by the Planning Department and the SFMTA. The DLOP shall include the following components, as appropriate to the type of development and adjacent street characteristics:</p> <ul style="list-style-type: none"> <li>• <i>Loading Dock Management.</i> To ensure that off-street loading facilities are efficiently used, and that trucks that are longer than can be safely accommodated are not permitted to use a building's loading dock, the project sponsor of a development project in the Plan Area shall develop a plan for management of the building's loading dock and shall ensure that tenants in the building are informed of limitations and conditions on loading schedules and truck size. The management plan could include strategies such as the use of an attendant to direct and guide trucks, installing a "Full" sign at the garage/loading dock driveway, limiting activity during peak hours, installation</li> </ul>	<p>undertaken in the Central SoMa Plan Area of more than 100,000 square feet of residential or commercial uses; SFMTA; Planning Department</p>	<p>building permit.</p>		<p>development project upon approval of a DLOP.</p>

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<p>of audible and/or visual warning devices, and other features. Additionally, as part of the project application process, the project sponsor shall consult with the SFMTA concerning the design of loading and parking facilities.</p> <ul style="list-style-type: none"> <li>• <i>Garage/Loading Dock Attendant.</i> If warranted by project-specific conditions, the project sponsor of a development project in the Plan Area shall ensure that building management employs attendant(s) for the project's parking garage and/or loading dock, as applicable. The attendant would be stationed as determined by the project-specific review analysis, typically at the project's driveway to direct vehicles entering and exiting the building and avoid any safety-related conflicts with pedestrians on the sidewalk during the a.m. and p.m. peak periods of traffic, bicycle, and pedestrian activity, with extended hours as dictated by traffic, bicycle and pedestrian conditions and by activity in the project garage and loading dock. Each project shall also install audible and/or visible warning devices, or comparably effective warning devices as approved by the Planning Department and/or the SFMTA, to alert pedestrians of the outbound vehicles from the parking garage and/or loading dock, as applicable.</li> <li>• <i>Large Truck Access.</i> The loading dock attendant shall dictate the maximum size of truck that can be accommodated at the on-site loading area. In order to accommodate any large trucks (i.e., generally longer than 40 feet) that may require occasional access to the site (e.g., large move-in trucks that need occasional access to both residential and commercial developments), the DLOP plan shall include procedures as to the location of on-street accommodation, time of day restrictions for accommodating larger vehicles, and procedures to reserve available curbside space on adjacent streets from the SFMTA.</li> <li>• <i>Trash/Recycling/Compost Collection Design and Management.</i> When designs for buildings are being developed, the project sponsor or representative shall meet with the appropriate representative from Recology (or other trash collection firm) to determine the location and type of</li> </ul>				

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<p>trash/recycling/compost bins, frequency of collections, and procedures for collection activities, including the location of Recology trucks during collection. The location of the trash/recycling/compost storage room(s) for each building shall be indicated on the building plans prior to submittal of plans to the Building Department. Procedures for collection shall ensure that the collection bins are not placed within any sidewalk, bicycle facility, parking lane or travel lane adjacent to the project site at any time.</p> <ul style="list-style-type: none"> <li>• <i>Delivery Storage.</i> Design the loading dock area to allow for unassisted delivery systems (i.e., a range of delivery systems that eliminate the need for human intervention at the receiving end), particularly for use when the receiver site (e.g., retail space) is not in operation. Examples could include the receiver site providing a key or electronic fob to loading vehicle operators, which enables the loading vehicle operator to deposit the goods inside the business or in a secured area that is separated from the business.</li> </ul> <p>The final DLOP and all revisions shall be reviewed and approved by the Environmental Review Officer or designee of the Planning Department and the Sustainable Streets Director or designee of the SFMTA. The DLOP will be memorialized in the notice of special restrictions on the project site permit.</p>				
<p><b>*M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones.</b><sup>4</sup> The SFMTA shall develop a curb management strategy (strategy) for Central SoMa or within proximity of the street network changes that articulates curb use priorities for different types of streets, while safely managing loading demands. This strategy should guide the approach to any affected commercial and passenger loading/unloading zones (loading zones) during any City agency's development of detailed plans for each segment of the proposed street network</p>	<p>SFMTA, Planning Department, and sponsors of subsequent development projects that provide more than 100,000 square feet of residential or commercial uses with</p>	<p>Prior to receipt of final Certificate of Occupancy.</p>	<p>SFMTA, Planning Department, and project sponsor.</p>	<p>Plan considered complete upon approval by SFMTA and the Planning Department. Monitoring ongoing.</p>

<sup>4</sup> M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones is identified in Table A (Mitigation Measures to be implemented by City and County of San Francisco) and Table B (Mitigation Measures to be implemented by the project sponsor) as the responsibility for implementation is shared by both parties.

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<p>changes. Replacement of loading zones will be considered, to the extent feasible.</p> <p>The SFMTA and the Planning Department should develop protocols for ongoing assessment of commercial and passenger loading needs on the affected streets, and for review of new development projects along the affected street segments to identify needed changes to the street network design (e.g., when a new driveway to a development site is required), or need for additional on-street commercial and passenger loading spaces.</p> <p>Sponsors of development projects that provide more than 100,000 square feet of residential or commercial uses with frontages along a public right-of-way identified on the High Injury Network, with an existing or proposed bicycle facility, or include public transit operations shall develop a Passenger Loading Plan. The plan shall address passenger loading activities and related queueing effects associated with for-hire services (including taxis, and Transportation Network Companies) and the vanpool services, as applicable. Elements of this Passenger Loading Plan may include but would not be limited to the following measures:</p> <ul style="list-style-type: none"> <li>• Coordination with for-hire vehicle companies to request passenger loading zones are incorporated into companies' mobile app device to better guide passengers and drivers where to pick up or drop off.</li> <li>• Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and no other vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stopped/parked over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.</li> <li>• Notifications and information to visitors and employees about passenger loading activities and operations, including detailed information on the vanpool services and locations pick-up/drop-off of for-hire services.</li> <li>• Detailed roles and responsibilities of managing and monitoring the passenger loading zone(s) and to properly enforce any passenger vehicles</li> </ul>	<p>frontages along a public right-of-way identified on the High Injury Network, with an existing or proposed bicycle facility, or public right-of-way that includes public transit operations, shall develop a Passenger Loading Plan.</p>			

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<p>that are in violation (e.g., blocking bicycle lane, blocking a driveway, etc.).</p> <p>The plan shall be reviewed and approved by the Environmental Review Officer or designee of the Planning Department and the Sustainable Streets Director or designee of the SFMTA. The plan shall be evaluated by a qualified transportation professional, retained by the Project Sponsor after a building(s) reaches 50% occupancy and once a year going forward until such time that the SFMTA determines that the evaluation is no longer necessary or could be done at less frequent intervals. The content of the evaluation report shall be determined by SFMTA staff, in consultation with the Planning Department, and generally shall include an assessment of on-street loading conditions, including actual loading demand, loading operation observations, and an assessment of how the project meets this mitigation measure. The evaluation report may be folded into other mitigation measure reporting obligations. If ongoing conflicts are occurring based on the assessment, the plan evaluation report shall put forth additional measures to address ongoing conflicts associated with loading operations. The evaluation report shall be reviewed by SFMTA staff, which shall make the final determination whether ongoing conflicts are occurring. In the event that the ongoing conflicts are occurring, the above plan requirements may be altered (e.g., the hour and day restrictions listed above, number of loading vehicle operations permitted during certain hours listed above, etc.).</p>				
<p><b>Mitigation Measure M-TR-8: Emergency Vehicle Access Consultation.</b></p> <p>For street network projects that reduce the number of available vehicle travel lanes for a total distance of more than one block where transit-only lanes are not provided: Street network projects shall be designed to comply with adopted city codes regarding street widths, curb widths, and turning movements. To the degree feasible while still accomplishing safety-related project objectives, SFMTA shall design street network projects to include features that create potential opportunities for cars to clear travel lanes for emergency vehicles. Examples of such features include: curbside loading zones, customized signal timing, or other approaches developed through ongoing consultation between SFMTA and the San Francisco Fire Department.</p>	<p>SFMTA</p>	<p>Prior to final design of each SFMTA street network project.</p>	<p>SFMTA and Planning Department.</p>	<p>Considered complete upon adoption of street network project design.</p>

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<p><b>Mitigation Measure M-TR-9: Construction Management Plan and Construction Coordination.</b> <i>Construction Management Plan</i>—For projects within the Plan Area, the project sponsor shall develop and, upon review and approval by the SFMTA and Public Works, implement a Construction Management Plan, addressing transportation-related circulation, access, staging and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruption and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The Construction Management Plan would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by the SFMTA, Public Works, or other City departments and agencies, and the California Department of Transportation.</p> <p>If construction of the proposed project is determined to overlap with nearby adjacent project(s) as to result in transportation-related impacts, the project sponsor or its contractor(s) shall consult with various City departments such as the SFMTA and Public Works, and other interdepartmental meetings as deemed necessary by the SFMTA, Public Works, and the Planning Department, to develop a Coordinated Construction Management Plan. The Coordinated Construction Management Plan, to be prepared by the contractor, would be reviewed by the SFMTA and would address issues of circulation (traffic, pedestrians, and bicycle), safety, parking and other project construction in the area. Based on review of the construction logistics plan, the project may be required to consult with SFMTA Muni Operations prior to construction to review potential effects to nearby transit operations.</p> <p>The Construction Management Plan and, if required, the Coordinated Construction Management Plan, shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• <i>Restricted Construction Truck Access Hours</i>—Limit construction truck movements during the hours between 7:00 and 9:00 a.m. and between 4:00 and 7:00 p.m., and other times if required by the SFMTA, to minimize disruption to vehicular traffic,</li> </ul>	<p>Project sponsor of each subsequent project undertaken in the Central SoMa Plan Area.</p>	<p>Prior to the start of each project's construction, and throughout the construction period.</p>	<p>SFMTA, SF Public Works, and Planning Department.</p>	<p>Considered complete upon approval of each construction management plan and completion of each project's construction.</p>

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<p>including transit during the a.m. and p.m. peak periods.</p> <ul style="list-style-type: none"> <li>• <i>Construction Truck Routing Plans</i>—Identify optimal truck routes between the regional facilities and the project site, taking into consideration truck routes of other development projects and any construction activities affecting the roadway network.</li> <li>• <i>Coordination of Temporary Lane and Sidewalk Closures</i>—The project sponsor shall coordinate travel lane closures with other projects requesting concurrent lane and sidewalk closures through interdepartmental meetings, to minimize the extent and duration of requested lane and sidewalk closures. Travel lane closures shall be minimized especially along transit and bicycle routes, so as to limit the impacts to transit service and bicycle circulation and safety.</li> <li>• <i>Maintenance of Transit, Vehicle, Bicycle, and Pedestrian Access</i>—The project sponsor/construction contractor(s) shall meet with Public Works, SFMTA, the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to include in the Coordinated Construction Management Plan to maintain access for transit, vehicles, bicycles and pedestrians. This shall include an assessment of the need for temporary transit stop relocations or other measures to reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects during construction of the project.</li> <li>• <i>Carpool, Bicycle, Walk and Transit Access for Construction Workers</i>—The construction contractor shall include methods to encourage carpooling, bicycling, walk and transit access to the project site by construction workers (such as providing transit subsidies to construction workers, providing secure bicycle parking spaces, participating in free-to-employee ride matching program from <a href="http://www.511.org">www.511.org</a>, participating in emergency ride home program through the City of San Francisco (<a href="http://www.sferh.org">www.sferh.org</a>), and providing transit information to construction workers).</li> <li>• <i>Construction Worker Parking Plan</i>—The location of construction worker parking shall be identified as well as the person(s) responsible for monitoring the implementation</li> </ul>				

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<p>of the proposed parking plan. The use of on-street parking to accommodate construction worker parking shall be discouraged. All construction bid documents shall include a requirement for the construction contractor to identify the proposed location of construction worker parking. If on-site, the location, number of parking spaces, and area where vehicles would enter and exit the site shall be required. If off-site parking is proposed to accommodate construction workers, the location of the off-site facility, number of parking spaces retained, and description of how workers would travel between off-site facility and project site shall be required.</p> <ul style="list-style-type: none"> <li>• <i>Project Construction Updates for Adjacent Businesses and Residents</i>—To minimize construction impacts on access for nearby institutions and businesses, the project sponsor shall provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures. At regular intervals to be defined in the Construction Management Plan and, if necessary, in the Coordinated Construction Management Plan, a regular email notice shall be distributed by the project sponsor that shall provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</li> </ul>				
<b>E. Noise and Vibration</b>				
<p>Mitigation Measure M-NO-1a: Transportation Demand Management for New Development Projects. Transportation Demand Management for New Development Projects. To reduce vehicle noise from subsequent development projects in the Plan Area, the project sponsor and subsequent property owners (excluding 100 percent affordable housing projects) shall develop and implement a TDM Plan for a proposed project's net new uses (including net new accessory parking spaces) as part of project approval. The scope and number of TDM measures included in the TDM Plan shall be in accordance with Planning Department's TDM Program Standards for the type of development proposed, and accompanying appendices in the Planning Department's TDM Programs and Standards, except that projects with complete development</p>	<p>Project sponsor and subsequent property owners of development projects in the Central SoMa Plan Area.</p>	<p>Project sponsor to submit TDM Plan to Planning Department for review prior to project consideration for approval.</p>	<p>Planning Department</p>	<p>TDM Plan to be approved as part of project approval; implementation to continue on ongoing basis, with reporting as required by text of TDM Plan.</p>

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<p>applications or Environmental Evaluation Applications (EEAs) on file with the Planning Department before January 1, 2018 shall meet a minimum of 75% of the TDM requirements in the Planning Department's TDM Program Standards. The TDM Program Standards and accompanying appendices are expected to be refined as planning for the proposed TDM Ordinance continues. Each subsequent development project's TDM Plan for proposed net new uses shall conform to the most recent version of the TDM Program Standards and accompanying appendices available at the time of the project Approval Action, as Approval Action is defined in Section 31.04(h) of the San Francisco Administrative Code. The Planning Department shall review and approve the TDM Plan, as well as any subsequent revisions to the TDM Plan. The TDM Plan shall target a reduction in the vehicle miles traveled (VMT) rate (i.e., VMT per capita), monitor and evaluate project performance (actual VMT), and adjust TDM measures over time to attempt to meet VMT target reduction. This measure is applicable to all projects within the Plan Area that do not otherwise qualify for an exemption under Article 19 of the CEQA Guidelines. This measure is superseded for those projects that are already required to fully comply with the TDM Program Standards (i.e., without reductions in target requirements) in the Plan Area. The TDM Plan shall be developed in consultation with the Planning Department and rely generally on implementation of measures listed in the Planning Department TDM Program Standards and accompanying appendices in effect at the time of the Project Approval Action. The TDM program may include, but is not limited to the types of measures, which are summarized below for explanatory example purposes. Actual development project TDM measures shall be applied from the TDM Program Standards and accompanying appendices, which describe the scope and applicability of candidate measures in detail:</p> <ol style="list-style-type: none"> <li>1. Active Transportation: Provision of streetscape improvements to encourage walking, secure bicycle parking, shower and locker facilities for cyclists, subsidized bike share memberships for project occupants, bicycle repair and maintenance services, and other bicycle-related services;</li> <li>2. Car-Share: Provision of car-share parking spaces and subsidized memberships for</li> </ol>				

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<p>project occupants;</p> <p>3. Delivery: Provision of amenities and services to support delivery of goods to project occupants;</p> <p>4. Family-Oriented Measures: Provision of on-site childcare and other amenities to support the use of sustainable transportation modes by families;</p> <p>5. High-Occupancy Vehicles: Provision of carpooling/vanpooling incentives and shuttle bus service;</p> <p>6. Information: Provision of multimodal wayfinding signage, transportation information displays, and tailored transportation marketing services;</p> <p>7. Land Use: Provision of on-site affordable housing and healthy food retail services in underserved areas; and</p> <p>8. Parking: Provision of unbundled parking, short-term daily parking provision, parking cash out offers, and reduced off-street parking supply.</p>				
<p><b>M-NO-1b: Siting of Noise-Generating Uses.</b> To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including PDR, Place of Entertainment, or other uses that may require the siting of new emergency generators/fire pumps or noisier-than-typical mechanical equipment, or facilities that generate substantial nighttime truck and/or bus traffic that would potentially generate noise levels substantially in excess of ambient noise (either short-term during the nighttime hours, or as a 24-hour average), the Planning Department shall require the preparation of a noise analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight-to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate that the proposed use would meet the noise standard identified in San Francisco Police Code Article 29. Should any concerns be present, the Department shall require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering, and the</p>	<p>Planning Department; project sponsor of each subsequent noise-generating project, as specified in mitigation measure, in the Central SoMa Plan Area; acoustical consultant</p>	<p>Analysis to be completed during environmental review of subsequent projects in the Plan Area.</p>	<p>Planning Department and Department of Building Inspection (DBI).</p>	<p>Considered complete upon project approval of subsequent development projects by Planning Department/ Planning Commission or approval of final plan set by DBI if Planning Department identifies project-specific noise reduction measures.</p>

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incorporation of noise reduction measures as recommended by the noise assessment prior to the first project approval action.				
<p><b>M-NO-2a: General Construction Noise Control Measures.</b> To ensure that project noise from construction activities is reduced to the maximum extent feasible, the project sponsor of a development project in the plan area that is within 100 feet of noise-sensitive receptors shall undertake the following:</p> <ul style="list-style-type: none"> <li>• Require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds), wherever feasible.</li> <li>• Require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.</li> <li>• Require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.</li> <li>• Include noise control requirements in specifications provided to construction contractors. Such requirements could include, but are not limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings to the extent that such routes are otherwise</li> </ul>	Project sponsor of each subsequent project in the Central SoMa Plan Area; construction general contractor.	During construction period.	Planning Department, Department of Building Inspection (as requested and/or on complaint basis), Police Department (on complaint basis).	Considered complete at the completion of construction for each subsequent project.

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<p>feasible.</p> <ul style="list-style-type: none"> <li>Prior to the issuance of each building permit, along with the submission of construction documents, submit to the Planning Department and Department of Building Inspection (DBI) a list of measures that shall be implemented and that shall respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities (defined as activities generating anticipated noise levels of 80 dBA or greater without noise controls, which is the standard in the Police Code) about the estimated duration of the activity.</li> </ul>				
<p><b>M-NO-2b: Noise and Vibration Control Measures During Pile Driving.</b> For individual projects that require pile driving, a set of site-specific noise attenuation measures shall be prepared under the supervision of a qualified acoustical consultant. These attenuation measures shall be included in construction of the project and shall include as many of the following control strategies, and any other effective strategies, as feasible:</p> <ul style="list-style-type: none"> <li>The project sponsor of a development project in the Plan Area shall require the construction contractor to erect temporary plywood or similar solid noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels;</li> <li>The project sponsor of a development project in the Plan Area shall require the construction contractor to implement "quiet" pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, with consideration of</li> </ul>	<p>Project sponsor of each subsequent project in the Central SoMa Plan Area and construction general contractor.</p>	<p>Prior to and during the period of pile-driving.</p>	<p>Project sponsor; Planning Department and construction contractor; Department of Building Inspection (as requested and/or on complaint basis).</p>	<p>Considered complete after implementation of noise attenuation measures during pile-driving activities and submittal of final noise monitoring report to Planning Department.</p>

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<p>geotechnical and structural requirements and soil conditions (including limiting vibration levels to the FTA's 0.5 inches per second, PPV to minimize architectural damage to adjacent structures);</p> <ul style="list-style-type: none"> <li>The project sponsor of a development project in the Plan Area shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements, at a distance of 100 feet, at least once per day during pile-driving; and</li> <li>The project sponsor of a development project in the Plan Area shall require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.</li> </ul>				
<p>M-NO-3: Construction-Generated Vibration. Implement Mitigation Measures M-NO-2b, Noise and Vibration Control Measures during Pile Driving, M-CP-3a, Protect Historical Resources from Adjacent Construction Activities, and M-CP-3b, Construction Monitoring Program for Historical Resources.</p>	See Mitigation Measures M-NO-2b, M-CP-3a, and M-CP-3b.			
<b>F. Air Quality</b>				
<p>M-AQ-3: Violation of an Air Quality Standard, Contribute to an Existing or Projected Air Quality Violation, and/or Result in a Cumulatively Considerable Net Increase in Criteria Air Pollutants. Implement Mitigation Measure M-NO-1a, Transportation Demand Management for Development Projects.</p>	See Mitigation Measure M-NO-1a.			
<p>M-AQ-3a: Education for Residential and Commercial Tenants Concerning Low-VOC Consumer Products. Prior to receipt of any certificate of final occupancy and every five years thereafter, the project sponsor shall develop electronic correspondence to be distributed by email or posted on-site annually to tenants of the project that encourages the purchase of consumer products and paints that are better for the environment and generate less VOC emissions. The correspondence shall encourage</p>	Project sponsor of each subsequent project in the Central SoMa Plan Area; subsequent project owner; Homeowners'	Prior to receipt of final Certificate of Occupancy and every five years thereafter.	Planning Department and Department of Building Inspection (DBI).	Project sponsor to submit written information to Planning Department prior to DBI issuance of Certificate of Occupancy; Sponsor or Owner to

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environmentally preferable purchasing and shall include contact information and links to SF Approved.	Association (for condominium projects).			continue submittals at 5-year intervals (ongoing).
<p><b>M-AQ-3b: Reduce Operational Emissions.</b> Proposed projects that would exceed the criteria air pollutant thresholds in this EIR shall implement the additional measures, as applicable and feasible, to reduce operational criteria air pollutant emissions. Such measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>For any proposed refrigerated warehouses or large (greater than 20,000 square feet) grocery retailers, provide electrical hook-ups for diesel trucks with Transportation Refrigeration Units at the loading docks.</li> <li>Use low- and super-compliant VOC architectural coatings in maintaining buildings. "Low-VOC" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District Rule 1113; however, many manufacturers have reformulated to levels well below these limits. These are referred to as "Super-Compliant" architectural coatings.</li> <li>Implement Mitigation Measure M-AQ-5a, Best Available Control Technology for Diesel Generators and Fire Pumps.</li> <li>Other measures that are shown to effectively reduce criteria air pollutant emissions onsite or offsite if emissions reductions are realized within the SFBAAB. Measures to reduce emissions onsite are preferable to offsite emissions reductions.</li> </ul>	Project sponsor of each subsequent project in the Central SoMa Plan Area; subsequent project owner, as applicable based on mitigation measure; Homeowners' Association (for condominium projects).	<p>For warehouses and large grocers, prior to issuance of building permit.</p> <p>Ongoing for maintenance use of architectural coatings.</p> <p>For generators and fire pumps, see Mitigation Measure M-AQ-5a.</p> <p>For other measures, schedule to be determined by Planning Department.</p>	Planning Department and Department of Building Inspection.	<p>For warehouses and large grocers, considered complete upon approval of final construction plan set.</p> <p>Ongoing for maintenance use of architectural coatings.</p> <p>For generators and fire pumps, see Mitigation Measure M-AQ-5a.</p> <p>For other measures, schedule to be determined by Planning Department.</p>
<p><b>M-AQ-4a: Construction Emissions Analysis.</b> Subsequent development projects that do not meet the applicable screening levels or that the Planning Department otherwise determines could exceed one or more significance thresholds for criteria air pollutants shall undergo an analysis of the project's construction emissions. If no significance thresholds are exceeded, no further mitigation is required. If one or more significance thresholds are exceeded, Mitigation Measure M-AQ-4b would be applicable to the project.</p>	Project sponsors of projects in Central SoMa Plan Area that do not meet applicable screening levels; Planning Department	During environmental review.	Planning Department (ERO, Air Quality technical staff).	Considered complete upon approval of analysis by ERO.
<p><b>M-AQ-4b: Construction Emissions Minimization Plan.</b> If required based on the analysis described in Mitigation Measure M-AQ-4a or as required in Impact AQ-6 the</p>	Project sponsor of applicable projects in	Prior to the start of diesel equipment	Planning Department (ERO, Air Quality	Considered complete upon Planning Department

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<p>project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall be designed to reduce air pollutant emissions to the greatest degree practicable.</p> <p>The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:               <ol style="list-style-type: none"> <li>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</li> <li>b) All off-road equipment shall have:                   <ol style="list-style-type: none"> <li>i. Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board Tier 2 off-road emission standards (or Tier 3 off-road emissions standards if NOx emissions exceed applicable thresholds), and</li> <li>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS), and</li> <li>iii. Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99).</li> </ol> </li> <li>c) Exceptions:                   <ol style="list-style-type: none"> <li>i. Exceptions to 1(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with 1(b) for onsite power generation.</li> <li>ii. Exceptions to 1(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS (1) is</li> </ol> </li> </ol> </li> </ol>	<p>Central SoMa Plan Area; Planning Department.</p>	<p>use on site.</p>	<p>technical staff.</p>	<p>review and acceptance of Construction Emissions Minimization Plan.</p>

**TABLE B: MITIGATION MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW**

**(TO BE IMPLEMENTED BY PROJECT SPONSOR)**

This table identifies mitigation measures that may be applicable to subsequent development projects, street network changes, and open space improvements. During subsequent project review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project. Measures with uncertain feasibility of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, operational, social, and technological factors, are denoted with an asterisk (\*).

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed									
<p>technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to 1(b)(ii), the project sponsor shall comply with the requirements of 1(c)(iii).</p> <p>iii. If an exception is granted pursuant to 1(c)(ii), the project sponsor shall provide the next-cleanest piece of off-road equipment as provided by the step down schedule in Table M-AQ-4:</p> <p style="text-align: center;"><b>TABLE M-AQ-4B: OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE*</b></p> <table border="1" data-bbox="138 1084 814 1247"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2**</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> </tbody> </table> <p>* How to use the table. If the requirements of 1(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>** Tier 3 off road emissions standards are required if NOx emissions exceed applicable thresholds.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2**	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS				
Compliance Alternative	Engine Emission Standard	Emissions Control											
1	Tier 2**	ARB Level 2 VDECS											
2	Tier 2	ARB Level 1 VDECS											

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For the VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan as requested.</p> <p>6. <i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 4, above. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction</p>				

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>phase. For each phase, the report shall include detailed information required in Paragraph 4. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>7. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				
<p><b>M-AQ-5: Operational Emissions of Fine Particulate Matter and Toxic Air Contaminants that would Expose Sensitive Receptors to Substantial Pollutant Concentrations</b></p> <p><b>Implement Mitigation Measure M-NO-1a, Transportation Demand Management (TDM) for Development Projects.</b></p>	<p>See Mitigation Measure M-NO-1a.</p>			
<p><b>M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps</b></p> <p>All diesel generators and fire pumps shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with a California Air Resources Board Level 3 Verified Diesel Emissions Control Strategy. All diesel generators and fire pumps shall be fueled with renewable diesel, R99, if commercially available. For each new diesel backup generator or fire pump permit submitted for the project, including any associated generator pads, engine and filter specifications shall be submitted to the San Francisco Planning Department for review and approval prior to issuance of a permit for the generator or fire pump from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators and Verified Diesel Emissions Control Strategy shall be maintained in good working order in perpetuity and any future replacement of the diesel backup generators, fire pumps, and Level 3 Verified Diesel Emissions Control Strategy filters shall be required to be consistent with these emissions specifications. The operator of the facility shall maintain records of the testing schedule for each diesel backup generator and fire pump for the life of that diesel backup generator and fire pump and provide this information for review to the</p>	<p>Project sponsors of projects in the Central SoMa Plan Area with new diesel generators and/or fire pumps; Planning Department.</p>	<p>For specifications, prior to issuance of building permit for diesel generator or fire pump.</p> <p>For maintenance, ongoing.</p>	<p>Planning Department (ERO, Air Quality technical staff).</p>	<p>Equipment specifications portion considered complete when equipment specifications approved by ERO.</p> <p>Maintenance portion is ongoing and records are subject to Planning Department review upon request.</p>

**TABLE B: MITIGATION MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW**

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
Planning Department within three months of requesting such information.				
M-AQ-5b: Siting of Uses that Emit Particulate matter (PM <sub>2.5</sub> ), Diesel Particulate Matter, or Other Toxic Air Contaminants. To minimize potential exposure of sensitive receptors to diesel particulate matter or substantial levels of toxic air contaminants as part of everyday operations from stationary or area sources (other than the sources listed in M-AQ-5a), the San Francisco Planning Department shall require, during the environmental review process of such projects, but not later than the first project approval action, the preparation of an analysis by a qualified air quality specialist that includes, at a minimum, a site survey to identify residential or other sensitive receptors within 1,000 feet of the project site. For purposes of this measure, sensitive receptors are considered to include housing units; child care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. The assessment shall also include an estimate of emissions of toxic air contaminants from the source and shall identify all feasible measures to reduce emissions. These measures shall be incorporated into the project prior to the first approval action.	Project sponsors of projects in the Central SoMa Plan Area with stationary equipment other than diesel generators and fire pumps that emit PM <sub>2.5</sub> , diesel particulate, or other toxic air contaminants, as determined by the Planning Department.	Prior to first project approval action.	Planning Department (ERO, Air Quality technical staff).	Considered complete upon ERO review and approval of air quality analysis and implementation of any required measures to reduce emissions.
Mitigation Measure M-AQ-5d: Land Use Buffers around Active Loading Docks. Locate sensitive receptors as far away as feasible from truck activity areas including loading docks and delivery areas.	Project sponsor of any project in the Central SoMa Plan Area with sensitive receptors.	Prior to approval of final plan set.	Planning Department and Department of Building Inspection.	Considered complete upon approval of final plan set.
M-AQ-6a: Construction Emissions Minimization Plan. All projects within the Air Pollutant Exposure Zone and newly added Air Pollutant Exposure Zone lots identified in Figure IV.F-2 shall comply with M-AQ-4b, Construction Emissions Minimization Plan.	Project sponsor of applicable projects in the Central SoMa Plan Area identified by the Planning Department.	See Mitigation Measure M-AQ-4b.		
M-AQ-6b: Implement Clean Construction Requirements. Construction of street network changes and open space improvements adjacent to newly added air pollution exposure zone lots identified in Figure IV.F-2 shall comply with the Clean Construction requirements for projects located within the APEZ.	Planning Department, San Francisco Public Works, for sites in the Central SoMa Plan Area	During construction of each applicable street network and	Planning Department	Considered complete at the end of construction for each applicable street network and open space

**TABLE B: MITIGATION MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW**  
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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	identified by the Planning Department.	open space improvement project.		improvement project.
<b>G. Wind</b>				
<p>*M-WI-1: Wind Hazard Criterion for the Plan Area. In portions of the Central SoMa Plan area outside the C-3 Use Districts, projects proposed at a roof height greater than 85 feet shall be evaluated by a qualified wind expert as to their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance (defined as the one-hour wind hazard criterion of 26 miles per hour equivalent wind speed). If the qualified expert determines that wind-tunnel testing is required due to the potential for a new or worsened wind hazard exceedance, the project shall adhere to the following standards for reduction of ground-level wind speeds in areas of substantial pedestrian use:</p> <ul style="list-style-type: none"> <li>▪ New buildings and additions to existing buildings shall be shaped (e.g., include setbacks, or other building design techniques), or other wind baffling measures shall be implemented, so that the development would result in the following with respect to the one-hour wind hazard criterion of 26 miles per hour equivalent wind speed: <ul style="list-style-type: none"> <li>○ No increase, compared to existing conditions, in the overall number of hours during which the wind hazard criterion is exceeded (the number of exceedance locations may change, allowing for both new exceedances and elimination of existing exceedances, as long as there is no net increase in the number of exceedance locations), based on wind-tunnel testing of a representative number of locations proximate to the project site; OR</li> <li>○ Any increase in the overall number of hours during which the wind hazard criterion is exceeded shall be evaluated in the context of the overall wind effects of anticipated development that is in accordance with the Plan. Such an evaluation shall be undertaken if the project contribution to the wind hazard exceedance at one or more locations relatively distant from the individual project</li> </ul> </li> </ul>	Project sponsors of projects in the Central SoMa Plan Area in excess of 85 feet in rooftop height.	During the environmental review process for subsequent development projects.	Planning Department	Considered complete upon approval of final construction plan set.

**TABLE B: MITIGATION MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW**

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>site is minimal and if anticipated future Plan area development would substantively affect the wind conditions at those locations. The project and foreseeable development shall ensure that there is no increase in the overall number of hours during which the wind hazard criterion is exceeded.</p> <ul style="list-style-type: none"> <li>o New buildings and additions to existing buildings that cannot meet the one-hour wind hazard criterion of 26 miles per hour equivalent wind speed performance standard of this measure based on the above analyses, shall minimize to the degree feasible the overall number of hours during which the wind hazard criterion is exceeded.</li> </ul>				
<b>H. Shadow</b>				
No mitigation measures identified to be implemented by the Project Sponsor.				
<b>I. Hydrology (Sea Level Rise and Combined Sewer System)</b>				
No mitigation measures identified to be implemented by the Project Sponsor.				
<b>Biological Resources (from Initial Study)</b>				
<p><b>M-BI-1: Pre-Construction Bat Surveys:</b> Conditions of approval for building permits issued for construction within the Plan Area shall include a requirement for pre-construction special-status bat surveys when trees with a diameter at breast height equal to or greater than 6 inches are to be removed or vacant buildings that have been vacant for six months or longer are to be demolished. If active day or night roosts are found, a qualified biologist (i.e., a biologist holding a CDFW collection permit and a Memorandum of Understanding with the CDFW allowing the biologist to handle and collect bats) shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with CDFW. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.</p>	<p>Project sponsor of subsequent development projects in Central SoMa Plan Area with large trees to be removed and/or vacant buildings to be demolished; and qualified biologist, CDFW.</p>	<p>Prior to issuance of demolition or building permits when trees would be removed or buildings demolished as part of an individual project.</p>	<p>Planning Department; CDFW if applicable</p>	<p>Considered complete upon issuance of demolition or building permits.</p>

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**(TO BE IMPLEMENTED BY PROJECT SPONSOR)**

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Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>Hazardous Materials (from Initial Study)</b>				
<p><b>M-HZ-3: Hazardous Building Materials Abatement.</b> The project sponsor of any development project in the Plan Area shall ensure that any building planned for demolition or renovation is surveyed for hazardous building materials including, electrical equipment containing polychlorinated biphenyl (PCBs), fluorescent light ballasts containing PCBs or bis(2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition or renovation. Light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs and in the case where the presence of PCBs in the light ballast cannot be verified, they shall be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations. Any other hazardous building materials identified either before or during demolition or renovation shall be abated according to federal, State, and local laws and regulations.</p>	<p>Project sponsor of subsequent development projects in Central SoMa Plan Area with buildings to be demolished.</p>	<p>Prior to issuance of demolition permit.</p>	<p>Planning Department</p>	<p>Considered complete upon ERO review and acceptance of hazardous materials building survey report and remediation plan.</p>

**TABLE C: PROPOSED IMPROVEMENT MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

**(TO BE IMPLEMENTED BY CITY AND COUNTY OF SAN FRANCISCO)**

This table identifies Plan-level improvement measures to be implemented by the City and County of San Francisco. Subsequent development projects, street network changes, and open space improvements within the Central SoMa Plan area would be required to comply with the applicable improvement measure listed in Table D.

Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>D. Transportation and Circulation</b>				
<p><b>Improvement Measure I-TR-5a: Protected Bicycle Lane Public Education Campaign.</b> To further reduce potential conflicts between bicyclists and pedestrians, transit and other vehicles, the SFMTA could develop and implement a protected bicycle lane public education campaign to develop safety awareness by providing information to the public through outreach channels such as media campaigns, brochures, and websites. This campaign would be in addition to the existing SFMTA bicycle safety outreach, specifically geared to Central SoMa and protected bicycle lanes. Elements of the education campaign could include:</p> <ul style="list-style-type: none"> <li>• Clarifying rules of the road for protected bicycle lanes.</li> <li>• Improving pedestrian awareness about where to wait and how to cross the protected bike lane (i.e., on the sidewalk or buffer zone, rather than in the separate lane or adjacent to parked vehicles).</li> <li>• Ensuring that the San Francisco Police Department officers are initially and repeatedly educated on traffic law as it applies to bicyclists and motorists.</li> <li>• Providing safety compliance education for bicyclists coupled with increased enforcement for violations by bicyclists.</li> </ul> <p>The public education campaign could include a webpage, as well as instruction videos with information for cyclists, motorists, and pedestrians. The public education should be coordinated, to the extent possible, with community organizations including South of Market Community Action Network (SOMCAN), San Francisco Bicycle Coalition (SFBC), and neighborhood business groups.</p>	SFMTA	Prior to Planning Department approval of 20 percent of the Central SoMa Plan development, as estimated in the EIR.	SFMTA and Planning Department.	Considered complete with the implementation of cycle track public education campaign.
<p><b>Improvement Measure I-TR-5b: Protected Bicycle Lane Post-Implementation Surveys.</b> Following implementation of the protected bicycle lanes on Howard, Folsom, Brannan, Third and Fourth Streets, the SFMTA could conduct motorist, pedestrian, bicycle, and business surveys to understand how the protected bicycle lanes are performing, and to make adjustments to the design and supplemental public education campaign. In addition to the user surveys, the post-implementation assessment could include before/after photos; bicyclist ridership and traffic volume counts, video analysis of behavior of bicyclists, pedestrians, and drivers, assessment of vehicle queuing, and compliance with new signs/signals. The information would be used as input for subsequent design and implementation of protected bicycle lanes on other streets in San Francisco, as well as documenting the effectiveness of the</p>	SFMTA	Within one year of installation of one or more cycle tracks specified in the mitigation measure.	SFMTA and Planning Department.	Considered complete with the implementation of Cycle Track Surveys.

**TABLE C: PROPOSED IMPROVEMENT MEASURES ADOPTED AS CONDITIONS OF APPROVAL**  
**(TO BE IMPLEMENTED BY CITY AND COUNTY OF SAN FRANCISCO)**

This table identifies Plan-level improvement measures to be implemented by the City and County of San Francisco. Subsequent development projects, street network changes, and open space improvements within the Central SoMa Plan area would be required to comply with the applicable improvement measure listed in Table D.

Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
protected bicycle lane.				

**TABLE D: PROPOSED IMPROVEMENT MEASURES TO BE IMPLEMENTED AS PART OF SUBSEQUENT PROJECTS WITHIN THE PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW.**

**(TO BE IMPLEMENTED BY PROJECT SPONSOR)**

This table identifies improvement measures applicable to subsequent development projects. During subsequent project review, the Planning Department would determine the applicability of the improvement measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project.

Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>Biological Resources (from Initial Study)</b>				
<p><b>I-BI-2: Night Lighting Minimization.</b> In compliance with the voluntary San Francisco Lights Out Program, the Planning Department could encourage buildings developed pursuant to the draft Plan to implement bird-safe building operations to prevent and minimize bird strike impacts, including but not limited to the following measures:</p> <ul style="list-style-type: none"> <li>• Reduce building lighting from exterior sources by:                             <ul style="list-style-type: none"> <li>○ Minimizing the amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features;</li> <li>○ Installing motion-sensor lighting;</li> <li>○ Utilizing minimum wattage fixtures to achieve required lighting levels.</li> </ul> </li> <li>• Reduce building lighting from interior sources by:                             <ul style="list-style-type: none"> <li>○ Dimming lights in lobbies, perimeter circulation areas, and atria;</li> <li>○ Turning off all unnecessary lighting by 11:00 p.m. through sunrise, especially during peak migration periods (mid-March to early June and late August through late October);</li> <li>○ Utilizing automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present;</li> <li>○ Encouraging the use of localized task lighting to reduce the need for more extensive overhead lighting;</li> <li>○ Scheduling nightly maintenance to conclude by 11:00 p.m.;</li> <li>○ Educating building users about the dangers of night lighting to birds.</li> </ul> </li> </ul>	<p>Planning Department, working with project sponsors of each subsequent development project in the Central SoMa Plan Area.</p>	<p>Prior to issuance of building permit, and during project operation.</p>	<p>Planning Department</p>	<p>Considered complete upon approval of building plans by Planning Department. Planning Department may engage in follow-up discussions with project sponsors, as applicable.</p>



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 20184

HEARING DATE MAY 10, 2018

*Project Name:* Central SoMa Plan – General Plan Amendments  
*Record No.:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

**RESOLUTION ADOPTING AMENDMENTS TO THE SAN FRANCISCO GENERAL PLAN TO ADD THE CENTRAL SOUTH OF MARKET AREA PLAN, AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE, FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Commission ("Commission") shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan in response to changing physical, social, economic, environmental, or legislative conditions.

WHEREAS, the Commission, at a duly noticed public hearing on March 1, 2018 and in accordance with Planning Code Section 340(c), initiated the General Plan Amendments for the Central South of Market Area Plan ("Central SoMa Plan") by Planning Commission Resolution No. 20119.

WHEREAS, this Resolution adopting and recommending that the Board of Supervisors approve the General Plan Amendments is a companion to other legislative approvals relating to the Central SoMa Plan, including recommendations that the Board of Supervisors approve Planning Code, Administrative Code, and Zoning Map Amendments.

WHEREAS, the desire for a Central SoMa Plan began during the Eastern Neighborhoods planning process. In 2008 the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (SoMa), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods. At that time, the City determined that the development potential of the industrially zoned part of East SoMa, coupled with the improved transit to be provided by the Central Subway, necessitated a subsequent, focused planning process that took into account the city's growth needs and City and regional environmental goals. The Central SoMa Plan is the result of that subsequent process.

WHEREAS, the Western SoMa Area Plan, adopted in 2013, also explicitly recognized the need to increase development capacity near transit in Objective 1.5, which states that the City should "Support continued evaluation of land uses near major transit infrastructure in recognition of citywide and regional sustainable growth needs." The explanatory text in Objective 1.5 concludes that "The City must continue evaluating how it can best meet citywide and regional objectives to direct growth to transit-oriented locations and whether current controls are meeting identified needs." The Objective's implementing Policy 1.5.1 states that the City should "Continue to explore and re-examine land use controls east of 6th Street, including as part of any future evaluation along the 4th Street corridor." The Central SoMa Plan is intended to fulfill the Western SoMa Plan's Objective 1.5 and Policy 1.5.1.

WHEREAS, the process of creating the Central SoMa Plan began in 2011. Since that time, the Planning Department released a draft Plan and commenced environmental review as required by the California Environmental Quality Act ("CEQA") in April 2013, released an Initial Study in February of 2014, released a revised Draft Plan and Implementation Strategy in August 2016, released the Draft Environmental Impact Report in December 2016, and released Responses to Comments on the Draft Environmental Impact Report in March 2018.

WHEREAS, throughout the process, the Central SoMa Plan has been developed based on robust public input, including ten public open houses; fourteen public hearings at the Planning Commission; two public hearings at the Board of Supervisor's Land Use & Transportation Committee; additional hearings at the Historic Preservation Commission, Arts Commission, and Youth Commission; a "technical advisory committee" consisting of multiple City and regional agencies; a "storefront charrette" (during which the Planning Department set up shop in a retail space in the neighborhood to solicit community input on the formulation of the plan); two walking tours, led by community members; two community surveys; an online discussion board; meetings with over 30 neighborhoods groups and other community stakeholders; and thousands of individual meetings, phone calls, and emails with stakeholders.

WHEREAS, the Central SoMa Plan Area runs from 2nd Street to 6th Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan that comprise much of the area north of Folsom Street. The vision of the Central SoMa Plan is to create a sustainable neighborhood by 2040, where the needs of the present are met without compromising the ability of future generations to meet their own needs. The Central SoMa Plan seeks to achieve sustainability in each of its aspects – social, economic, and environmental. The Plan's philosophy is to keep what is already successful about the neighborhood, and improve what is not. Utilizing the Plan's philosophy to achieve the Plan's vision will require implementing the following three strategies:

- Accommodate growth;
- Provide public benefits; and
- Respect and enhance neighborhood character.

WHEREAS, implementing the Central SoMa Plan's strategies will require addressing all the facets of a sustainable neighborhood. To do so, the Plan seeks to achieve eight Goals:

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City

WHEREAS, these core policies and supporting discussion have been incorporated into the Central SoMa Plan, which is proposed to be added as an Area Plan in the General Plan. The General Plan Amendments, together with proposed Planning Code, Administrative Code, and Zoning Map Amendments and an Implementation Document, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Implementation Document describes how the Plan's policies will be implemented, outlines public improvements, funding mechanisms, and interagency coordination that the City must pursue to implement the Plan, and provides controls for key development sites and key streets and design guidance for new development.

WHEREAS, policies envisioned for the Central SoMa Plan are consistent with the existing General Plan. However, a number of conforming amendments to the General Plan are required to further achieve and clarify the vision and goals of the Central SoMa Plan, to reflect its concepts throughout the General Plan, and to generally update the General Plan to reflect changed physical, social, and economic conditions in this area.

WHEREAS, a draft ordinance, substantially in the form attached hereto as Exhibit II.3, and approved as to form by the City Attorney's office, would add the Central SoMa Area Plan to the General Plan and make a number of conforming amendments to various elements of the General Plan, including the East SoMa Area Plan, Western SoMa Area Plan, Commerce and Industry Element, Housing Element, and Urban Design Element. The Central SoMa Plan is attached hereto as Exhibit II.4. An updated map of the Eastern Neighborhoods Planning Areas is attached hereto as Exhibit II.5. A memo summarizing proposals to amend the Central SoMa Plan since consideration by the Planning Commission on March 1, 2018 is attached hereto as Exhibit II.6.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan ("FEIR") and found the FEIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the FEIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Resolution No. 20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation

Monitoring and Reporting Program ("MMRP"), under Case No. 2011. 1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on General Plan Amendments.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting the General Plan Amendments.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Planning Code Section 340(d), the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed General Plan Amendments for the following reasons:

1. The General Plan Amendments would add the Central SoMa Plan, which will accommodate development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the Plan Area's industrially-protective zoning and increasing height limits on many of the Plan Area's parcels.
2. The General Plan Amendments would add the Central SoMa Plan, which will maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households, and by requiring that these new units be built in SoMa.
3. The General Plan Amendments would add the Central SoMa Plan, which will facilitate an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area.
4. The General Plan Amendments would add the Central SoMa Plan, which will provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
5. The General Plan Amendments would add the Central SoMa Plan, which will offer parks and recreational opportunities by funding the construction and improvement of parks and recreation centers in the area and requiring large, non-residential projects to provide publicly-accessible open space.
6. The General Plan Amendments would add the Central SoMa Plan, which will create an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas emitting energy sources. A proposal to include a Mello-Roos Community Facilities District (CFD) in the Central SoMa Plan is also under consideration. This CFD would provide funding for environmental sustainability and resilience strategies to improve air quality, provide biodiversity, and help manage stormwater. The CFD would also help to create an environmentally sustainable and resilient neighborhood.

7. The General Plan Amendments would add the Central SoMa Plan, which will preserve and celebrate the neighborhood's cultural heritage by helping to fund the rehabilitation and maintenance of historic buildings. The CFD under consideration in the Central SoMa Plan would provide funding to help preserve the Old Mint for cultural and social programming for the neighborhood's existing residents and organizations. The CFD would also help to preserve and celebrate the neighborhood's cultural heritage.
8. The General Plan Amendments would add the Central SoMa Plan, which will ensure that new buildings enhance the character of the neighborhood and the City by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

**AND BE IT FURTHER RESOLVED**, that the Commission finds the General Plan Amendments, on balance, consistent with the General Plan as proposed for amendment and with the eight priority policies of Planning Code Section 101.1(b), as follows (note, staff comments are in *italics*):

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

*The Plan will have positive effects on neighborhood-serving retail uses. The Plan will provide a large market for existing and new businesses by supporting the creation of new office space, hotel uses, and housing units in a high-density environment. The Plan will support pedestrian traffic by facilitating improvements to walking conditions by widening sidewalks, increasing and improving crossings, and limiting curb cuts. The Plan will require ground floor commercial uses on many of the Plan Area's major streets, and will prohibit competing non-neighborhood serving uses, such as office, from the ground floor. The Plan will increase opportunity for neighborhood-serving retail in retail space by limiting formula retail uses and requiring "micro-retail" uses of 1,000 square feet or less in large new developments.*

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

*The Plan will not affect existing City regulations and programs to protect existing housing, including the City's substantial existing restrictions on evictions and demolitions. Additionally, the Plan will ensure that at least 33% of all new housing developed in the Central SoMa Plan area is affordable to low- and moderate-income households, thereby helping to maintain the area's economic diversity. The Plan will further protect the neighborhood's economic diversity by reinforcing the area's existing mixed land use pattern. The Plan will facilitate the development of a mix of residential and non-residential buildings whose ground floors will consist of a mix of retail, community services, and production, distribution, and repair uses. The CFD under consideration for inclusion in the Central SoMa Plan would provide funding for cultural programming and the creation and rehabilitation of important cultural facilities, such as Yerba Buena Gardens, which will help protect the cultural diversity of the neighborhood.*

*The Plan will protect neighborhood character by imposing physical development standards, such as the creation of height and bulk limits that maintain a largely mid-rise neighborhood. Under the Plan, the perceived height of most buildings will be the same as the width of the street, and a limited number of towers will be permitted in appropriate locations at important intersection nodes, such as adjacent to Downtown/Rincon Hill and near the Caltrain Station. The Plan will also direct development away from existing historic districts in the southeastern part of the Plan Area (e.g., South Park and the South End Historic District) and the established residential neighborhood in the northwestern part of the Plan Area. The Plan will also protect neighborhood character by preserving historic buildings and restricting consolidation of small lots on "fine-grained blocks" containing character-enhancing buildings.*

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

*The Plan will ensure that over 33% of new or rehabilitated housing built in the Plan Area would be affordable to low- and moderate-income households by directing nearly \$1 billion in public benefits towards this need, including \$400 million in direct funding to the Mayor's Office of Housing and Community Development. This will result in construction of more than 2,500 affordable housing units within SoMa. Up to 10% of the fee revenue collected from in-lieu and Jobs-Housing Linkage fees may be spent on acquisition and rehabilitation of existing affordable housing.*

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

*On balance, the Plan will not result in commuter traffic impeding Muni transit service or overburdening the streets or neighborhood parking. Given the expected density of jobs, commuter traffic is expected to increase in the Plan Area. However, the Plan Area is served by a wealth of local and regional transit, including BART, Caltrain, and Muni Metro (including the new Central Subway). The City expects to allocate as much as \$500 million to transit improvements to support the area. The City will allocate approximately two-thirds of this funding to Muni. If adopted, the CFD under consideration for inclusion in the Central SoMa Plan would provide approximately one-third of this funding to enhance regional transit systems and support extensive improvements to pedestrian and bicycle infrastructure. The Plan is designed to shift the way people travel away from use of private vehicles to more sustainable modes of transportation.*

*In addition to supporting the development of public transit, the Plan substantially decreases the amount of parking required for both residential and office uses, which will discourage commuter traffic, in conjunction with the City's existing Transportation Demand Management requirements.*

*The Plan will also support growth in one of the most transit-oriented locations in the region, thereby accommodating growth in a place where people can take transit in lieu of driving. If this growth is not accommodated in Central SoMa, it will occur in areas of the region that are not as well served by transit systems. This would increase citywide and regional auto traffic, congestion, and related impacts on safety, public health, and environmental quality.*

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

*The Plan will protect the industrial or service sectors. The Plan includes a "no net loss" policy for production, distribution, and repair (PDR) uses in those areas where the industrially protective zoning is being removed. The Plan requires that large office projects provide new PDR space, either on-site, off-site, or by preservation of existing spaces otherwise at risk of displacement. The Plan also includes incentives for new developments to provide PDR space at below-market rents, thereby serving a wider range of businesses and employees.*

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

*The Plan will improve preparedness to protect against injury and loss of life in an earthquake. The Plan will facilitate a substantial amount of new construction that will comply with all current Building Code, Fire Code, and other applicable safety standards. The Plan will also facilitate the sale of Transferable Development Rights from historic buildings, which will generate funding that may be used to upgrade the structural resiliency of those buildings.*

7. That landmarks and historic buildings be preserved.

*The Plan will support preservation of over sixty structures not currently protected by local ordinance through designation under Articles 10 and 11 of the Planning Code. The buildings proposed for protection under the Central SoMa Plan are the best representation of the architectural, historical, and cultural contributions of the people of Central SoMa, today and of generations past. Recognition and preservation of these properties supports the distinct vibrancy and economy of Central SoMa's built environment and its residents. The Plan will provide access to process- and financial-based incentives for designated properties to help maintain the historic character of the Plan Area. Local designation will require the Historic Preservation Commission and other decision-making entities to review changes that affect the historic character of these buildings and ensure that only appropriate, compatible alterations are made. The CFD under consideration for inclusion in the Central SoMa Plan would provide funding for rehabilitation of the Old Mint.*

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

*On balance, the Plan would not negatively affect the area's existing parks and open space or their access to sunlight. The Plan imposes height limits to direct the construction of the highest new buildings away from the existing parks in and around the Plan Area, including Yerba Buena Gardens, South Park, Gene Friend Recreation Center, and Victoria Manalo Draves Park. Any new shadow will be limited and would not substantially affect the use and enjoyment of parks and open spaces in the Plan Area. Because the area is flat, there are no long-range City vistas from the*

*area's parks and open spaces, and the Plan will not adversely affect public views. The Plan would require large, non-residential projects to provide publicly-accessible open space, and will result in a net increase of public open space and recreational facilities in an area of the city substantially lacking such amenities. The CFD under consideration for inclusion in the Central SoMa Plan would provide an estimated \$25 million towards the creation and enhancement of open space and recreational facilities.*

AND BE IT FURTHER RESOLVED, that the Commission finds that the General Plan Amendments, including the Central SoMa Plan and associated approvals, are in general conformity with the General Plan as it is proposed to be amended. The General Plan Amendments, including the new Central SoMa Plan and proposed amendments to applicable zoning controls, will articulate and implement many of the Goals, Objectives, and Policies described in the General Plan, including the Air Quality, Commerce and Industry, Environmental Protection, Housing, Recreation and Open Space, Transportation, and Urban Design Elements. The General Plan Amendments are consistent with the following Objectives and Policies of the General Plan, as it is proposed to be amended, as follows (note, staff comments are in *italics*):

#### AIR QUALITY ELEMENT

- Objective 3: Decrease the air quality impacts of development by coordination of land use and transportation decisions.
  - Policy 3.1: Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.
  - Policy 3.2: Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development.
  - Policy 3.4: Continue past efforts and existing policies to promote new residential development in and close to the downtown area and other centers of employment, to reduce the number of auto commute trips to the city and to improve the housing/job balance within the city.
  - Policy 3.6: Link land use decision making policies to the availability of transit and consider the impacts of these policies on the local and regional transportation system.

*The Plan supports this Objective and these Policies by directing substantial growth to an area with some of the region's best transit, including BART, Caltrain, and Muni Metro (including the new Central Subway).*

#### COMMERCE AND INDUSTRY ELEMENT

- Objective 1: Manage economic growth and change to ensure enhancement of the total city living and working environment.

- Policy 1.3: Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The Plan supports this Objective and Policy by continuing to locate commercial and industrial activity in an area of the City where such activities have historically occurred and been permitted by zoning controls, in an area that is accessible by many modes of transportation from throughout the City and region.*

- Objective 2: Maintain and enhance a sound and diverse economic base and fiscal structure for the City.
  - Policy 2.1: Seek to retain existing commercial and industrial activity and to attract new such activity to the city.
  - Policy 2.3: Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

*The Plan supports this Objective and these Policies by enabling the growth of commercial activity, the preservation of industrial activity, and a range of other economic activities, all in a socially and culturally diverse and attractive area.*

#### ENVIRONMENTAL PROTECTION ELEMENT

- Objective 12: Establish the City and County of San Francisco as a model for energy management.
  - Policy 12.1: Incorporate energy management practices into building, facility, and fleet maintenance and operations.
- Objective 15: Increase the energy efficiency of transportation and encourage land use patterns and methods of transportation which use less energy.
  - Policy 15.1: Increase the use of transportation alternatives to the automobile.
  - Policy 15.3: Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.
- Objective 16: Promote the use of renewable energy sources.
  - Policy 16.1: Develop land use policies that will encourage the use of renewable energy sources.

*The Plan supports these Objectives and Policies by facilitating the efficient and intelligent use of energy for both of buildings and transportation. For buildings, the Plan requires that 100% of their electricity comes from renewable sources, and increases the number of buildings that are required to utilize solar power. For transportation, the Plan locates new development in an area where a high percentage of trips will be taken by energy efficient modes of transportation, including walking, bicycling, and transit.*

#### HOUSING ELEMENT

- Objective 1: Identify and make available for development adequate sites to meet the City's housing needs, especially permanently affordable housing.

- Policy 1.1: Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.
- Policy 1.2 Focus housing growth and infrastructure-necessary to support growth according to community plans.
- Policy 1.3: Work proactively to identify and secure opportunity sites for permanently affordable housing.
- Policy 1.4: Ensure community based planning processes are used to generate changes to land use controls.
- Policy 1.8: Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.
- Policy 1.10: Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The Plan supports this Objective and these Policies by substantially increasing the amount of housing potential through a community based planning process, ensuring that over 33% of new units created pursuant to the Plan are affordable to low- and moderate-income households, and doing so in a location where new residents can rely on public transportation, walking, and bicycling for the majority of daily trips. Additionally, the Plan includes multiple strategies to secure permanently affordable housing sites, including as part of new large commercial developments.*

- Objective 2: Retain existing housing units, and promote safety and maintenance standards, without jeopardizing affordability.
  - Policy 2.1: Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.
- Objective 3: Protect the affordability of the existing housing stock, especially rental units.
  - Policy 3.2: Promote voluntary housing acquisition and rehabilitation to protect affordability for existing occupants.
- Objective 7: Secure funding and resources for permanently affordable housing, including innovative programs that are not solely reliant on traditional mechanisms or capital.
  - Policy 7.4: Facilitate affordable housing development through land subsidy programs, such as land trusts and land dedication.
  - Policy 7.6: Acquire and rehabilitate existing housing to maximize effective use of affordable housing resources.

*The Plan supports these Objectives and Policies by maintaining existing prohibitions and limitations on housing demolition, facilitating and funding acquisition and rehabilitation of existing housing to create permanently affordable housing, and facilitating land dedication for affordable housing.*

- Objective 10: Ensure a streamlined, yet thorough, and transparent decision-making process.

- Policy 10.1: Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.
- Policy 10.2: Implement planning process improvements to both reduce undue project delays and provide clear information to support community review.
- Policy 10.3: Use best practices to reduce excessive time or redundancy in local application of CEQA.

*The Plan supports this Objective and these Policies by creating clear controls for housing, by limiting discretionary actions and streamlining the approval process for typical code-conforming projects, removing some requirements for Conditional Use permits, and enabling projects to utilize Community Plan Evaluations under CEQA.*

- Objective 11: Support and respect the diverse and distinct character of San Francisco's neighborhoods.
  - Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.
  - Policy 11.7: Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

*The Plan supports this Objective and these Policies by including design requirements and guidelines for new development, as well as protections for both historic buildings and districts. The Plan also restricts consolidation of small lots in "fine-grained" areas containing character-enhancing buildings.*

- Objective 12: Balance housing growth with adequate infrastructure that serves the City's growing population.
  - Policy 12.1: Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.
- Objective 13: Prioritize sustainable development in planning for and constructing new housing.
  - Policy 13.1: Support "smart" regional growth that locates new housing close to jobs and transit.
  - Policy 13.3: Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.
  - Policy 13.4: Promote the highest feasible level of "green" development in both private and municipally-supported housing.

*The Plan supports these Objectives and Policies by locating housing and job growth in an area with some of the best transit access in the region, by funding improvements for people walking and bicycling, and by proactively supporting environmental sustainability and resilience in new buildings and on publicly-owned rights-of-way and parks. The CFD under consideration for*

*inclusion in the Central SoMa Plan would also help fund these environmental sustainability and resilience improvements on publicly-owned rights of way.*

#### RECREATION AND OPEN SPACE ELEMENT

- Objective 1: Ensure a well-maintained, highly utilized, and integrated open space system.
  - Policy 1.1: Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.
  - Policy 1.2: Prioritize renovation in highly-utilized open spaces and recreational facilities and in high needs areas.
- Objective 2: Increase recreational and open space to meet the long-term needs of the City and Bay region.
  - Policy 2.1: Prioritize acquisition of open space in high needs areas.
  - Policy 2.12: Expand the Privately-owned Public Open Spaces (POPOS) requirement to new mixed-use development areas and ensure that spaces are truly accessible, functional and activated.

*The Plan supports these Objectives and Policies by helping to fund the operations and improvement of existing parks and recreation centers while facilitating the development of new parks, recreation centers, and POPOS in this high-need area. The CFD under consideration for inclusion in the Central SoMa Plan would provide \$25 million to fund the development of new parks, recreation centers, and open spaces and would provide \$20 million to fund the rehabilitation, operations, and maintenance of existing parks and recreation centers.*

- Objective 3: Improve access and connectivity to open space.
  - Policy 3.1: Creatively develop existing publicly-owned right-of-ways and streets into open space.

*The Plan supports this Objective and Policy by transforming part of an existing public right-of-way (Bluxome Street) into open space. The Plan requires mid-block alleys that will facilitate the creation of a network of new pedestrian connections that are not accessible to motor vehicles.*

- Objective 5: Engage communities in the stewardship of their recreation programs and open spaces.
  - Policy 5.1: Engage communities in the design, programming and improvement of their local open spaces, and in the development of recreational programs.

*The Plan supports this Objective and Policy by continuing to ensure the role of community members in the design and programming of local open spaces, as well as creating new open spaces that would require community stewardship.*

- Objective 6: Secure long-term resources and management for open space acquisition, and renovation, operations, and maintenance of recreational facilities and open space.
  - Policy 6.1: Pursue and develop innovative long-term funding mechanisms for maintenance, operation, renovation and acquisition of open space and recreation.

*The Plan supports this Objective and Policy by using impact fees to fund the acquisition, construction, and improvement of new open space and recreational facilities. If adopted, the CFD under consideration for inclusion in the Central SoMa Plan would also help fund the acquisition, construction, programming, and maintenance of these open spaces and recreational facilities.*

#### TRANSPORTATION ELEMENT

- Objective 1: Meet the needs of all residents and visitors for safe, convenient and inexpensive travel within San Francisco and between the city and other parts of the region while maintaining the high quality living environment of the Bay Area.
  - Policy 1.3: Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.
  - Policy 1.6: Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.
  - Policy 1.8: Develop a flexible financing system for transportation in which funds may be allocated according to priorities and established policies without unnecessary restriction.
- Objective 2; Use the transportation system as a means for guiding development and improving the environment.
  - Policy 2.1: Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.
- Objective 11: Establish public transit and the primary mode of transportation in San Francisco and as a means through which to guide future development and improve regional mobility and air quality.
  - Policy 11.2: Continue to favor investment in transit infrastructure and services over investment in highway development and other facilities that accommodate the automobile.
  - Policy 11.3: Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

*The Plan supports these Objectives and Policies by directing development to an area with one of the region's best transit networks, including BART, Caltrain, and Muni Metro (including the new Central Subway), as well as myriad bus lines serving all parts of the City and region. The City expects to allocate an estimated \$500 million in revenues collected under the Plan to enhancement and further expansion of the transit system. If adopted, the CFD under*

*consideration for inclusion in the Central SoMa Plan would provide approximately one-third of this funding to enhance regional transit systems and support extensive improvements to pedestrian and bicycle infrastructure. The Plan supports walking and bicycling by facilitating improvements to all of the neighborhood's major streets. The Plan discourages driving by reducing lanes and giving priority for the limited rights-of-way to other modes of transportation.*

- Objective 16: Develop and implement programs that will efficiently manage the supply of parking at employment centers throughout the city so as to discourage single-occupant ridership and encourage ridesharing, transit and other alternatives to the single-occupant automobile.
  - Policy 16.5: Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses.

*The Plan supports this Objective and Policy by strictly limiting parking in new residential and non-residential development and requiring the full implementation of the City's Transportation Demand Management strategies, which will discourage parking and prioritize other means of transportation.*

- Objective 18: Achieve street safety for all.
  - Policy 18.1: Prioritize safety in decision making regarding transportation choices, and ensure safe mobility options for all in line with the City's commitment to eliminate traffic fatalities and severe injuries.
- Objective 19: Establish a street hierarchy system in which the function and design of each street are consistent with the character and use of adjacent land.
  - Policy 19.2: Design streets for a level of traffic that serves, but will not cause a detrimental impact on adjacent land uses, nor eliminate the efficient and safe movement of transit vehicles and bicycles.
- Objective 24: Design every street in San Francisco for safe and convenient walking.
  - Policy 24.1: Every surface street in San Francisco should be designed consistent with the Better Streets Plan for safe and convenient walking, including sufficient and continuous sidewalks and safe pedestrian crossings at reasonable distances to encourage access and mobility for seniors, people with disabilities and children.
  - Policy 24.2: Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested, where sidewalks are less than adequately wide to provide appropriate pedestrian amenities, or where residential densities are high.
  - Policy 24.6: Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.
  - Policy 24.7: Ensure safe pedestrian crossings at signaled intersections by providing sufficient time for pedestrians to cross streets at a moderate pace.

*The Plan supports these Objectives and Policies by facilitating improvements that will transform an area that is unpleasant and often unsafe for people walking, bicycling, and taking transit into an area that is safe and comfortable for all. This includes strategies to widen sidewalks, add mid-block crossings, decrease the length of crosswalks, create protected bicycle lanes, and create protected bus lanes. The CFD under consideration for inclusion in the Central SoMa Plan would also help fund improvements to pedestrian and bicycle infrastructure. The Plan also includes the "Key Streets Guidance" that helps prioritize street improvements where they are most needed.*

- Objective 25: Improve the ambience of the pedestrian environment.
  - Policy 25.2: Maintain and expand the planting of street trees and the infrastructure to support them.
  - Policy 25.3: Install pedestrian-serving street furniture where appropriate.
  - Policy 25.4: Preserve pedestrian-oriented building frontages.

*The Plan supports this Objective and these Policies by requiring street trees and funding other greening and street furniture improvements. The CFD under consideration for inclusion in the Central SoMa Plan would provide additional funding for these improvements. Additionally, the Plan includes multiple strategies to preserve and enhance pedestrian-oriented building frontages, including requiring active commercial uses on many streets, banning and limiting curb cuts, and restricting lot consolidation in fine-grained, pedestrian-oriented areas.*

- Objective 29: Ensure that bicycles can be used safely and conveniently as a primary means of transportation, as well as for recreational purposes.
  - Policy 29.1: Expand and improve access for bicycles on city streets and develop a well-marked, comprehensive system of bike routes in San Francisco.

*The Plan supports this Objective and Policy by facilitating the creation of a number of protected bicycle lanes within and adjacent to the Plan Area, thereby helping to expand and increase the safety of the City's bicycle network. The CFD under consideration for inclusion in the Central SoMa Plan would provide additional funding for improvements to pedestrian and bicycle infrastructure.*

- Objective 42: Enforce a parking and loading strategy for freight distribution to reduce congestion affecting other vehicular traffic and adverse impacts on pedestrian circulation.
  - Policy 42.1: Provide off-street facilities for freight loading and service vehicles on the site of new buildings sufficient to meet the demands generated by the intended uses. Seek opportunities to create new off-street loading facilities for existing buildings.
  - Policy 42.5: Loading docks and freight elevators should be located conveniently and sized sufficiently to maximize the efficiency of loading and unloading activity and to discourage deliveries into lobbies or ground floor locations except at freight-loading facilities.

*The Plan supports this Objective and these Policies by requiring new development to plan for parking and loading through development of a Driveway and Loading Operations Plan and coordinating with City agencies on management strategies for movement of goods and people, both on-site and off-site.*

#### URBAN DESIGN ELEMENT

- Objective 1: Emphasis of the characteristic pattern which gives to the city and its neighborhoods an image, a sense of purpose, and a means of orientation.
  - Policy 1.3: Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The Plan supports this Objective and Policy through establishment of height and bulk limits that harmonize and reinforce the larger City context – including the evolving skyline, centers of activity and access, and natural and manmade landmarks – by supporting the area’s existing mid-rise form with the addition of a limited number of towers in appropriate locations. Additionally, the Plan supports maintaining the neighborhood character through guidance on form and materials provided in the “Guide to Urban Design.”*

- Objective 2: Conservation of resources which provide a sense of nature, continuity with the past, and freedom from overcrowding.
  - Policy 2.4: Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

*The Plan supports this Objective and Policy by supporting the preservation of notable landmarks and restricting lot consolidation in areas where buildings are historic or are otherwise deemed to enhance neighborhood character.*

- Objective 3: Moderation of major new development to complement the city pattern, the resources to be conserved, and the neighborhood environment.
  - Policy 3.6: Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.
  - Policy 3.7: Recognize the special urban design problems posed in development of large properties.

*The Plan supports this Objective and Policy through establishment of height and bulk limits that harmonize and reinforce the larger City context – including the evolving skyline, centers of activity and access, and natural and manmade landmarks – by supporting the area’s existing mid-rise form with the addition of a limited number of towers in appropriate locations. Additionally, the Plan specifically addresses development on the area’s largest sites through the “Key Development Sites Guidelines.”*

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the CEQA Findings set forth in Commission Motion No. 20182.

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the Mitigation Monitoring and Reporting Program, the requirements of which are made conditions of this approval.

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 340(d), the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendments to the General Plan.

AND BE IT FURTHER RESOLVED, that the Commission adopts the General Plan Amendments, the Central SoMa Plan, and the updated map of the Eastern Neighborhoods Planning Areas as reflected in an ordinance approved as to form by the City Attorney attached hereto as Exhibits II.3, II.4, and II.5, respectively, and incorporated herein by reference, and recommends their approval by the Board of Supervisors.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 10, 2018.



Jonas P. Ionin  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018

**EXHIBIT II.3 -  
GENERAL PLAN  
AMENDMENTS DRAFT  
ORDINANCE**

1 [General Plan Amendments - Central South Of Market Area Plan]

2  
 3 **Ordinance amending the General Plan by adding the Central South of Market (SoMa)**  
 4 **Area Plan, generally bounded on its western portion by 6th Street, on its eastern**  
 5 **portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area,**  
 6 **and on its southern portion by Townsend Street; making conforming amendments to**  
 7 **the Commerce and Industry Element, the Housing Element, the Urban Design Element,**  
 8 **the Land Use Index, and the East SoMa and West SoMa Area Plans; and making**  
 9 **environmental findings, including adopting a statement of overriding considerations,**  
 10 **and findings of consistency with the General Plan and the eight priority policies of**  
 11 **Planning Code Section 101.1.**

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

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

20 Section 1. Findings.

21 (a) Section 4.105 of the Charter of the City and County of San Francisco provides that  
 22 the Planning Commission shall periodically recommend to the Board of Supervisors, for  
 23 approval or rejection, proposed amendments to the General Plan.

24 (b) On \_\_\_\_\_, 2018, the Board of Supervisors received from the Planning  
 25 Department the proposed General Plan amendments, including the addition of the Central

1 South of Market (SoMa) Area Plan. These amendments are on file with the Clerk of the Board  
2 of Supervisors in File No. \_\_\_\_\_ and are incorporated herein by reference.

3  
4 (c) Section 4.105 of the City Charter further provides that if the Board of Supervisors  
5 fails to Act within 90 days of receipt of the proposed General Plan amendments, then the  
6 proposed amendments shall be deemed approved.

7 (d) San Francisco Planning Code Section 340 provides that the Planning Commission  
8 may initiate an amendment to the General Plan by a resolution of intention, which refers to,  
9 and incorporates by reference, the proposed General Plan amendments. Section 340 further  
10 provides that Planning Commission shall adopt the proposed General Plan amendments after  
11 a public hearing if it finds from the facts presented that the public necessity, convenience and  
12 general welfare require the proposed amendment or any part thereof. If adopted by the  
13 Commission in whole or in part, the proposed amendments shall be presented to the Board of  
14 Supervisors, which may approve or reject the amendments by a majority vote.

15 (e) After a duly noticed public hearing on \_\_\_\_\_, 2018, by Resolution  
16 No. \_\_\_\_\_, the Planning Commission initiated amendments to the proposed General  
17 Plan. Said motion is on file with the Clerk of the Board of Supervisors in Board File No.  
18 \_\_\_\_\_ and incorporated herein by reference.

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

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

5 (g) The Project evaluated in the Final EIR includes the proposed amendments to the  
6 General Plan as well as Planning Code and Zoning Map amendments related to the Central  
7 SoMa Area Plan. The proposed General Plan amendments are within the scope of the Project  
8 evaluated in the Final EIR.

9 (h) At the same hearing during which the Planning Commission certified the Final EIR,  
10 the Planning Commission adopted findings under CEQA regarding the Project's  
11 environmental impacts, the disposition of mitigation measures, and project alternatives, as  
12 well as a statement of overriding considerations (CEQA Findings) and adopted a mitigation  
13 monitoring reporting program (MMRP), by Resolution \_\_\_\_\_.

14 (i) The Planning Commission then adopted the proposed General Plan amendments  
15 by Resolution \_\_\_\_\_, finding in accordance with Planning Code Section 340 that the  
16 public necessity, convenience, and general welfare required the proposed amendments.

17 (j) The letter from the Planning Department transmitting the proposed General Plan  
18 amendments to the Board of Supervisors, the Final EIR, the CEQA Findings, the MMRP, the  
19 Central SoMa Area Plan and all other related General Plan amendments, and the Planning  
20 Commission's Resolution approving the proposed General Plan Amendments are on file with  
21 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_. These and any and all other  
22 documents referenced in this Ordinance have been made available to the Board of  
23 Supervisors and may be found in either the files of the Planning Department, as the custodian  
24 of records, at 1650 Mission Street in San Francisco, or in File No. \_\_\_\_\_ with the  
25

1 Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco, and are  
2 incorporated herein by reference.

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

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

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

24 (n) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the  
25 proposed General Plan amendments will serve the public necessity, convenience and general

1 welfare for the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_ and  
2 incorporates those reasons herein by reference.

3 (o) The Board of Supervisors finds that the proposed General Plan amendments are,  
4 on balance, in conformity with the General Plan, as amended by this Ordinance, and the  
5 priority policies of Planning Code Section 101.1 for the reasons set forth in Planning  
6 Commission Resolution No. \_\_\_\_\_, and the Board hereby adopts those findings as  
7 its own.

8

9 Section 2. The Board of Supervisors hereby approves the Central SoMa Area Plan, an  
10 amendment to the General Plan, as recommended to the Board of Supervisors by the  
11 Planning Commission in Resolution No. \_\_\_\_\_ and as on file with the Clerk of the  
12 Board in File No. \_\_\_\_\_.

13

14 Section 3. The General Plan is hereby amended by revising the East SoMa Area Plan,  
15 as follows:

16 (a) Map 1, "Eastern Neighborhoods Planning Areas" is hereby amended by revising it  
17 in accordance with the map found on file with the Clerk of the Board in File No.

18 \_\_\_\_\_.

19 (b) The East SoMa Area Plan is further revised, as follows:

20 \* \* \* \*

21 **1. LAND USE**

22 \* \* \* \*

23 Recently, this area has seen a vast amount of change, especially in housing  
24 development. ~~Between 2002 and 2006, approximately 1,550 new residential units were constructed,~~  
25 ~~primarily as market rate ownership and live/work lofts.~~ Additionally, "dot com" businesses moved

1 into the area, many of which displaced existing jobs and residences. On occasion conflicts  
2 have arisen between some of these new office or residential uses and previously existing  
3 industrial uses, due to noise or other by-products of industrial businesses. This section  
4 addresses the need to retain space for existing businesses and residential uses, while  
5 allowing space for new development, especially affordable housing, to be built.

6 **OBJECTIVE 1.1**

7 **ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE**  
8 **DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-**  
9 **USE CHARACTER**

10 \* \* \* \*

11 *Service Light Industrial (SLI)*

12 *The existing SLI district generally centered around 3rd and 4th Streets between Townsend and*  
13 *Harrison, was designed to protect and facilitate the expansion of commercial, manufacturing and other*  
14 *light industrial activities, as well as arts activities. However, the area has seen a significant amount of*  
15 *market rate live/work development, which formerly was not subject to the prohibition on market rate*  
16 *housing in this district. This mix of high-end ownership housing and industrial uses has created a*  
17 *number of land use conflicts.*

18 *An important new factor in thinking about the future of this area is the planned new Central*  
19 *Subway. The Central Subway, expected to be in operation by 2016, will extend the new surface light*  
20 *rail serving Visitacion Valley, Bayview, Central Waterfront and Mission Bay north underneath Fourth*  
21 *Street through SoMa, Union Square and Chinatown. Stations will be developed at Brannan/Bryant*  
22 *Streets, Howard/Folsom Streets and Market Street/Union Square.*

23 *For several reasons, it is difficult at present to arrive at appropriate new land use controls for*  
24 *this part of East SoMa: 1) The coming of the Central Subway gives new importance to the Fourth Street*  
25 *corridor as a potential location for higher density uses. More information is needed—particularly*

1 about the city's office space needs into the future—before moving forward on new land use controls  
2 for this area. 2) New development envisioned along Fourth Street around the planned new rail stations  
3 should be planned very specifically to integrate with the stations. More information is needed on the  
4 exact locations and attributes of these stations. 3) The Western SoMa planning process will not be  
5 completed for between one and two years after expected adoption of this East SoMa Plan. Fourth Street  
6 serves as the boundary between the two planning areas and SLI zoning currently exists on both sides of  
7 the boundaries. This part of the East SoMa Plan should be better integrated with the emerging Western  
8 SoMa Plan.

9 Rather than replacing the existing SLI zoning in East SoMa, this Plan leaves the existing zoning  
10 in place to allow the Planning Department to develop a strategic set of land use controls better suited  
11 to Fourth Street's future role as a major north-south transit corridor. The process to develop new land  
12 use controls for this area should commence after adoption of the Eastern Neighborhood Plans, but be  
13 coordinated with the Western SoMa Plan as well as a comprehensive study of the future growth needs  
14 of downtown.

15 \* \* \* \*

16 **Mixed Use Residential (MU-R)**

17 The existing "RSD" district, primarily between 5th and 6th and Folsom and Howard Streets,  
18 extending along Folsom to 3rd Street, currently serves as a significant housing opportunity area  
19 between the higher-density Yerba Buena area and the low-scale, light industrial area of Western SoMa.  
20 The new land use controls proposed in this plan, designated as "Mixed Use Residential," will replace  
21 the existing RSD district and continue to emphasize residential as a required component of all new  
22 development. Additionally, conditional use requirements that previously allowed a 40-foot height bonus  
23 for additional housing will be removed. Instead, heights will be increased, where appropriate, and the  
24 amount of additional affordable housing required will be defined. (See the Housing Chapter for  
25 additional information.)

1 \* \* \* \*

2 ***South Park District (SPD)***

3 ~~*The South Park District is a small-scale mixed use district surrounding South Park. The SPD is*~~  
4 ~~*characterized by small-scale, continuous frontage commercial, retail and residential structures that*~~  
5 ~~*ring the park. The SPD will retain the majority of the existing controls, but in addition will allow small*~~  
6 ~~*scale offices uses.*~~

7 \* \* \* \*

8 **POLICY 1.1.1**

9 ~~*Retain the existing zoning in the SLI-zoned area of East SoMa. Revisit land use controls in this*~~  
10 ~~*area once more is known about future needs for downtown San Francisco, the specific configuration of*~~  
11 ~~*the Central Subway and the outcome of the Western SoMa planning process. Make land use decisions*~~  
12 ~~*considering the context of East SoMa at multiple geographic scales, including the immediate*~~  
13 ~~*neighborhood, all of SoMa, the city, and the region.*~~

14 \* \* \* \*

15 **POLICY 1.1.3**

16 Encourage housing development, especially affordable housing, ~~*by requiring housing*~~  
17 ~~*and an increased inclusionary requirement in the area between 5th and 6th and Folsom and Howard*~~  
18 ~~*Streets, extending along Folsom to 3rd Street by allowing residential uses everywhere in the Plan Area*~~  
19 ~~*and requiring substantial amounts of affordable housing.*~~

20 **POLICY 1.1.4**

21 Retain the existing flexible zoning in the area ~~*currently*~~ zoned SLRMUG, but also allow  
22 small offices.

23 \* \* \* \*

24 **POLICY 1.1.9**

25

1           Require active commercial uses and encourage a more neighborhood commercial  
2 character along *4th and 6th Streets*.

3           **2. HOUSING**

4           East SoMa has historically been a valuable source of sound, low-cost housing, due to  
5 its older housing stock and large number of rental properties. The area is, however, becoming  
6 less affordable – rents are rising, and the new housing being added to the area has been  
7 almost exclusively market-rate and owner-occupied. The 2000 census counted nearly 40% of  
8 households as financially burdened, meaning they pay housing costs equal to or exceeding  
9 30% of their household income, more than any other portion of the Eastern Neighborhoods  
10 and much more than across the City as a whole. Renters—*who made up almost 90% of East*  
11 *SoMa's households at the last census*— and households composed of people new to the city such  
12 as immigrants, young people, artists and students, are especially financially burdened.

13           \* \* \* \*

14           **OBJECTIVE 2.1**

15           **ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN**  
16 **THE EAST SOMA IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES**

17           \* \* \* \*

18           *East SoMa has two zoning districts which currently require greater affordability than other*  
19 *districts in the City, and these greater affordability requirements should be not only continued, but*  
20 *strengthened.*

21           *1) In the existing RSD district, height increases are enabled in exchange for additional*  
22 *affordable units. However, the current controls do not specify how much additional housing is*  
23 *appropriate, and as a result, developments in the RSD often do not maximize affordability within their*  
24 *project. Tightened requirements in the RSD would enable some certainty around the number of*  
25 *affordable housing units that would be produced.*

1           2) ~~In the existing SLI district, residential development is only permitted if it is 100 percent~~  
2 ~~affordable. An exception is provided for SRO units, which are may be developed for sale or rent at~~  
3 ~~market rate. Eliminating this exception would help to increase opportunities for affordable housing~~  
4 ~~development in the SLI district of East SoMa.~~

5           Single Resident Occupancy (SRO) units – defined by the Planning Code as units  
6 consisting of no more than one room at a maximum of 350 square feet - represent an  
7 important source of affordable housing in East SoMa, representing 25% of its housing stock.  
8 (~~As of 2008 there were~~~~There are~~ an estimated 457 SRO Hotels in San Francisco with over  
9 20,000 residential units, with most located in the Mission, Tenderloin, Chinatown, and South  
10 of Market). SRO units have generally been considered part of the city's stock of affordable  
11 housing, and as such, City law prohibits conversion of SROs to tourist hotels. SROs serve as  
12 an affordable housing option for elderly, disabled, and single-person households, and in  
13 recognition of this, the Plan adopts several new policies to make sure they remain a source of  
14 continued affordability. In recognition of the fact that SROs serve small households, the Plan  
15 exempts SRO developments from meeting unit-mix requirements. In recognition of the fact  
16 that SROs truly are living spaces, and to prevent the kind of sub-standard living environments  
17 that can result from reduced rear yards and open spaces, this Plan requires that SROs  
18 adhere to the same rear yard and exposure requirements as other types of residential uses.  
19 Finally, the Plan calls for sale and rental prices of SROs to be monitored regularly to ensure  
20 that SROs truly remain a source of affordable housing, and that policies promoting them  
21 should continue.

22           \* \* \* \*

23           ***POLICY 2.1.3***

24           ~~Eliminate the provision in the existing SLI zoning which permits market rate SRO units.~~

25           ***POLICY 2.1.4***

1           ~~Ensure areas that were zoned to ensure greater affordability, such as the SLI and RSD, are held~~  
2 ~~to higher standards of affordability than traditional housing areas.~~

3           \* \* \* \*

4           **OBJECTIVE 2.3**

5           **ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF**  
6 **HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX and COMMUNITY SERVICES.**

7           The need for housing in East SoMa covers the full range of tenure type (ownership  
8 versus rental) and unit mix (small versus large units). While there is a market for housing at a  
9 range of unit types, recent housing construction has focused on the production of smaller,  
10 ownership units. Yet ~~90%~~ a high percentage of residents in East SoMa are renters. The Housing  
11 Element of the City's General Plan recognizes that rental housing is more immediately  
12 accessible, and often more affordable than for-sale housing, and existing city policies regulate  
13 the demolition and conversion of rental housing to other forms of occupancy. New  
14 development in the East Soma area should provide rental opportunities for new residents.

15           \* \* \* \*

16           **3. BUILT FORM**

17           \* \* \* \*

18           Along with these challenges, East SoMa also has many unique places, including *South*  
19 *Park*, the South End historic district, and intimate neighborhood alleys that deserve  
20 celebration. The entire plan area is quintessentially mixed use, with housing and retail side by  
21 side with PDR and offices. The vision for development in East SoMa builds on this established  
22 pattern, emphasizing rather than diminishing its mixed use character, its definable  
23 development patterns, and its many historical structures. At the same time, the vision  
24 foresees a more pedestrian friendly environment, with new buildings framing the street that  
25 enhance the neighborhood's character and are constructed of quality and ecologically

1 sustainable materials. Fostering pedestrian interest is paramount -- dictating how buildings  
2 should meet the street, as well as their perceived size, scale and mass. An enjoyable,  
3 walkable, friendly, green, and definable urban fabric for residents and visitors alike should be  
4 the standard against which all proposals are weighed.

5 \* \* \* \*

6 **POLICY 3.1.4**

7 **Heights should reflect the importance of key streets in the city's overall urban**  
8 **pattern, while respecting the lower scale development that surrounds *South Park* and the**  
9 **residential enclaves throughout the plan area.**

10 \* \* \* \*

11 *South Park is an oasis in an otherwise very urban environment that is transitioning from its*  
12 *industrial past to its increasingly residential and mixed use future. It is a prime example of how an*  
13 *intimate relationship between buildings, the street, and open spaces, can meld into a truly enjoyable*  
14 *pedestrian environment. Because of this, building heights around South Park are kept lower,*  
15 *maximizing sun access to the park, and preserving the existing relationship between building height*  
16 *and street width. Similar logic dictates that d*Development along the many alleys, both in the  
17 Residential Enclaves and throughout the rest of East SoMa, should reflect the more intimate  
18 scale of these rights-of-way, ensuring a pedestrian-friendly, neighborhood-friendly,  
19 environment.

20 \* \* \* \*

21 **POLICY 3.1.12**

22 **Establish and require height limits and upper story setbacks to maintain**  
23 **adequate light and air to sidewalks and frontages along alleys.**

24 \* \* \* \*

1 Alley controls will apply to all the following streets and alleys within the plan area:  
 2 *Clementina, Tehama, Minna, Natoma, Moss, Russ, Harriet, Shipley, Columbia Square, Clara,*  
 3 *Falmouth, Mary, Welsh, Freelon, Zoe, Ritch, Clyde, South Park, Stanford, Federal, and De Boom*  
 4 *Streets; Varney, Talber, and Bryant Places; Jack London and Clyde Alleys.*

5 \* \* \* \*

6 **8. HISTORIC RESOURCES**

7 \* \* \* \*

8 The South of Market Area has developed an eclectic mix of commerce, industry, and  
 9 increasingly, entertainment and residential living spaces. Within this diverse mix of land uses,  
 10 East SoMa is distinguished by the existence of individually significant properties. Within the  
 11 East Soma Area Plan there are a number of City Landmarks, *including the South End Historic*  
 12 *District, the James Lick Baths/People's Laundry, Saint Patrick's Church, the Audiffred Building,*  
 13 *Oriental Warehouse, Rincon Annex, St. Joseph's Church, Edwin Klockars Blacksmith, Rincon Hill, and*  
 14 *a number of private residences.* Various other significant properties and districts relating to the  
 15 Filipino and gay "leather" community have been identified through informational surveys and  
 16 context statements. It is expected that additional historic surveys in the East Soma Area Plan  
 17 will document a substantial number of previously unknown resources.

18 \* \* \* \*

19 ***Significant and Contributory Buildings in the South End Historic District***

20 ***I. LIST OF SIGNIFICANT BUILDINGS LOCATED OUTSIDE OF THE DESIGNATED***  
 21 ***SOUTH END HISTORIC DISTRICT.***

<i>Assessor's Block/Lot</i>	<i>E or W SOMA?</i>	<i>Address</i>
<i>3787/31</i>	<i>E</i>	<i>475 Brannan St.</i>
<i>3776/41</i>	<i>E</i>	<i>539 Bryant St.</i>
<i>3777/48</i>	<i>W</i>	<i>673 Bryant St.</i>

1	3520/30C	W	1477-1479 Emberly Alley (City Landmark No. 199)
2			
3	3517/13	W	1400 Folsom St.
4	3520/30B	W	1477 Folsom St. (City Landmark No. 199)
5			
6	3520/54-59	W	1489 Folsom St. (City Landmark No. 199)
7			
8	3757/67	W	1275 Harrison St.
9	3520/51	W	1440 Harrison St.
10	3755/27	W	7 Heron St.
11			
12	3731/94	E	1035 Howard St.
13	3731/74	E	1049 Howard St.
14			
15	3731/128-149	E	1097 Howard St.
16	3727/14	W	1126 Howard St.
17	3728/14	W	1234 Howard St.
18	3517/35	W	1401 Howard St. (City Landmark No. 120)
19			
20	3517/34	W	1415 Howard St.
21	3728/89	W	1235 Mission St.
22	3786/263-307	W	310 Townsend St.
23	3786/15	W	350 Townsend St.
24	3785/2A	W	410 Townsend St.
25			

1	3777/1	E	500 Fourth St.
2	3787/52-139	E	601 Fourth St.
3	3726/11	E	182 Sixth St.
4	3726/2	E	106 Sixth St.
5	3732/124	E	201 Sixth St.
6	3785/7	E	665 Sixth St.
7	3754/18	E	335 Seventh St.
8	3729/82	W	201 Ninth St.
9	3509/14	W	165 Tenth St. (City Landmark No. 246)
10			
11	3525/93-111	W	465 Tenth St.
12	3520/29	W	319 Eleventh St. (City Landmark No. 199)
13			
14	3520/28A	W	333 Eleventh St. (City Landmark No. 199)
15			

16  
17  
18  
19  
20  
21  
22  
23  
24  
25

<b><del>H. LIST OF CONTRIBUTORY BUILDINGS LOCATED WITHIN THE DESIGNATED SOUTH END HISTORIC DISTRICT.</del></b>		
<b><i>Assessor's Block/Lot</i></b>	<b><i>In or out of SE HD?</i></b>	<b><i>Address</i></b>
3774/73	In	274 Brannan St.
3789/9	In	275 Brannan St.
3775/8	300 Brannan St.	300 Brannan St.
3788/37	In	301 Brannan St.
3774/8	In	333 Bryant St.

1	3774/75-118	In	355 Bryant St.
2	3774/67	In	385 Bryant St.
3	3789/10	In	52 Colin P. Kelly St.
4	3794/23	In	128 King St. (City Landmark No. 229)
5			
6	3794/15	In	101 Townsend St.
7	3794/14	In	111 Townsend St.
8			
9	3794/10	In	115 Townsend St.
10	3794/22	In	135 Townsend St.
11	3788/9	In	136 Townsend St.
12	3794/21	In	139 Townsend St.
13	3788/9A	In	144 Townsend St.
14	3788/10	In	148 Townsend St.
15	3788/12	In	166 Townsend St.
16	3764/71-197	In	461 Second St.
17	3775/1	In	500 Second St.
18	3775/2	In	512 Second St.
19	3775/4	In	522 Second St.
20	3774/123-132	In	533 Second St.
21	3774/44	In	536 Second St.
22	3775/5	In	544 Second St.
23	3774/191	In	545 Second St.
24	3774/45	In	555 Second St.
25			

1	<del>3774/31</del>	<del>In</del>	<del>599 Second St.</del>
2	<del>3789/8</del>	<del>In</del>	<del>601 Second St.</del>
3	<del>3789/7</del>	<del>In</del>	<del>625 Second St.</del>
4	<del>3788/38</del>	<del>In</del>	<del>634 Second St.</del>
5	<del>3788/2</del>	<del>In</del>	<del>640 Second St.</del>
6	<del>3788/49-73</del>	<del>In</del>	<del>650 Second St.</del>
7	<del>3788/43,44</del>	<del>In</del>	<del>670 Second St.</del>
8	<del>3788/6</del>	<del>In</del>	<del>698 Second St.</del>
9	<del>3789/858-971</del>	<del>In</del>	<del>699 Second St.</del>
10	<del>3788/45</del>	<del>In</del>	<del>625 Third St.</del>
11	<del>3787/8</del>	<del>In</del>	<del>660 Third St.</del>
12	<del>3788/41</del>	<del>In</del>	<del>665 Third St.</del>
13	<del>3788/15</del>	<del>In</del>	<del>685 Third St.</del>

15 Section 4. The General Plan is hereby amended by deleting the map of the South End  
16 Historic District found in Chapter 8 of the East SoMa Area Plan.

18 Section 5. The General Plan is hereby amended by revising the Western SoMa Area  
19 Plan as follows:

20 (a) Map 1, "Eastern Neighborhoods Planning Areas" is hereby amended by revising it  
21 in accordance with the map found on file with the Clerk of the Board in File No.

22 \_\_\_\_\_

23 (b) The Western SoMa Area Plan is further revised, as follows:

24 \* \* \* \*

25 **LAND USE**

1           **OBJECTIVE 1.5**

2           ~~**SUPPORT CONTINUED EVALUATION OF LAND USES NEAR MAJOR TRANSIT**~~  
3 ~~**INFRASTRUCTURE IN RECOGNITION OF CITYWIDE AND REGIONAL SUSTAINABLE**~~  
4 ~~**GROWTH NEEDS.**~~

5           *The easternmost portion of the plan area is rich with existing and planned public transit*  
6 *infrastructure, including the SFMTA's Central Subway project, Caltrain (planned for improved High-*  
7 *Speed Rail like service through electrification), and myriad muni transit services planned for*  
8 *enhancement. This area is also adjacent to existing burgeoning job, housing, and visitor areas in East*  
9 *Soma, Yerba Buena, Transit Center, and Mission Bay. The City must continue evaluating how it can*  
10 *best meet citywide and regional objectives to direct growth to transit-oriented locations and whether*  
11 *current controls are meeting identified needs.*

12           **POLICY 1.5.1**

13           *Continue to explore and re-examine land use controls east of 6th Street, including as part of any*  
14 *future evaluation along the 4th Street corridor.*

15           **TRANSPORTATION AND THE STREET NETWORK**

16           **POLICY 4.23.2**

17           **Create a visible pedestrian network that connects to other areas.**

18           It is important that pedestrian facilities not only feature connections within the area, but  
19 also links to surrounding areas (e.g., Downtown, East SoMa, *Central SoMa*, Showplace  
20 Square, Mission and Market-Octavia). A network of way-finding signage should be introduced  
21 to help orient the pedestrian.

22  
23           Section 6. The General Plan is hereby amended by revising the Commerce and  
24 Industry Element as follows:

25           (a) Amend Map 1, "Generalized Commercial and Industrial Land Use Plan", as follows:

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- (1) Add a boundary around the Central SoMa Plan area;
- (2) Remove the colorization from the Plan Area; and
- (3) Add a reference that states "See the Central SoMa Area Plan."

(b) Amend Map 2, "Generalized Commercial and Industrial Density Plan," as follows:

- (1) Add a boundary around the Central SoMa Plan area;
- (2) Remove the colorization from the Plan Area; and
- (3) Add a reference that states "See the Central SoMa Area Plan."

Section 7. The General Plan is hereby amended by revising the Housing Element, as follows:

(a) Amend Part II, Objectives & Policies, Map 1 as follows:

- (1) Remove the red boundary of the Central SoMa Plan, replace with a black boundary showing the adopted Plan area, and fill the area in red; and
- (2) In the legend remove the "Pending Adoption" text and icon.

Section 8. The General Plan is hereby amended by revising the Urban Design Element, as follows:

(a) Amend Map 4 "Urban Design Guidelines for Height of Buildings," as follows: in the notes area below the legend, add a note saying "Add a boundary area around the Central SoMa Plan area with a line that leads to a reference that states "See the Central SoMa Plan."

(b) Amend Map 5, "Urban Design Guidelines for Bulk of Buildings," as follows: in the notes area below the legend, add a note saying "Add a boundary area around the Central SoMa Plan area with a line that leads to a reference that states "See the Central SoMa Plan."

1 Section 9. The General Plan is hereby amended by revising the Land Use Index as  
2 follows:

3 The Land Use Index shall be updated as necessary to reflect the amendments set forth  
4 in Sections 2 through 8, above.

5  
6 Section 10. Effective Date. This ordinance shall become effective 30 days after  
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
8 ordinance unsigned or does

9  
10 Section 11. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
14 additions, and Board amendment deletions in accordance with the "Note" that appears under  
15 the official title of the ordinance.

16  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

19 By: \_\_\_\_\_  
20 VICTORIA WONG  
21 Deputy City Attorney

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23  
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26 n:\land\as2018\1200444\01254018.docx

**EXHIBIT II.4 -  
CENTRAL SOMA PLAN**

## Central SoMa Plan

### PLAN PURPOSE

Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains a substantial amount of developable land. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future.

### PLAN AREA BOUNDARY

The Central SoMa Plan Area runs from 2nd Street to 6th Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan (see Figure A) which comprise much of the area north of Folsom Street. It is an “Eastern Neighborhoods Plan” comprised entirely of areas formerly part of the East SoMa Plan Area and Western SoMa Plan Area, whose boundaries shall be adjusted accordingly. The Central SoMa Plan Area boundaries were created to include areas within easy walking distance (i.e., two blocks) of the Central Subway’s 4th Street alignment.

### PLAN VISION

The vision of the Central SoMa Plan is to create a sustainable neighborhood by 2040, where the needs of the present are met without compromising the ability of future generations to meet their own needs. The Central SoMa Plan seeks to achieve sustainability in each of its aspects – social, economic, and environmental. Additionally, achieving sustainability in Central SoMa should complement movements towards sustainability in the city, region, nation, and planet.

### PLAN PHILOSOPHY

Achieving neighborhood sustainability requires keeping what is already successful about the neighborhood, and improving what is not. On the sustainable side of the ledger, assets include the diversity of residents (in every sense), its central location complemented by abundant regional and local transit, the unique character of the collection of buildings that constitute the neighborhood, its rich economic heritage as an industrial center for a century and more recently a hub of innovation in media and technology, and the cultural and nightlife amenities that make this a regional and worldwide destination. On the non-sustainable side of the ledger include an equally impressive and daunting list of challenges: rents that are unaffordable to the vast majority of residents and businesses; streets that are unsafe and unpleasant for people walking and bicycling; a distinct lack of green coupled with an noisy and often polluted environment; and land that is not effectively being utilized to provide space for jobs

and housing in a fashion that can greatly reduce the emissions of greenhouse gases per person and add to the stock of space to help meet demand.

## PLAN STRATEGY

Utilizing the Plan's philosophy to achieve the Plan's vision will require implementing the following three strategies:

- Accommodate growth
- Provide public benefits
- Respect and enhance neighborhood character

This Plan asserts that Central SoMa should play a major role in accommodating the City's share of anticipated regional growth in jobs and housing. Accommodating substantial growth here can help address the local and regional issues of high rents, sprawl, and congestion, and the global issue of greenhouse gas emissions. The addition of millions of square feet of residential and commercial space is certain to help relieve price pressure. Simultaneously, dense development in this transit-rich, temperate, and walkable neighborhood can drastically reduce the amount of greenhouse gas emission per person from both buildings (e.g., for heating and cooling) and transportation (in terms of the amount of miles traveled in private vehicles), while reducing pressures for growth in more outlying areas of the region.

While new growth can have economic and environmental benefits, new residents and workers also place a strain on the neighborhood's infrastructure. In an era where other levels of government are either unwilling or unable to fund the needs of its urban communities, it is necessary that new growth address its own impacts. Fortunately, Central SoMa includes some of the world's most valuable land. The rents commanded by this land enable new development to ameliorate and mitigate its impacts while meeting other City objectives. New development does so through the direct provision of public benefits, through the payment of impact fees, and through taxes. The public benefits created by new development can include affordable housing, transit service, parks and recreational amenities, safe and convenient streets for people walking and biking, child care, schools, community services, space for production, distribution, and repair jobs, preservation of cultural resources, and amenities to support environmental sustainability and resilience.

Given the desirability of land in Central SoMa, there's likely demand for buildings of heights currently only seen in the downtown. While such heights could come with substantial public benefits, they could also come at the expense of what makes the neighborhood great in the first place – its character. And its character is a huge part of what makes the neighborhood socially and economically sustainable. Central SoMa should not be like downtown – just like it should not be like Mission Bay, or the Richmond, or any other neighborhood in San Francisco. It should just be the best Central SoMa it can be. Therefore, this plan attempts to both accommodate a substantial amount of growth and retain much of the character of the district. Respecting and enhancing the neighborhood's character includes measures such as requiring active ground floors that promote positive social interactions and commerce, design requirements that

ensure ample light and air reach all sidewalks, and banning the consolidation of certain lots so as to maintain the diversity of buildings and building styles in the neighborhood.

## PLAN GOALS

Implementing the Plan's strategy will require addressing all the facets of a sustainable neighborhood. Doing so can be accomplished by meeting all of the Plan's eight Goals:

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City

Each of these eight Goals receives its own chapter in the Central SoMa Plan. For each Goal there is a context section intended to explain existing conditions – and why meeting the Goal is necessary. There is also a list of the Objectives and Policies whose implementation would enable the Plan to meet the Goal. And finally there is a summary section that shows how meeting the Goal would help fulfill the Plan's vision.

## **Goal #1: Accommodate a Substantial Amount of Jobs and Housing**

### CONTEXT

Since its inception, San Francisco has seen more than its share of tumultuous economic times: the Gold and Silver Rushes (and busts), the earthquake and fire of 1906, the influx of World War II, population decline due to suburbanization, the Dot Com boom and bust. They have all left lasting shrines and scars on this city.

As of the writing of this Plan in 2017, San Francisco is having another one of those “moments”. This moment reflects the culmination of major environmental, economic, and social trends that are simultaneously working at multiple geographic levels and timeframes.

Environmentally, there is an increasing awareness of the need to reduce greenhouse gas emissions in recognition of the consequences of climate change. At the State level, this led to the adoption of Senate Bill (SB) 375 in 2008. SB 375 mandated the State’s regions identify how they would combine transportation investments and land use policy to reduce greenhouse gas emissions. At the regional level, this mandate led to the adoption of Plan Bay Area in 2013, which determined that meeting the State’s targets would require densification and investment in “Priority Development Areas” that exhibit and/or have the potential to combine density of development with excellent transit service. At the local level, the City identified a number of such “Priority Development Areas” that span much of the eastern half of the city.

Economically, there is the continuing national and regional shift from an economy based on things to one based on ideas. Nationally, in the aftermath of the Great Recession (2007-2009), job growth has been led by “knowledge” sector businesses such as high tech. These knowledge sector businesses tend to cluster in regions – and the Bay Area is the world’s leading knowledge region. The result is that job growth in the Bay Area the past several years has nearly doubled that of the rest of the nation, and commensurately so has the demand for housing. Bay Area job growth has been particularly high in the last six years (2010-2015), concurrent with the development of this Plan, as the region moved from the nadir to the peak of the current business cycle.

After rapid suburbanization in the decades after World War II, cities such as San Francisco have seen long-term population and job growth since the 1980s, despite temporary peaks and dips along the way. This trend has accelerated in recent years, as both “Millennials” and Baby Boomers have shown a strong preference for cities. This trend has focused demand on those portions of the Bay Area where jobs can be easily accessed by transit, daily needs can be met by walking, and there are a range of amenities and options nearby. In this largely suburban and auto-dependent region, many of the accessible and dynamic urban neighborhoods are in San Francisco.

Cumulatively, these trends have created an ongoing and strong demand for space in San Francisco. Accommodating this demand would require building additional space for jobs, housing, and other needed facilities. However, building in San Francisco is a challenging and time-consuming process. New buildings often require years of review and deliberation before they are even allowed to be constructed, and construction itself can take one to three years, depending on the size of the building.

When demand is high relative to supply, the price inevitably goes up. In 2017, prices have risen to a level that is socially unsustainable – rents for housing are the highest in the country, and greatly exceed what can be afforded by the majority of today’s San Franciscans. Rents for commercial space are similarly unaffordable, pushing out non-profit organizations, mom-and-pop businesses, artists and industrial businesses.

To some degree, the intensity of this “moment” will pass when the current business cycle inevitably cools. However, the other environmental, economic, and social factors that have created this moment are likely to persist over a longer timeframe than the typical 5-10 year business cycle. They are also national or even global forces exogenous to San Francisco – and thus the demand they exert are beyond the ability to control locally.

By contrast, what is within our ability to control locally is increasing the capacity for jobs and housing in San Francisco, and to ensure that new growth provides public benefits to improve the lives of residents and workers. The City has been planning for such growth over the last 20 years, through major Redevelopment and Area Plans as Mission Bay, Hunters Point, Rincon Hill, Eastern Neighborhoods, Market & Octavia, and the Transit Center District. The results of these Plans can be seen in the cranes and construction sites dotting San Francisco. However, there is still substantial demand for development of space for jobs and housing in transit-rich, walkable, amenity-laden neighborhoods.

Fortunately, Central SoMa is an appropriate location for such development. The area is served by some of the region’s best transit, including BART and Caltrain, Muni Metro and many bus lines, in addition to the Central Subway currently under construction. Flat streets and a regular grid pattern can make destinations easy to reach for people walking and bicycling (as facilitated by improvements discussed in Goal #4). There is already an incredibly strong cluster of technology companies that new and growing companies want to locate near. There is also a diversity of other uses, including thousands of residential units, local- and regional-serving retail, cultural and entertainment facilities, hotels, and production/distribution/repair businesses. Simultaneously, there is substantial opportunity to increase density in Central SoMa. There are numerous undeveloped or underdeveloped sites, such as surface parking lots and single-story commercial buildings.

## OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the Plan’s Goal of increasing the capacity for jobs and housing in Central SoMa.

**Objective 1.1: Ensure that there is sufficient land area where space for jobs and housing can be built**

Central SoMa includes two types of areas: one that has always allowed development of new residential and non-residential space (including office), and one that has prevented the creation of new space since the late 1980s. To be able to increase the capacity for jobs and housing in Central SoMa, it is necessary to increase the area where new development can occur.

**Policy 1.1.1: Retain zoning that supports capacity for new jobs and housing.**

Central SoMa has large areas where development has historically been allowed to occur. The City should maintain the ability for development to occur in these areas.

**Policy 1.1.2: Limit zoning that restricts capacity for new jobs and housing.**

The Plan Area includes a substantial amount of area whose zoning generally does not allow either new housing or new commercial space such as office. These districts should be replaced with zoning that permits new housing and office uses, except in limited locations as discussed in Goal #3.

**Objective 1.2: Ensure that developable land has, collectively, sufficient capacity for jobs and housing**

The amount of development allowed on a piece of land is controlled in a number of ways, foremost being the limits on how tall and how bulky a building can be, and secondarily through strict density controls.

**Policy 1.2.1: Set height limits on parcels as appropriate to fulfill this Objective.**

In Central SoMa, the typical height limit on the major streets has been 65-85 feet, although it has been up to 130 feet on a handful of parcels adjacent to the downtown. However, there are several areas along major streets where height limits have been held substantially lower – including as low as 30 feet along the freeway. Despite this, there are numerous locations where the wide streets and urban context support higher densities and building heights above 85 feet, as long as they are complemented by appropriate controls on building massing. To be able to increase the capacity for jobs and housing in Central SoMa, it is necessary to increase the allowable heights at these locations.

**Policy 1.2.2: Allow physical controls for height, bulk, setbacks, and open space to determine density.**

Throughout much of Central SoMa, residential developments are not subject to density controls, and the controls for non-residential uses are not a substantial impediment to the amount of development that can occur. However, density controls for non-residential uses would arbitrarily restrict development in excess of what is necessary to achieve a livable neighborhood and as called for through the Plan's urban design and building envelope controls. To be able to increase the capacity for jobs in Central SoMa, it is

necessary to lift these density controls in a way that supports development but still fulfills all of the design controls for new buildings articulated in Goal #8 of this Plan.

## **Goal #2: Maintain the Diversity of Residents**

### CONTEXT

SoMa has always played an important role in housing low- and moderate-income San Franciscans in various forms, from the single-room occupancy (SRO) hotels that historically primarily housed single men and residential towers dedicated to housing seniors, to the modest family-oriented housing that has lined the alleys. In more recent decades, a substantial amount of market-rate housing (generally affordable to those with higher incomes) has been created, as well as conversions of older warehouses. These buildings included condominiums, apartment buildings, and live-work lofts. The neighborhood also includes a homeless population, many of whom come to the neighborhood to use the services available here, including a large shelter currently located at 5th and Bryant Streets.

The result is that today SoMa has an incredibly diverse population, in terms of race, income, and unit size. This diversity is a critical part of its neighborhood character. Respecting this neighborhood character requires that the variety provided by the existing residents should be maintained, and that future development would replicate this pattern to the highest degree possible. However, doing so will be a substantial challenge, given current market conditions that favor those with higher incomes in the competition for both existing units and new units.

### OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of maintaining the diversity of residents in Central SoMa.

#### **Objective 2.1: Maintain the existing stock of housing**

In the effort to address San Francisco's lack of housing, it is important to preserve as many of the existing units as possible.

##### **Policy 2.1.1: Continue implementing controls that maintain the existing supply of housing.**

The City's current policy is to limit the loss of housing due to the merger or demolition of units and the conversion of units to non-residential uses. The City should continue to implement these policies, and seek new strategies that accomplish their goal.

#### **Objective 2.2: Maintain the affordability of the existing housing stock**

Central SoMa contains a substantial stock of affordable housing, including 100 percent affordable buildings (mostly clustered around the Moscone Center in the former Yerba Buena Redevelopment Area) and rent controlled buildings (including many in the more residentially-focused area west of 5th Street

and north of the freeway). The Plan supports the preservation of this housing and the protection of tenants who occupy this housing. It also supports programs to expand the stock of affordable housing.

Policy 2.2.1: Continue implementing controls and strategies that help maintain the existing supply of affordable housing.

The City seeks to maintain the existing supply of affordable housing through measures that keep people in their homes, such as rent control and eviction protections. The City also seeks to ensure that affordable units stay both affordable and habitable, through such strategies as the Rental Assistance Demonstration Program. The City should continue to implement such policies and programs, and seek new strategies that accomplish their goal.

Policy 2.2.2: Support the conversion of existing housing into permanently affordable housing.

Through the “Small Sites” program, the City is currently seeking to expand the existing supply of affordable housing by purchasing units and making them permanently affordable. The City should continue to implement such programs, and seek new strategies that accomplish their goal.

**Objective 2.3: Ensure that at least 33 percent of new housing is affordable to very low, low, and moderate-income households**

Through the adoption of Proposition K in 2014, San Francisco has set a target that 33 percent of all new housing is affordable to very low, low, and moderate income households. The Central SoMa Plan aims to ensure that new housing development meets this target through a number of mechanisms, including affordability requirements on new market-rate housing development and non-residential development and development of publicly-owned sites.

Policy 2.3.1: Set affordability requirements for new residential development at rates necessary to fulfill this Objective.

Housing in San Francisco is some of the most expensive in the nation, and new housing is unaffordable to a large percentage of the population. To promote income diversity of residents living in new housing, the City requires market-rate housing projects to provide affordable housing by paying a fee or, in the alternative, providing on-site or off-site affordable housing. Within the Plan Area, these affordable housing requirements should be set to ensure that that market-rate housing projects contribute their fair share towards meeting the City’s overall affordability targets.

Policy 2.3.2: Require contribution to affordable housing from commercial uses.

Commercial uses, such as offices, hotels, and retail, generate a demand for a range of housing types, including affordable housing. The City already requires commercial development of 25,000 square feet or more to contribute to the development of affordable housing (typically through the payment of a fee). The

City should continue requiring that these commercial developments contribute to the development of affordable housing, and facilitate additional mechanisms to do so, such as provision of land for affordable housing.

Policy 2.3.3: Ensure that affordable housing generated by the Central SoMa Plan stays in the neighborhood.

New residential and commercial development in the Central SoMa Plan area will generate a substantial amount of affordable housing, either by paying a fee to the City, building it directly (within the building or nearby) or dedicating land for the City to build on. To fulfill the goal of maintaining the diversity of residents, it is necessary that any fees collected by the City be invested within or near the neighborhood. Additionally, any land dedicated to the City for affordable housing should similarly be within or near the neighborhood.

Policy 2.3.4: Allow affordable housing sites to sell any unused development rights.

Affordable housing development typically is built to heights of 85 feet or below, where it can benefit from cheaper construction costs. In areas where height limits exceed 85 feet, this means that the affordable housing is not utilizing its full development capacity. The City should support the financial feasibility of affordable housing developments by allowing affordable housing developments to sell their unused development rights.

**Objective 2.4: Support housing for other households that cannot afford market rate housing**

There is a large swath of the population whose income disqualifies them from “affordable” housing under existing programs at the federal, state and local levels, but who often cannot afford prevailing prices for market-rate housing. The lack of availability and production of housing affordable to these households is a large factor in the decrease in San Francisco’s middle class in recent years.

Policy 2.4.1: Continue implementing strategies that support the development of “gap” housing.

The development of housing above moderate income is challenging, because such housing lacks access to federal tax incentives – often making it more expensive to build than affordable housing. That being said, the City has developed strategies to create more housing in this “gap,” including through funding created through 2015’s Proposition A, the 2017 revisions to the affordable housing requirements for market-rate housing development, and down payment assistance loan programs. The City should continue to implement such strategies, and continue to seek new ways that accomplish their goal.

**Objective 2.5: Support housing for a diversity of household sizes and tenures**

The diversity of SoMa’s housing is not just about incomes, but the size and tenure of households as well. The Central SoMa Plan aims to ensure that new units are reflective of this broad mix.

**Policy 2.5.1: Continue requiring family-sized units.**

Central SoMa has traditionally been a neighborhood with a diverse mix of housing sizes, from small single-room-occupancy units to larger homes for families. By contrast, new development often wants to provide mostly smaller units (studios and one-bedrooms) that do not meet the needs of families. The City’s current policy in Central SoMa is to require that new residential development contain a high percentage of family-sized units with two or more bedrooms. The City should continue to implement this policy, and seek new strategies that accomplish its goal.

**Policy 2.5.2: Continue to incentivize rental units.**

Rental housing provides greater access to the housing market than for-sale units, which typically require large down payments and long bank loans. Much of San Francisco’s housing diversity is attributable to the fact that it is predominantly a rental city – almost two-thirds of households rent their homes. Yet in new housing, for-sale units are often more profitable, which drives the market to produce more of them. Recognizing this, the City has created incentives to produce rental housing, including having lower affordable housing requirements. The City should continue to implement this policy, and seek new strategies that accomplish its goal.

**Objective 2.6: Support services – schools, child care, and community services – necessary to serve local residents**

To maintain a diversity of residents it is necessary to provide the services they need; including schools, child care, and community services. The Central SoMa Plan aims to ensure that sufficient amenities are available to residents.

**Policy 2.6.1: Help fund public schools.**

The San Francisco Unified School District already collects impact fees from new development. This funding is utilized for capital improvements of existing schools and for new ones, including the proposed new school in Mission Bay. Development in the Plan Area should continue to contribute to the School District’s funding.

**Policy 2.6.2: Help facilitate the creation of childcare facilities.**

San Francisco is suffering from a lack of licensed childcare. This is due to a lack of funding and a difficulty in finding space that meets the strict requirements for childcare centers. From the funding

standpoint, the City currently supports the creation of childcare through both the Child Care Impact Fee and the Eastern Neighborhoods Impact Fee. Development in the Plan Area should contribute to child care via these fees. From a space standpoint, the City should work with development in the Plan Area to promote the creation of new, appropriately designed childcare centers.

Policy 2.6.3: Help facilitate the creation of new community services.

“Community services” include space for non-profit and government organizations that provide services to the community, such as health clinics and job training. The City should support these uses in Central SoMa, including creation of an impact fee on new development to help provide community facilities and working with the Mayor’s Office of Housing and Community Development to site those resources.

### **Goal #3: Facilitate an Economically Diversified and Lively Jobs Center**

#### CONTEXT

SoMa has been a commercial center for San Francisco for well over a century. Historically an industrial district, such businesses now sit cheek by jowl with offices, retail, hotels, and entertainment venues. This combination creates an environment that is both incredibly lively and unique in San Francisco.

Moving forward, Central SoMa is also well positioned to be a center for job growth. As discussed in Goal #1, it is well located, being served by some of the region's best transit and having a lot of developable land. Much of that demand will be for office-oriented jobs, particularly in the "knowledge-sector" industries that drive our economy. However, in allowing for that growth it is important that the neighborhood maintains and grows its other sectors. By doing so it can sustain its unique diversity of economic activities and the liveliness that SoMa is known for.

#### OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of facilitating an economically diversified and lively jobs center.

##### **Objective 3.1: Ensure the Plan Area accommodates significant space for job growth**

As discussed in Goal #1, San Francisco has an affordability crisis for both residential and non—residential uses. This crisis is due to robust regional economy and commensurate demand for commercial space for those jobs and housing for the workers. Previous City planning efforts have attempted to address the housing crisis by identifying areas to meet our housing needs – including over 100,000 units by 2040.

By contrast, previous planning efforts have not identified areas to meet the expected jobs growth of at least another 100,000 jobs in the same timeframe. Accommodating these jobs in transit-rich job centers has important social, economic, and environmental benefits. Being in job centers enables the companies and workers to benefit from the synergies of co-location and infrastructure. Locating jobs near transit reduces car usage and thus greenhouse gas emissions and traffic congestion – even to a higher degree than locating housing near transit (commuters are most likely to use transit when stations are very close to their jobs than when transit is very close to their homes but their jobs are more distant).

Central SoMa is well positioned to accommodate a substantial amount of jobs that would otherwise go to more suburban, car-oriented locations. The Plan Area has some of the best transit in the region, being proximal to two regional train lines (BART and Caltrain), Muni Metro (including the under-construction

Central Subway), and myriad regional and local bus lines. By being located between the existing jobs centers of downtown and Mission Bay, the Plan Area not only is proximal to other jobs, but actually better ties those two areas together. The 2017 update to Plan Bay Area even more greatly emphasizes San Francisco as a preferable place regionally to grow jobs as well as housing, and within the City this Plan Area sits within a regionally-recognized Priority Development Area that is particularly ideal for jobs compared to other parts of the City and region. The success of the region in meeting its state-mandated environmental (i.e., GHG) goals and its mobility goals hinges on directing job growth to these transit-served areas.

While accommodating the growth of jobs is important, it is just as important that these are “good jobs” that pay a living wage. Many of the office jobs in the tech sector and even the PDR jobs are certain to be good jobs, particularly in that they pay well relative to education. However, it is important that the City supports good jobs across all sectors, including construction workers, hotel workers, and other professions.

Policy 3.1.1: Require non-residential uses in new development on large parcels.

Many of the parcels of land in Central SoMa are quite large – reflecting its industrial heritage. And like industrial development of the past, modern companies seek buildings with large floors, which facilitate flexibility and intra-company communication. Given the limited availability of such large parcels in the city near excellent local and regional transit, and the need to identify appropriate transit-served space for job growth, the City should promote non-residential development at these locations. Even if circumstances, such as market or broader regulatory factors, require forgoing near-term development on these major parcels, ensuring that these parcels are “land-banked” for significant jobs-oriented development is a necessary long-term strategy for the economic and environmental health of the city and region. These large parcels need not be exclusively non-residential, but they should feature a significant percentage (e.g. at least half) of non-residential and job space.

Policy 3.1.2: Limit restrictions on non-residential development.

Central SoMa includes areas whose zoning precludes non-residential development beyond ground floor retail, so as to direct new development towards being residential. While housing is still appropriate in these locations, the City should support the development of significant non-residential uses in these areas as well, given their adjacency to the downtown and to excellent transit (including Central Subway and Caltrain).

Policy 3.1.3: Support living wage jobs across all sectors

The City already implements multiple programs that facilitate living wage jobs for workers. This includes job training programs to help prepare local residents for jobs in growing sectors such as construction, health care, hospitality, and technology. This also includes the City’s First Source Hiring Program (which

requires that developers, contractors, and employers utilize good faith efforts toward employing economically disadvantaged San Franciscan residents in new entry-level positions on applicable projects) and Local Hire program (that requires hiring of local residents for locally-funded construction projects). The City should continue to implement such policies and programs, and seek new strategies that accomplish their goal, such as working to support unionization of hotel workers and implementation of 2017 Assembly Bill 73, which allows streamlined approval of certain residential projects that pay prevailing wage to construction workers.

### **Objective 3.2: Support the growth of office space**

About 60 percent of all jobs in the city are located in offices – and the percentage is growing (in keeping with national trends). There is a wide range of jobs that utilize office space, including technology, non-profits (civic, advocacy, community service, research), legal, finance, and the administrative side of all industries, just to name a few. Additionally, a lot of other jobs, including many scientific and “hands-on” kinds of jobs depend on significant amounts of office space as part of their operations to function effectively.

#### **Policy 3.2.1: Facilitate the growth of office.**

The City should support the development of office space in Central SoMa. Office space typically has a high amount of jobs per square foot, and thus benefits from proximity to the neighborhood’s excellent transit. This office space can also support the success of these knowledge-sector companies that are driving the overall economy (including the need for local-serving jobs throughout the city, like health care, education, and retail). Increasing the supply of office space will also support non-profits and other organizations that have been challenged to find space in the city, forcing some to move elsewhere in the Bay Area (such as Oakland) or out of the region altogether.

### **Objective 3.3: Ensure the removal of protective zoning does not result in a loss of PDR in the Plan Area**

The production, distribution, and repair (PDR) sector is critical to San Francisco. Companies in the PDR sector tend to provide high-paying jobs for people without a four-year college degree. PDR also provides economic diversity and therefore greater ability to weather recessions. PDR companies also serve the needs of local residents and businesses – after all, you cannot offshore your auto repair or your parcel delivery service.

As discussed above, SoMa’s legacy is as a home for blue-collar jobs. Over the decades, the nature of the economy – local, regional and national – has changed, being more service-oriented than production-oriented. The PDR sector in Central SoMa is emblematic of the neighborhood’s cultural history.

Policy 3.3.1: Maintain zoning that restricts non-PDR development in certain locations.

Central SoMa contains substantial areas that protect PDR uses by not allowing office or housing. As discussed in Goal #1, the Plan is proposing to allow new development in much of this area. However, the City should maintain some of this PDR-protective zoning along the freeway west of 4th Street, because of its proximity to other PDR areas to the west and lot configuration and location that is challenging for other development.

Policy 3.3.2: Limit conversion of PDR space in formerly industrial districts.

The Central SoMa Plan is intended to facilitate the development of new construction of housing and office in areas where they currently are not allowed. However, where existing buildings are to remain in these areas, the City requires (through approval of Proposition X in 2016) that some amount of PDR space are maintained. Similarly, when new buildings are constructed, the City requires that some amount of replacement PDR space is provided. The City should continue to maintain the requirement to maintain and/or provide PDR space.

Policy 3.3.3: Require PDR space as part of large commercial development.

Given the amount of new development expected, maintaining the existing PDR presence in Central SoMa will necessitate requiring PDR space as part of new development, regardless of whether PDR space exists on the site prior to redevelopment. Such PDR space can be designed to be highly compatible with large commercial space, given the larger floors, building materials that are less conductive of sound and vibration, and higher tolerance for truck deliveries at all hours. The City should consider alternative means of satisfying this requirement, such as allowing off-site construction of PDR space and/or protection of existing PDR space at risk of displacement due to being located in districts that do not protect PDR.

Policy 3.3.4: Provide incentives to fund, build, and/or protect PDR.

Existing measures to support PDR include protecting industrial land, providing technical and real estate assistance to PDR businesses, funding arts organizations and programs through the existing 1% Art Program's Public Art Trust, and supporting new construction through creative mechanisms that leverage local and federal funding. The City should continue its commitment to the PDR sector, and explore new strategies to build and/or protect PDR space, such as requiring higher ceiling heights in development containing PDR.

**Objective 3.4: Facilitate a vibrant retail environment that serves the needs of the community**

Central SoMa already contains a diversity of retail uses, including stores, restaurants, and personal services like beauty salons and dry cleaners. These help meet the needs of residents, workers, and visitors. They also provide a level of positive activity on the streets that make them safer and more pleasant.

Policy 3.4.1: Allow retail throughout the Plan Area.

Currently, retail uses can be located anywhere in the Plan Area, and this allowance should continue.

Policy 3.4.2: Require ground-floor retail along important streets.

Retail uses are currently required at the ground floors of buildings on 4th Street between Bryant and Townsend Streets, and on 6th Street between Market and Folsom Streets. The City should extend this requirement along important pedestrian thoroughfares, including Folsom Street and the rest of 4th Street.

Policy 3.4.3: Support local, affordable, community-serving retail.

One of the many unique characteristics of the neighborhood is its diversity of retail offerings, in terms of types, prices, and independence. By contrast, new development often will seek to fill its retail space with chain stores, businesses aimed at higher income clientele, and/or businesses that cater to tourists and other visitors. While such uses have a place in the neighborhood, the City should ensure that there is also space for those retail uses that are local, contribute to neighborhood character, affordable, and/or community serving. This should be done by considering limitations on formula retail and stand-alone big box stores and by requiring micro-retail in larger development sites.

**Objective 3.5: Support development of hotels**

Hotels are important to the wellbeing of San Francisco – enabling our tourism sector to flourish while also supporting important civic functions through room taxes. Simultaneously, hotels can make very good neighbors, providing lively ground floors, near 24-hour activity, and customers for local shops and restaurants. Hotels are particularly important in Central SoMa, given the area’s proximity to the Moscone Convention Center and its transit accessibility.

Policy 3.5.1: Allow hotels throughout the growth-oriented parts of the Plan Area.

Currently, there are parts of the Plan Area where hotels are not permitted, even if they otherwise allow residential and commercial growth. Where hotels are permitted, they are typically restricted to “boutique” sizes of 75 rooms or less. However, the City is in need of multiple new hotels to meet demand, particularly new “conference sized” hotels of at least 500 rooms plus meeting facilities. As such, the City should support increasing the area where hotels are permissible to include those areas where new growth is anticipated, and to remove the cap on room count.

**Objective 3.6: Recognize the importance of nightlife uses in creating a complete neighborhood**

Nightlife is an essential part of what makes San Francisco a lively, world-class city. SoMa has a long tradition of being a destination for nightlife, reflecting its central location and industrial legacy with flexible building types, historically cheaper rents and relatively fewer residential neighbors. Even as the neighborhood evolves, it is important to ensure that these uses can continue to thrive as a place for people to have fun, while being mindful of the potential for conflicts between these and sensitive uses like housing.

Policy 3.6.1: Allow nightlife where appropriate.

Currently, many nightlife uses are permitted in much of the Plan Area, including restaurants, bars, and venues for arts performances. Nightclubs are permitted in the area west of 4th Street and south of Harrison, and are permissible with a Conditional Use Permit in much of the rest of the neighborhood. The City should support continuing allowances for nightlife uses.

#### **Goal #4: Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit**

##### CONTEXT

Central SoMa is served by a widely spaced grid of major streets that form large blocks, often subdivided by narrow streets and alleys in patterns that vary from block to block. While the narrow streets and alleys typically serve only very local needs, the continuous grid of major streets connects city neighborhoods and links the city to the region via Interstates 80, 280 and 101. The major streets in SoMa have multiple lanes, widely spaced traffic signals, and are often one-way – all strategies to move automobiles and trucks through the district at rapid speeds.

While the existing street pattern still works for traffic circulation in off-peak hours, as traffic congestion has worsened over the decades, these streets are now often snarled with automobiles, trucks, transit, and taxis/ridesharing services. The resulting traffic is a substantial source of air and noise pollution and disproportionate rates of traffic injury, degrading the quality of life for residents, workers and visitors to the area.

Whether at congested times or not, the present design of the major streets does not serve pedestrians well and will certainly not accommodate the pedestrian needs of the new residents, workers and visitors contemplated by this Plan. Design that primarily accommodates the needs of motor vehicles relegates the needs of people walking to a secondary status. The result is unsafe and unpleasant conditions for pedestrians: many sidewalks do not meet minimum city standards; signalized or even marked crosswalks are few and far between; many crosswalks at major intersections are closed to pedestrians; and long crossing distances increase exposure to traffic. The combination of high traffic speeds and volumes and poor pedestrian infrastructure is reflected in the high rate of pedestrian injuries seen throughout the Plan Area.

The existing conditions are also quite poor for people riding bicycles, and discourage others from cycling in this neighborhood. On most streets, bicycles are expected to share lanes with much heavier and faster moving motor vehicles. Where bicycle lanes exist, they place cyclists between moving traffic and parked cars and do not protect cyclists from right-turning vehicles at intersections. Insufficient facilities for people riding bicycles are reflected in the high rate of injuries to bicyclists seen throughout the Plan Area.

For people on transit, the story is more mixed. The Plan Area is well served by regional transit systems with dedicated rights-of-way, such as BART and Caltrain. Transit service to the neighborhood will be greatly improved with the completion of the Central Subway project, providing frequent and rapid north-south service through the heart of Central SoMa. Myriad local and regional bus lines serve the area. However, those buses that share the street network with other vehicles are often delayed by traffic.

As San Francisco continues to grow, conditions will only worsen unless substantial changes are made both to the design of the streets and to the way people travel. The Central SoMa Plan provides a timely opportunity to rethink how people get to and move through the neighborhood. Pedestrian improvements combined with traffic calming could enhance both livability and public health. With a comprehensive network of high-quality bicycle routes, the area's flat topography and relatively good weather could encourage more bicycling, relieving some demand on transit and for additional car trips. The dense network of transit options makes the neighborhood a great candidate for even higher ridership, if proper measures are put into place to enhance the reliability and speed of transit. As well, while the neighborhood continues to grow, investment in additional capacity and new connections will be needed to enhance and expand the existing transit network to meet the needs of the future. All of these improvements rely on shifting the way people travel from private automobile into these other modes.

The goal of providing safe and convenient transportation in Central SoMa is admittedly daunting, considering the existing conditions. Fortunately, several other complementary strategies being implemented or undertaken by the City support this effort, in both the near and long term, including:

- The Better Streets Plan, which facilitates improvements to sidewalks and other pedestrian amenities;
- The Bicycle Plan, which delivers improvements in the bicycle network;
- Vision Zero, which provides infrastructure improvements at key locations designed to minimize conflicts between motor vehicles and people walking and bicycling;
- Muni Forward, which implements local transit improvements;
- The aforementioned Central Subway, which will connect BART and Caltrain (in addition to running from Chinatown to the Bayview);
- The electrification of Caltrain, which will facilitate more frequent service;
- The implementation of High Speed Rail service to San Francisco, creating convenient connections between the economic centers of the State; and
- The implementation of the City's Transportation Demand Management program.

Multiple major studies and transportation planning efforts will inform future transportation investment. These studies will identify future investments necessary to support the continued evolution of SoMa and prioritize the public benefit resources that come out of the Plan. These include:

- Connect SF: This effort, launched in 2016, will produce a 50-year vision of the City’s transportation network and will culminate in a new, updated Transportation Element of the General Plan and a refreshed set of major investment priorities.
- Core Capacity Study: This regional study led by the Metropolitan Transportation Commission (MTC) was started in 2015. It is investigating near, medium and long-term strategies to meet the growing needs of transportation connections between San Francisco and the East Bay (i.e., the Transbay corridor) as well as core aspects of travel to and from the “Core” of San Francisco (which includes downtown, SoMa, and Mission Bay).

## OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of providing safe and convenient transportation that prioritizes walking, bicycling, and transit.

### **Objective 4.1: Provide a safe, convenient, and attractive walking environment on all the streets in the Plan Area**

As a major convention and tourism destination, employment center, and residential area, Central SoMa attracts thousands of people daily, the overwhelming majority of whom will either begin or end their trip as pedestrians. And as anticipated development occurs, new workers, visitors and residents will join the thousands already there and place additional demand on the already inadequate pedestrian infrastructure. A transformation of the streets and sidewalk will be required to accommodate people on foot and give them enjoyable paths to travel, linger, shop, and socialize. Streets are not just for movement, but for slowing down to socialize and take in the rhythms of the City. A complete, high quality, walking network is necessary to make all aspects of the transportation system function well.

#### **Policy 4.1.1 Ensure streets throughout the Plan Area are designed in accordance with the City’s Vision Zero policy.**

Vision Zero is San Francisco’s road safety policy. The City adopted Vision Zero as a policy in 2014, committing to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives. The goal is to create a culture that prioritizes traffic safety and to ensure that mistakes on roadways do not result in serious injuries or death. The result of this collaborative citywide effort will be safer more livable streets as San Francisco works to eliminate traffic fatalities by 2024. Vision Zero recommends that streets be improved with safety treatments that include but are not limited to: new traffic signals; leading pedestrian intervals; paint treatments such as continental crosswalks; corner sidewalk extensions; turn restrictions; protected bicycle facilities and audible/accessible pedestrian signals. The City should implement all improvements in Central SoMa in keeping with the vision and strategies of Vision Zero, with particular focus on any High Injury Corridors.

#### **Policy 4.1.2: Ensure sidewalks on major streets meet Better Streets Plan standards.**

Adequate sidewalk width is an essential ingredient in making walking a safe, convenient, and attractive transportation option. In addition to accommodating pedestrian movement, sidewalks should be wide enough for amenities such as trees or other landscaping and fixed or moveable seating. The Better Streets Plan recommends fifteen feet as the optimal sidewalk width for most major streets in the Plan Area, with twelve feet as the minimum. Some locations that attract extremely high pedestrian volumes (e.g. next to transit stops or large office buildings) should have even wider sidewalks than fifteen feet in order to maintain safe and pleasant walking conditions. Most major streets in the Plan Area do not meet even the minimum recommended sidewalk width. The City should improve the major streets such that they all meet Better Streets Plan standards.

Policy 4.1.3: Prohibit new curb cuts on key major streets and limit them elsewhere.

In sensitive places, access to parking and loading degrades the pedestrian experience, transit operations, bicyclist safety, and general circulation. Additionally, curb cuts remove valuable sidewalk space for trees, bicycle parking, landscaping, and other amenities. For these reasons, curb cuts should be limited along major streets, and off-street parking and loading should be accessed from alleys and narrow streets, where conflicts are reduced.

Policy 4.1.4: Provide signalized crosswalks across major streets.

Long distances between crosswalks inconvenience people walking and reduce the viability and attractiveness of walking as a transportation option. They also provide powerful incentives for some pedestrians to risk crossing against traffic, and are thus a serious safety concern. The current practice of providing signalized crosswalks at intersections of two major streets means that crosswalks are usually over 800 feet apart on major east-west streets, and 550 feet apart on major north-south streets. North of Market Street, an area renowned worldwide for its walkability, crosswalks are at most 425 feet apart in the east-west direction and not more than 275 feet apart in the north-south direction. To create a more pedestrian-friendly environment, the City should provide an additional signalized crosswalk roughly halfway between each major intersection, wherever possible. This would produce distances between crosswalks roughly equivalent to those found north of Market Street. In addition, providing crosswalks at the intersections of major and narrow streets would enhance the role of the narrow streets in the pedestrian network.

Policy 4.1.5: Ensure there are crosswalks at all signalized intersections.

Several signalized intersections of major streets in the area prohibit people walking from crossing one leg of the intersection, resulting in inconvenient and potentially unsafe detours for pedestrians in dense areas and along major corridors, such as 3rd and 4th Streets. Existing City policy recommends opening such closed crosswalks. The City should open closed crosswalks in the Plan Area whenever possible.

Policy 4.1.6: Ensure there are safe intersections at freeway ramps.

The Plan Area has five freeway ramps: four serving I-80 at each intersection of 4th, 5th, Harrison, and Bryant Streets, and one serving I-280 at 6th and Brannan. Each of these intersections presents challenges, as cars used to traveling unobstructed at rapid speeds suddenly enter a street grid with more complex traffic patterns and must be attentive to people walking and bicycling. The City should work with Caltrans to improve these transitions to better serve the needs of all modes of transportation.

Policy 4.1.7: Provide corner sidewalk extensions to enhance pedestrian safety at crosswalks, in keeping with the Better Streets Plan.

Sidewalk corner extensions (“bulb-outs”) shorten the length of crosswalks and make pedestrians waiting to cross more visible to drivers. The Better Streets Plan recommends installing sidewalk corner extensions on certain street types to enhance safety and to provide additional space for amenities such as benches and landscaping. The City should work to implement this recommendation of the Better Streets Plan.

Policy 4.1.8: Ensure safe and convenient conditions on narrow streets and alleys for people walking.

SoMa’s narrow streets and alleys provide an important, quieter alternative to walking on the busier major streets. Yet many of these streets do not have inviting environments for people on foot, including insufficient (or even absent) sidewalks. On these streets, the City should enhance and improve the experience for people walking.

Policy 4.1.9: Ensure there are street trees and street furnishings on sidewalks wherever possible, in keeping with the Better Streets Plan.

Landscaping and street furnishings, such as fixed or moveable seating, are important in creating an inviting environment for walking and public life. The Better Streets Plan discusses strategies for locating amenities to create attractive and functional pedestrian environments. The City should continue implementing its recommendations in the Plan Area.

Policy 4.1.10: Expand the pedestrian network wherever possible through creation of new narrow streets, alleys, and mid-block connections.

Existing City policy and zoning regulations require midblock paths through large lots in certain zoning districts. These requirements should be retained where they exist and extended to any new zoning districts created in Central SoMa.

Policy 4.1.11: Use public art, lighting, and other amenities to improve the pedestrian experience beneath elevated freeways.

The unwelcoming environment beneath the freeway creates an imposing physical and psychological barrier that divides the Plan Area into two halves. This noisy, dark, car-dominated environment makes walking from one side of the freeway to the other an unpleasant or even intimidating experience. The City

should use public art, enhanced lighting, and other streetscape amenities to help improve this dreary condition. To facilitate the addition of art, the City should also encourage new development to locate their required public art in this area.

**Objective 4.2: Make cycling a safe and convenient transportation option throughout the Plan Area for all ages and abilities**

As a mode of transportation, bicycles have many advantages: they require no fuel, produce no emissions, and facilities to accommodate their use are generally less expensive and space intensive than other transportation modes. Central SoMa (and SoMa in general) is flat, sunny, and well situated for bicycle travel, and thus has a much higher bicycle mode share than other parts of the City despite poor cycling infrastructure. The use of bicycles can be increased with the provision of a comprehensive network of safe and convenient bike routes, as well as destination amenities such as secure parking and shower facilities.

**Policy 4.2.1: Ensure that the bicycle network is in accordance with the City's Vision Zero policy and Bicycle Strategy.**

Within the Plan Area, as of 2017 there are bicycle lanes on 2nd, Howard, Folsom, and Townsend Streets. These bicycle routes within and leading to the Plan Area should be provided with best-practice safety features in accordance with the City's Vision Zero policy and Bicycle Strategy, including but not limited to protected bicycle lanes, dedicated signals at signaled intersections, turn boxes, and high-performance pavement materials and signage.

**Policy 4.2.2: Minimize gaps in the existing bicycle network by providing bicycle routes through the Plan Area, designed for safety in accordance with the City's Vision Zero policy and Bicycle Strategy.**

In order to ensure that cycling is an attractive transportation option, people must be able to cycle close to their destination safely. In the north-south direction, the bicycle network as of 2017 includes two-way facilities on 2<sup>nd</sup> and 5<sup>th</sup> Streets, which are more than half a mile apart. Given the density of housing, jobs and visitor destinations in the area, this gap should be filled with new routes on 3<sup>rd</sup> and/or 4<sup>th</sup> Streets. In the east-west direction, the bicycle network as of 2017 includes two-way facilities on Townsend Street and on the Folsom/Howard couplet, which similarly are more than half a mile apart. This gap should be filled, potentially with a new two-way route on Brannan Street. All new bicycle routes should be provided with state-of-the-art safety features in accordance with the City's Vision Zero policy and Bicycle Strategy, with particular focus on any High Injury Corridors, including but not limited to protected cycle tracks, dedicated signals at signaled intersections, turn boxes, and high-performance pavement materials and signage.

**Policy 4.2.3: Provide additional bicycle infrastructure, such as bicycle parking, to support ridership.**

In addition to safe and convenient cycling routes, increasing the proportion of trips taken by bicycles depends on other supportive facilities including bicycle parking. The City should study additional methods for increasing on- and off-street bicycle parking. Space needs for bike-sharing stations should also be considered a key component in the design of streets as well as major new developments and open spaces.

**Objective 4.3: Ensure that transit serving the Plan Area is adequate, reliable and pleasant**

Public transportation is fundamental to accommodating the movement of large populations of workers and residents to, within and through the City. The levels of density and activity proposed for Central SoMa are possible only when the majority of its workers, visitors, and residents use transit to move about. A circulation network that prioritizes transit will support the creation of the public spaces, walking environment and bicycle network that are envisioned for the area. Moreover, several Central SoMa streets are part of the central hub of San Francisco's and the region's transit network, and service delays or problems in the Plan Area can radiate throughout the network. For these reasons it is critical to facilitate transit movements in the area.

**Policy 4.3.1: Provide a robust network of lanes that are exclusively for transit.**

Dedicated transit lanes expedite surface transit movement, improve transit travel time, and support more efficient operating costs by allowing for more reliable and consistent headways, especially during peak hours. Existing dedicated transit lanes within the plan area are located along portions of 3rd, 4th and Mission Streets. The City should provide new dedicated transit lanes on other major streets in the Plan Area as necessary. Such dedicated transit lanes should be designed with "self-enforcing" elements, wherever possible, to discourage or prevent use by unauthorized private vehicles. These include curbs, channelizers and colored or textured pavements.

**Policy 4.3.2: Support funding for maintaining a state of good repair of the existing fleet and infrastructure.**

As the Plan Area develops, it will contain a higher percentage of the city's jobs and residents than it does today. As such, it should contribute commensurately to ensuring that the existing fleet and infrastructure is able to move those workers and residents throughout the city.

**Policy 4.3.3: Support funding to implement the Muni Forward program.**

The Muni Forward program is the City's ongoing effort to modernize and rationalize the transit system, including an emphasis on the most heavily traveled lines. Many of these heavily traveled lines serve Central SoMa. As such, new development in the Plan Area should contribute their share towards implementing the Muni Forward program.

Policy 4.3.4: Support funding to meet future needs for local and regional transit service to the Plan Area.

As a jobs center, a substantial portion of workers coming to Central SoMa will do so from the surrounding counties. Many of these workers will rely on transit systems that even today are facing capacity constraints – including BART, which is the regional transit workhorse, especially in the Transbay corridor. Caltrain too, which directly serves the Plan Area, is straining under booming ridership. As such, development in Central SoMa should support necessary transit investments, serving as a source of local money to advance critical improvements in expanding service and capacity to serve SoMa and to leverage larger regional, state, and federal contributions for major projects.

Policy 4.3.5: Study adjustment of transit services to serve the demand from the increase in jobs and housing in the neighborhood.

As the area develops, transit service needs are likely to evolve as well. As such, the City should study adjustments to the transit network and levels of service to the Plan Area to ensure that it adequately serves evolving needs, particularly in the area south of the freeway, which is expected to experience the most growth and transformation from low-intensity to high-density uses.

**Objective 4.4: Encourage mode shift away from private automobile usage**

Implementing the Objectives above can provide the physical improvements necessary to encourage efficient and environmentally sustainable modes of transportation, and commensurate reduction in private automobile trips. This mode shift will also require providing only as much parking as is appropriate for the urban context and availability of transportation alternatives. Other strategies should also provide incentives to choose more sustainable modes of transportation.

Policy 4.4.1: Limit the amount of parking in new development.

The availability and price of parking play an important role in individual mode choice – plentiful and cheap parking encourages automobile use. Existing off-street parking maximums should be retained and strengthened, reflective of the plentiful availability of transit options and investments planned and underway.

Policy 4.4.2: Utilize Transportation Demand Management strategies to encourage use of alternatives to the private automobile.

The City has successfully used Transportation Demand Management (TDM) tools in the downtown area to achieve very high pedestrian, transit and bicycle mode shares, and in 2017 expanded TDM requirements to the whole city. Development in Central SoMa should employ TDM measures for all new development, such as parking management and pricing, free or discounted transit passes, coordination of

private shuttle services, and coordination of car sharing and bicycle sharing distribution, discounts, and related programs.

**Objective 4.5: Accommodate regional, through, and delivery traffic where necessary, but mitigate the impacts of such traffic on local livability and circulation**

For the foreseeable future, some streets in Central SoMa will serve as citywide and regional auto connections, mainly because of their relation to freeway access points. There is also pressure on the streets caused by demand from ride sharing and e-commerce. These important demands on the street should be balanced with other necessary street functions.

**Policy 4.5.1: Maintain the ability of certain streets to accommodate through-traffic while ensuring they meet minimum needs for safety and comfort of all road users.**

Bryant and Harrison Street should continue to accommodate through-traffic in SoMa. However, increasing livability and protecting local circulation on these streets may require some reduction in vehicle capacity, a reduction that may to a certain extent be balanced by shifting local travel to other modes.

**Policy 4.5.2: Design buildings to accommodate delivery of people and goods with a minimum of conflict.**

The movement of people and goods will continue to be important in the neighborhood. The rise of ride sharing has created new demands to accommodate convenient loading at both residential and non-residential buildings. The uptick in internet sales means residential buildings will need to accommodate increased deliveries. Additionally, Central SoMa will continue to be a neighborhood with many businesses, and these businesses will need loading capacity for goods. All of these trends are supportive of the goal of enabling people to live without private automobiles. The City should ensure that loading is considered and prioritized in the context of street redesign projects and on-street parking management. Off-street loading facilities, particularly for larger projects, should not compromise the interface of buildings with the public realm.

## **Goal #5: Offer an Abundance of Parks and Recreational Opportunities**

### CONTEXT

Central SoMa currently suffers from a shortage of public parks and recreational opportunities relative to number of residents, workers and visitors to the area. This is largely due to its industrial history. Within the Plan Area there is only one outdoor recreational space: South Park. There are also smaller indoor and outdoor passive spaces as well as private indoor gyms. Importantly, there are three large public facilities just outside the Plan Area that serve the people of Central SoMa: Yerba Buena Gardens, Gene Friend Recreation Center, and Victoria Manalo Draves Park. Given the superior public transit in Central SoMa, area residents have access to a broad range of other recreational opportunities in the City. However, given the length of blocks and limited number of facilities, substantial portions of the Plan Area lack easy access to playgrounds, public sports courts, and quiet spaces for more contemplative activities.

By increasing the population in Central SoMa, the need for parks and recreational opportunities will only increase. Fortunately, the Central SoMa Plan presents an excellent opportunity to build new parks and recreational facilities, provide the funding to maintain them, and the activity to keep them well used. Seizing these opportunities will require dedicated and strategic focus.

### OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of offering an abundance of parks and recreational opportunities in Central SoMa.

#### **Objective 5.1: Maximize the benefit provided by existing parks and recreational facilities**

The existing parks in and around Central SoMa, though modest in size, provide important resources. However, they will need investment to enhance their long-term viability. It is also likely that new parks and recreational opportunities will not be built until several years after adoption of the Plan. Therefore, it is necessary to ensure that existing parks and recreational centers are optimized.

##### **Policy 5.1.1: Support funding for the rehabilitation of Gene Friend Recreation Center.**

The Gene Friend Recreation Center is a park and recreational center at the northwest corner of 6th and Folsom Streets, just outside the Plan Area. It serves the residents and workers of SoMa with indoor and outdoor basketball, weight room, lawn area, playground, and indoor space for dancing, art, and events. The Recreation and Parks Department is currently developing a renovation plan to update the facilities and increase capacity. As an important resource for the community, new development in Central SoMa should contribute to the funding of this important project.

##### **Policy 5.1.2: Support funding for improved programming at Victoria Manalo Draves Park.**

Victoria Manalo Draves Park lies half a block west of the Plan Area between Folsom and Harrison Streets. At 2.5 acres, the park is the largest green space in the SoMa neighborhood and enjoys abundant sunlight due to its southern orientation and wide street frontages. Despite the opportunity, it is currently not being utilized to its full potential, often due to a lack of programming and other forms of activation. Added density will increase the demand for outdoor recreation and green spaces. To best utilize this resource, new development in Central SoMa Plan should contribute funding to the programming and reconfiguration of this park in order to maximize active uses.

Policy 5.1.3: Explore funding for the rehabilitation of Yerba Buena Gardens.

Yerba Buena Gardens the name for a series of parks, recreational spaces, and cultural amenities built atop the Moscone Convention Center, spanning the two blocks between 3<sup>rd</sup> Street and 4<sup>th</sup> Street from Mission Street to Folsom Street, as well as additional space north on the north side of Mission Street. Recreational amenities in Yerba Buena Gardens include large plazas, lawns, gardens, a playground, a bowling alley, a skating rink, and a historic carousel. These amenities directly serve the northern part of the Plan Area, in addition to being a regional and even international attraction.

At the time of the writing of this Plan in 2017, responsibility for maintenance, capital investment, and operations of Yerba Buena Gardens is being transferred from the Office of Community Investment and Infrastructure (successor to the Redevelopment Agency) to other City agencies. This transfer includes the loss of some existing funding streams and uncertainty about future funding streams. As the City identifies and implements funding strategies for Yerba Buena Gardens, it should explore the role of new development in Central SoMa in contributing to the lasting wellbeing of this world-class attraction.

Policy 5.1.4: Explore additional strategies to fund existing parks and recreation centers.

In addition to City money, there are often other sources available to fund existing parks and recreation centers. This includes federal and state funding, as well as other grants and potential partnerships. The City should explore ways to receive this money in support of the parks and recreation centers that serve Central SoMa.

**Objective 5.2: Create new public parks**

New public parks in Central SoMa are needed to provide much needed green space, a respite from the busy streets, and opportunities for active recreation for children, adults, and even dogs.

Policy 5.2.1: Create a new public park in the highest growth portion of the Plan Area.

Most of the new development of jobs and housing proposed by the Plan is slated to occur in the southwest portion of the Plan Area, generally between the I-80 freeway and Townsend Street west of 3rd Street. Currently, this area does not have any public parks. The City has identified an opportunity for a park on the block bounded by 4th, 5th, Bryant, and Brannan Streets making use of the publicly-owned parcel at 639 Bryant Street, which is used by SFPUC as a storage lot. A park on the interior of this site could, like South Park, be accessed by numerous streets and alleys and activated by adjacent uses such as ground floor retail and PDR. The City should work towards the creation of a park at this location.

Policy 5.2.2: Create a new linear park along Bluxome Street between 4th and 5th Street.

Bluxome Street between 4th and 5th Streets offers an opportunity to repurpose underutilized street right-of-way as a new park. Bluxome Street is functionally an alley and does not serve major circulation purposes, but is extraordinarily wide (70') compared to other SoMa alleys (typically 35'-40'). The wide street is currently devoted primarily to angled parking. The City should rebalance the right-of-way allocation by expanding the pedestrian area on one side of the street and consolidating the vehicular area to two lanes of traffic and one parallel parking lane. This would allow nearly one-half acre of open space to be created on the block. Coordination with the adjacent development will provide a strong connection to this space and help make it successful.

Policy 5.2.3: Pursue the creation of a large new park within or near Central SoMa to serve the burgeoning greater SoMa area.

In many neighborhoods, a large multi-acre park serves as the common gathering and recreational center for the whole community and helps define the neighborhood (e.g., Washington Square for North Beach, Alamo Square for the Western Addition, Bernal Heights Park for Bernal, and Dolores Park for the Mission and Castro). These Parks provide relief from the urban environment that only a large space can. Yerba Buena Gardens and Victoria Manalo Draves currently play that role in SoMa, but as the neighborhood grows the need for a new large park will also grow. The City should pursue the creation of such a signature, neighborhood-defining park within the vicinity of Plan Area, such as on a portion of the Caltrain Railyards.

**Objective 5.3: Create new public recreational opportunities**

Public recreational facilities, such as spaces for athletics and cultural activities, are essential outlets for residents and workers to engage in fun, exercise and stimulating activity. Facilities for active recreation, such as basketball courts and skateparks, can be located in parks, but they can also be in buildings or other spaces not suitable for traditional neighborhood parks. As such, with forethought and creativity, there are more opportunities for incorporating recreational facilities into this highly urban area.

Policy 5.3.1: Increase the amount of public recreation center space, including the creation of a new public recreation center.

The Plan Area is presently served by the Gene Friend Recreation Center at 6th and Folsom just outside the Plan boundary. However, as the residential and worker population grows in the greater SoMa neighborhood, there will likely be demand for an additional Recreation Center. The City should pursue the creation of such a facility within or near the Plan Area to serve this expected demand and coordinate the amenities and offerings with those available at Gene Friend.

Policy 5.3.2: Develop public recreational facilities under the I-80 freeway.

There is currently ample unutilized land under I-80 between 4th and 6th Streets. With such projects as the SoMa West Skatepark and Dog Run, the City has demonstrated that a public recreational facility under a freeway can simultaneously meet the community's recreational needs and create safer and more pleasant conditions for pedestrians. As such, the City should work with Caltrans to pursue the potential for providing similar facilities underneath I-80.

**Objective 5.4: Utilize the street right-of-way for additional green spaces, gathering and recreational opportunities**

In a dense neighborhood such as Central SoMa, it is important to utilize every opportunity to provide respites and gathering spaces. One opportunity to do so is by utilizing space on the narrow streets and alleys, including new mid-block connections.

Policy 5.4.1: Where appropriate, promote pedestrian-only or shared-street design concepts for narrow streets, alleys, and mid-block connections.

Central SoMa's narrow-streets and alleys are important for pedestrian circulation, but often carry a low volume of cars. Even more of these public rights-of-way will be created as part of the development of large parcels in the Plan Area. Where appropriate, these areas should be designed to be pedestrian-only or "shared streets," where vehicular use is minimized. On such streets, the City should increase green spaces and provide amenities for gathering, such as benches and tables. Where streets are fully pedestrian-only, the City could provide additional recreational amenities, such as playgrounds.

Policy 5.4.2: Improve 2nd and Folsom Streets as Green Connections per the City's Green Connections Plan.

The Green Connections plan aims to increase access to parks, open spaces, and the waterfront by envisioning a network of "green connectors" – city streets that will be upgraded to make it safer and more pleasant to travel to parks by walking, biking, and other forms of active transportation. Within the Central SoMa plan area, 2nd and Folsom Streets are identified as Green Connections. These streets should be improved in accordance with the Green Connections Design Toolkit.

**Objective 5.5: Augment the public open space and recreation network with privately-owned public open spaces (POPOS)**

Planning Code requirements adopted in the Eastern Neighborhoods in 2008 require all non-residential development to provide open space, but unlike the Downtown, none of this space has been required to be publicly accessible. By contrast, privately-owned public open spaces (POPOS) have been a staple of the downtown for over 30 years, providing important gathering places and interesting public spaces. However, by nature of their upper-floor location and limited hours, their primary function has been to serve the daytime needs of downtown office workers. The Recreation and Open Space Element, updated in 2014, specifically recommends expanding the POPOS requirements outside the Downtown to other mixed use areas, like Central SoMa, in order to augment the open space and recreation system.

**Policy 5.5.1: Require new non-residential development and encourage residential development to provide POPOS that address the needs of the community.**

To help address the demand for parks and recreational amenities created by new development, POPOS should be required in new non-residential development and encouraged in new residential development. These POPOS should be designed to help meet the needs of the community through such strategies as being at street level, inviting, open extended hours, and featuring needed amenities like play areas, community gardens and dog runs. The City should preference that these POPOS be open to the sky, except where there are particularly unpleasant environmental conditions, the outdoor space would undermine the experience for people walking, or where they provide an active recreational amenity that will benefit from being indoors. POPOS can also contribute to the environmental sustainability goals by managing storm water and providing other environmental benefits.

**Objective 5.6: Ensure the neighborhood's parks and recreation offerings function as a network and complement the facilities of the broader SoMa area**

The implementation of the Objectives and Policies described above will result in a substantial increase in the amount of space dedicated to parks and recreational facilities within Central SoMa. To maximize their value to the community, it is important that these spaces function as a network that systematically addresses needs.

**Policy 5.6.1: Design the parks and recreational opportunities in a systematic manner to serve the community's needs.**

There are many different needs that can be addressed by parks and recreation facilities. This includes playgrounds for children of varying age groups, fields and courts for playing sports, dog play areas, multi-purpose recreation buildings to serve a variety of activities, and passive spaces for multiple kinds of social gathering and personal time. The parks and recreational facilities currently serving Central SoMa should be programmed to address this diversity of needs that will continue to evolve with time, tastes, and population changes. This would entail developing and implementing a parks and recreation strategy for the Plan Area and/or larger South of Market area. This strategy could identify the neighborhood needs in

the context of both existing and planned facilities and population, as well as identifying potential locations to meet these needs.

## **Goal #6: Create an Environmentally Sustainable and Resilient Neighborhood**

### CONTEXT

Central SoMa is poised to become a truly sustainable (healthy, green, efficient), resilient, and regenerative neighborhood where urban development gives more to the environment than it takes. In such a community, buildings use 100 percent greenhouse gas-free energy (much of it generated within the neighborhood); carbon emissions and fossil fuels are completely eliminated; non-potable water is captured, treated, and re-used within the district to conserve potable water and eliminate waste; nature is a daily experience, with greening and biodiversity thriving on streets, buildings, and parks; and zero solid waste is sent to the landfill.

To achieve this bold vision, the City is committed to advancing livability and environmental performance through innovative and neighborhood-scale systems, projects, and programs. Creative partnerships between residents, organizations, businesses, and government entities help ensure sustainability targets are achieved and progress is tracked over time. The results will be palpable to the daily experiences of people living, working, and visiting the neighborhood, and will place Central SoMa at the forefront of action on global climate change.

All of this will require an intentional and substantial shift from today's conditions and business-as-usual approaches. At a time of ever-increasing awareness of the threats of climate change, considerable greenhouse gas emissions are generated from inefficient and fossil-fuel based energy use in buildings and vehicle transportation. While recent drought conditions have heightened concerns about the City's water supply, a substantial amount continues to be wasted every day through inefficient use and disposal. Reflective of its industrial and auto-dominated history, the neighborhood is severely lacking in quality pedestrian environments and nature. With substantial low-lying areas built on fill, the neighborhood is also at risk from earthquakes and flooding, which could be exacerbated by sea level rise in the long term. And while the City is a world leader in waste diversion from landfills, there is still work to be done at the very local level to achieve our goal of zero waste. Finally, Central SoMa has been identified by the State's Office of Environmental Health Hazard Assessment's Cal Enviroscreen tool as an area disproportionately exposed to and at risk from high pollution levels, in part because of its proximity to an elevated, regional freeway corridor. Because the area also includes a higher proportion of disadvantaged residents, it is especially important that the Objectives and Policies of the Plan incorporate environmental justice considerations that help protect the community from poor health. These include efforts to improve air quality, as well to create public facilities, facilitate access to healthy food, provide safe and sanitary housing, promote physical activity, and foster civic engagement.

While the litany of environmental challenges is daunting, there is also tremendous opportunity in Central SoMa. Implementation of this Plan will result in a substantial number of new buildings, infrastructure

investment, and public benefits within the Plan Area, leading to dramatic opportunities for significant improvements to environmental quality. Given current State and City regulations, new buildings are required to be greener and more resilient than buildings from earlier eras. However, additional cost-effective regulations for new development, such as living roofs and the use of 100 percent greenhouse gas-free electricity can help ensure that individual projects are environmentally sustainable and resilient to a degree that provides restorative benefits to the larger neighborhood. Similarly, implementation of this Plan will result in a re-envisioning of the streets, sidewalks, and open spaces of the Plan Area—not only to be more vibrant and safer, but also to complement the neighborhood’s environmental health and resilience. Strategies include the incorporation of beneficial elements, such as trees, green infrastructure for stormwater management, and energy efficient street lights. Finally, the Plan establishes a framework for innovation, to enable the latest and greatest technologies and design approaches to be applied to the built environment, like passive design and district-scale utility systems that service multiple buildings to heighten efficiencies.

#### OBJECTIVES AND POLICIES TO FULFILL THIS GOAL

The Objectives and Policies below are intended to fulfill the Plan’s Goal of creating an environmentally sustainable and resilient neighborhood in Central SoMa.

#### **Objective 6.1: Develop a comprehensive strategy for creating an environmentally sustainable and resilient neighborhood**

In many policy areas, the City is a national and global leader in environmental sustainability and resiliency. That being said, many of the City’s policies and programs are implemented independently from one another. Moving from current conditions to an environmentally sustainable and resilient neighborhood will necessitate a huge shift in existing practices across a number of topic areas. Achieving this shift will require the establishment of a comprehensive strategy that can serve as a blueprint over many years of implementation. By focusing on the neighborhood scale, the City can be more targeted and opportunistic than citywide strategies, while benefiting from economies of scale not available at the level of the individual buildings. Coordinated implementation can also leverage neighborhood-scale resources and expertise, by providing a platform for community members, institutions, and businesses to engage with city leaders and utility providers to meet ambitious sustainability goals and tangible quality of life improvements.

Policy 6.1.1: Create an implementing entity within the City. Currently, numerous City departments are involved in implementing disparate strategies aimed at meeting San Francisco’s myriad of environmental sustainability and resiliency goals. Neither the goals nor the strategies are typically neighborhood-specific or approached in relation to each other, so opportunities for efficiency and co-benefits are often missed. To ensure the effective implementation of the City’s comprehensive strategy, an implementing entity should be identified within the City’s government. This entity will be able to operate at the neighborhood level across all topic areas, and thus be able to identify possible synergies and unique opportunities that

would not be apparent under the existing system. This team would work closely with all relevant agencies and community partners to facilitate the sharing of knowledge and to realize District-specific strategies.

Policy 6.1.2: Provide guidance to private and public entities

Effective implementation will require the ongoing participation of a number of public and private entities. To coordinate their actions, the City should create a sustainable neighborhoods guide, including the vision, objectives, policies, and implementation measures necessary to create an environmentally sustainable and resilient neighborhood, as well as technical resources, precedents, and guidelines. Such a document should aim to facilitate a comprehensive understanding of the issues and the strategies proposed to address them, whereas such information is currently diffused across multiple documents and agencies.

Policy 6.1.3: Ensure that environmental sustainability and resiliency is considered holistically in public investment decisions.

The City has multiple bodies designed to guide investment in public areas, including street improvements and the creation and improvement of parks. The City should make sure that the goal of environmental sustainability and resiliency is factored into all of these decisions for Central SoMa by including the implementing team into relevant processes, such as the Interagency Plan Implementation Team (IPIC) and the Streets Design Advisory Team (SDAT).

Policy 6.1.4: Ensure that property owners, developers, and tenants have the opportunity to maximize environmental sustainability and resilience.

The City has an important role in shaping new residential and commercial development to ensure that it meets development and design standards. The City should leverage its involvement in this process to provide advice, direction, and encouragement to new development to maximize its environmental sustainability and resilience. The City should also work proactively with owners of existing buildings as to their role in the neighborhood's environmental sustainability and resiliency, including opportunities to invest in efficiency upgrades through green technologies and techniques, and to engage residents, workers, and visitors on how individual actions cumulatively have major impacts.

Policy 6.1.5: Continue to evolve the requirements and recommendations with changing needs and technologies.

Achieving true environmental sustainability and resiliency will require a major shift in the way we currently treat energy, water, refuse, landscaping, etc. In implementing this comprehensive strategy, it may become apparent that certain necessary strategies are not economically, physically, or technologically possible at a given time. However, there is rapid innovation occurring globally in the field of sustainability, as populations around the world struggle with similar issues as Central SoMa. As such,

the City should continue to monitor changes in the field, educate partners, and upgrade requirements as necessary, to help fulfill the vision of this Goal.

**Objective 6.2: Minimize greenhouse gas emissions**

Global climate change, caused by excess greenhouse gas emissions, may be the single largest environmental issue for the present century. It is already affecting weather patterns and ecosystems, causing sea level rise, and population migrations. No single entity is responsible for climate change, and no single entity can solve it—the collective action of billions of people across the planet is required.

Recognizing this concern, San Francisco has established aggressive goals for reduction of greenhouse gases. Compared to 1990 levels, the City already achieved its target of 20 percent reduction by 2012 and 25 percent reduction by 2017, and is seeking to reach 40 percent reduction by 2025 and 80 percent reduction by 2050. The City is aiming for all buildings to use 100 percent renewable electricity by 2030 and to reduce energy consumption in existing commercial buildings by 2.5 percent annually. The City also wants to shift transportation away from automobile usage, having already met its goal that 50 percent of all trips within San Francisco be taken by other means by 2017, and seeking to reach 80 percent by 2050.

To help meet these targets, the City has instituted a suite of requirements. The City can build on these measures in Central SoMa through targeted strategies on buildings, utilities, and transportation. These additional measures are necessary to help San Francisco and the State meet its aggressive targets for reducing greenhouse gases. Increased greening in the Plan Area, as discussed under Objective 6.4 below, will also support the reduction of greenhouse gases.

**Policy 6.2.1: Maximize energy efficiency in the built environment.**

In San Francisco, about half of all greenhouse gas emissions are produced by building systems and equipment (e.g., heating, cooling, appliances, lighting, etc.). The easiest way to reduce building emissions is by increasing the efficiency of energy use. As such, the City should continue implementing current measures for new and existing buildings, such as 1) requiring all newly constructed buildings (and major renovations) to meet or exceed California’s Title-24 Energy Code by up to 10 percent; 2) requiring all existing commercial buildings larger than 10,000 square feet of conditioned space to complete energy benchmarking, have an energy audit conducted by a qualified professional, and share key data about building performance with the City; and 3) requiring homes to be retrofit with energy efficiency measures at the time of sale. The City should also ensure that buildings have every opportunity to exceed existing requirements, and should seek new ways to further increase efficiency. The City should also ensure that street lighting is as efficient as possible.

**Policy 6.2.2: Maximize onsite renewable energy generation.**

Renewable energy harnesses the sun, wind, and movement of water without depleting the source. The field of local renewable energy generation is rapidly evolving, and solar energy is already an economically viable alternative to non-renewable energy sources such as fossil fuels. Recognizing this, the City recently passed legislation that requires most new development projects to include solar installations on 15 percent of their roof area (photo voltaic and/or solar thermal hot water). Because Central SoMa's buildings and climates are especially suited to solar power, the City should expand this potential to larger roof areas and building facades. To exemplify the maximization of onsite renewable energy generation, the City could undertake a demonstration project on a public building within the Plan Area.

Policy 6.2.3: Satisfy 100 percent of electricity demand using greenhouse gas-free power supplies.

After maximizing energy efficiency and onsite renewable energy generation, many buildings will still need to purchase electricity. Any purchase of electricity from greenhouse gas-emitting sources (coal, natural gas, etc.) will contribute to climate change, even if that electricity is generated far from San Francisco. As such, the City should require that buildings in Central SoMa purchase the remainder of their electricity from greenhouse gas-free power sources.

Policy 6.2.4: Explore strategies to reduce fossil fuel use in buildings.

In addition to electricity, buildings use fossil fuels such as natural gas and oil for heating, cooling, and cooking. The City should explore economically viable alternatives to these fossil fuels, and potentially develop requirements for all-electric systems and/or use of renewable energy sources in lieu of these fossil fuels.

Policy 6.2.5: Minimize transportation-based greenhouse gas emissions.

In San Francisco, moving people and goods generates about 40 percent of all greenhouse gas emissions. The City has already instituted numerous strategies to shift travel mode away from private automobiles, such as investing in new transportation infrastructure (e.g., the Central Subway and new bicycle lanes) and requiring large development to provide shuttles, transit passes, and/or other strategies to reduce driving, while simultaneously constraining supply through the reduction of parking allowed in new development. The City should continue implementing these measures. In addition, the City should seek ways to further minimize transportation-based greenhouse gas emissions in Central SoMa, such as facilitating electric vehicle use through the provision of ample charging stations and other infrastructure, and exploring ways to curb emissions from idling trucks.

### **Objective 6.3: Minimize water waste**

The recent multi-year severe drought conditions in California only exacerbate the need to address the extreme inefficiencies of our current patterns of water use and vulnerability of our potable water supplies. Recognizing this, the City and State have both developed targets around water usage. The State has established a goal of 20 percent reduction in per capita water use by 2020 from the per capita urban water use in 2010—a target that San Francisco has already achieved through strategies discussed in the policies below.

The Central SoMa Plan Area is well positioned to lead the City’s effort towards a more sustainable water policy, due to factors such as:

- The large amount of new development that can utilize the best technologies and practices for water efficiency, as well as implement on-site infrastructure systems for non-potable water capture, storage, and re-use systems; both within individual buildings and ideally between multiple projects.
- The large number of streetscape projects will provide numerous opportunities to implement technologies and best practices for capturing, treating, and reusing stormwater as a non-potable water source for irrigation and street cleaning.

#### **Policy 6.3.1: Efficiently use potable water.**

Because there will always be a demand for potable water for drinking, bathing, and cooking, and because water is a precious resource, it is imperative that it is used in the most efficient way possible. The City already requires that all new buildings install efficient fixtures; that existing properties repair plumbing leaks and replace inefficient plumbing fixtures (toilets, urinals, faucets, and showerheads) with high-efficiency models by 2017 or upon major improvements; and that all projects with 1,000 square feet or more of new or modified landscape area design, install, and maintain efficient irrigation systems, utilize low water-use plantings, and calculate a water budget. The City should continue implementing these requirements, and should seek additional strategies to increase potable water efficiency and conservation in Central SoMa.

#### **Policy 6.3.2: Increase non-potable water use in buildings.**

Upwards of 75 percent of building functions do not require potable water, including toilet flushing, irrigation, and building cooling systems. Since 1991, the City has required new construction and major alterations in large parts of the city (including all of Central SoMa) to install dual plumbing (“purple pipes”) for use with future recycled water sources. In 2015 the City started requiring the largest of these buildings (250,000 square feet and greater) to start capturing and treating non-potable water onsite and utilizing it via the dual plumbing system, and for buildings 40,000 square feet or more to study the

potential to do so. The City should continue these requirements, and seek ways to make this requirement more efficient by linking multiple buildings into the same non-potable system, an opportunity which is particular to Central SoMa due to the large scale of future development and the concentration of major new development in a small geographic area. The City should also explore additional ways to shift from potable to non-potable water use in building.

Policy 6.3.3: Increase non-potable water use in parks, open spaces, sidewalks, and streets.

Landscaping and street cleaning are two water-intensive uses for which non-potable water could be substituted for potable water. In major public open spaces in Central SoMa, the City should capture and use stormwater for irrigation and toilet flushing. The City should also install sufficient non-potable water filling stations to satisfy all street cleaning needs in the neighborhood.

**Objective 6.4: Support biodiversity, access to nature, and a healthy ecosystem**

Reflecting its urbanized, industrial past, there is very little natural habitat or greening in Central SoMa. Nearly 90 percent of the neighborhood is covered in impervious surfaces, and there is substantially less tree coverage in SoMa than elsewhere in the city. Additionally, the existing plants in the Plan Area are generally not supportive of local wildlife, such as birds and butterflies. As a result, today's residents, workers, and visitors have very little access to nature, which studies have shown is essential to mental and physical health and to human development.

The City has very few targets and programs regarding biodiversity and natural habitat. Present requirements of new development are limited to street tree planting and bird-safe building design. In Central SoMa, there is an opportunity to greatly surpass existing requirements, by maximizing the quantity and quality of greening in both public spaces and private property.

Policy 6.4.1: Maximize greening of parks, streets, and other publicly-accessible spaces.

The City's Urban Forest Plan seeks to maximize street trees and sidewalk gardens. The City's Better Streets Plan already requires that new development provide street trees every 20 feet. The City should continue this policy, while following the Urban Forest Plan by filling in the gaps along street frontages where new development is not occurring. The City should pay special attention to greening efforts around the freeway corridor, which could provide substantial benefits in terms of air quality, habitat creation, and beautification. The City should also require that open spaces are maximally greened, including within privately-owned public open spaces (POPOS) that are to be provided as part of new commercial development.

Policy 6.4.2: Maximize greening of rooftops and walls.

Buildings cover well over half of the land in Central SoMa and typically have large flat roofs. Almost all the roofs and walls of these buildings are devoid of any plant life. This provides a tremendous opportunity for greening and biodiversity – particularly from new buildings, which can be designed appropriately to handle the logistics of watering and soil loads. The City should therefore require a substantial portion of the roofs of new buildings be “living,” including locally appropriate plants, open space, stormwater management, and urban agriculture. To demonstrate the feasibility and efficacy of such living roofs, the City should build a “demonstration” roof on a public building within the Plan Area. To maximize efficient use of space, the City should also encourage living walls on buildings wherever possible.

Policy 6.4.3: Ensure that greening supports habitat and biodiversity.

Supporting biodiversity and access to nature requires not only quantity of greening, but quality and location. As such, the City should ensure plantings in the neighborhood’s new buildings, open spaces, sidewalks, and streets are native, habitat supportive, and climate appropriate species. In addition, individual green areas should be planned with consideration of adjacent opportunities to create green connections and corridors. The City should also continue implementing its landmark bird-safe buildings standards.

**Objective 6.5: Improve air quality**

San Francisco’s air quality has improved over the past decades, in part due to cleaner fuels and trends away from an industrial economy. Additionally, the State, region, and City have all developed regulations and implementation strategies to reduce impacts from a myriad of contaminants from a range of sources (such as vehicles, construction practices, and off-gassing materials). That being said, relative to other neighborhoods, Central SoMa has a high volume of emissions from car and truck traffic — both from its surface streets, which have been designed primarily for heavy vehicular traffic, and the elevated regional freeway that bisects it. There are also higher building emissions from diesel generators and fire pumps relative to less developed neighborhoods. Commensurately, the area has a higher incidence of air pollution-related hospitalization rates. Additionally, there is the potential for higher heat levels due to the high concentrations of constructed, non-reflective surfaces and lack of greenery in the neighborhood. These areas continue to be concerns that the City should seek to address.

Policy 6.5.1: Support a reduction in vehicle miles traveled.

As discussed thoroughly in Goal #4, a key priority is to shift travel demand in Central SoMa towards transit and non-polluting modes such as walking and bicycling. While such measures are important to the efficiency, safety, and attractiveness of the transportation network, they simultaneously have a tremendous benefit in improving local air quality. The City should make sure that the air quality benefits of such transportation improvements are prominently featured in any discussion of the merits of these policies.

Policy 6.5.2: Utilize greening to reduce pollution and heat.

In addition to beautification and biodiversity benefits, many trees and plants are natural filters for pollution and capable of absorbing heat. The City should therefore support substantial greening efforts in Central SoMa that maximize air quality improvements, as discussed under Objective 6.4 above.

Policy 6.5.3: Improve air quality around the freeway.

Given the sheer volume of vehicles and its elevated nature, the area around the I-80 freeway continues to have the worst air quality in the Plan Area related to pollutants, including fine and ultra-fine particulate matter. The City should work diligently to improve the air quality in this area, through such measures as reducing emission sources, intensive greening in and around the corridor, and technological solutions, such as air filtering systems and material surfaces.

Policy 6.5.4: Utilize healthier buildings materials and technologies that improve indoor and outdoor air quality.

Building materials and operations can off-gas toxins and pollutants that impact health. The City already has standards for building interiors that require the use of zero or low-emitting materials and requires enhanced filtration systems for areas of poor air quality, such as Central SoMa. The City should continue these policies, and should provide expertise to buildings in Central SoMa for regarding additional ways that buildings can support healthy indoor and outdoor air quality through filtration systems and other evolving technologies.

**Objective 6.6: Ensure a flood-resilient neighborhood**

Portions of Central SoMa already experience frequent urban flooding during extreme storms. Climate change is expected to exacerbate flooding by increasing the severity of storms and by raising the overall sea level. Low-lying portions of Central SoMa (particularly the southwest portion of the Plan Area) are susceptible to both temporary flooding and permanent inundation. This area lies on the north shore of Mission Bay at the end of the historic Hayes Creek and marsh. Simultaneously, the area is adjacent to Mission Creek, which is expected to rise (along with the Bay) several feet by the end of the century and potentially place parts of Central SoMa below future sea level.

In part to reduce flooding impacts and avoid combined sewage discharges into the Bay, the SFPUC has been undertaking a \$20 billion Sewer System Improvement Program. It will upgrade conventional piped systems (“grey infrastructure”) for reliability and regulatory compliance while implementing innovative “green infrastructure” projects (typically rain gardens and bioswales that use soil and plants to restore and mimic natural processes) to manage stormwater in a manner that creates healthier urban environments. In 2016, the City also released a Sea Level Rise Action Plan to establish a baseline understanding of end-of-century vulnerability and outline immediate next steps for improving the capacity to adapt in areas near

the Bay and ocean. Both efforts recognize the need to improve local flood-resilience in Central SoMa, while pursuing larger citywide strategies and measures. In general, Central SoMa's infill nature, with a mix of new and existing buildings, makes adaptation more complicated than at some of the City's wholesale redevelopment sites along the waterfront.

Policy 6.6.1: Develop a comprehensive sea level rise and flood management strategy for Central SoMa and adjacent at-risk areas.

To address risks to the neighborhood, the City should develop a comprehensive sea level rise and flooding strategy for Central SoMa and areas similarly affected by Mission Creek. This can be done as part of, or folded into, the City's larger effort to create a citywide Adaption Plan for Sea Level Rise and Urban Flooding. It should include a hydrology study and a strategy for stormwater storage and conveyance, as well as design guidelines for flood-resistant buildings.

Policy 6.6.2: Reduce building vulnerability to sea level rise and extreme storms.

The City already requires buildings to manage a portion of their stormwater on site, and to comply with City's Floodplain Management Ordinance and Building and Subdivision standards. The City should to continue to implement these requirements and efforts to reflect future sea level rise conditions in adopted 100-year flood levels. In the meantime, due to the rapid pace of development in Central SoMa, the City should create neighborhood-specific flood resistant design guidelines for buildings. These design guidelines should be reflective of other City goals, such as ensuring vibrant sidewalks and active ground floors.

Policy 6.6.3: Maximize stormwater and flood management using streets, sidewalks, and open spaces.

Major storms have shown that they can overwhelm the City's combined sewage and stormwater system, forcing polluted water to stay on the surface and/or discharge into the Bay. Recognizing this, the city's streets and sidewalks should be designed to effectively convey stormwater to centralized storage facilities. Simultaneously, landscaping in the sidewalks and in open spaces should be designed to include green infrastructure that slows flows and enhances water quality.

**Objective 6.7: Maximize earthquake resilience**

Earthquake preparedness has been a policy focus for over a hundred years. Given the opportunity provided by the large number of new buildings, Central SoMa should be at the forefront of earthquake resilience.

Policy 6.7.1: Ensure the ability of new and existing buildings to withstand a major seismic event.

San Francisco's Building Code includes strict measures to ensure seismic preparedness and safety. The City should continue implementing these measures. The City should also make property owners aware of

ongoing City efforts towards seismic preparedness, such as the soft-story ordinance and comprehensive Resilient SF strategy.

Policy 6.7.2: Secure sufficient power and water supplies to withstand a 72-hour emergency.

The best place to house people after a major seismic event (or other disaster) is in their own homes, or at least in their own neighborhoods. Working populations also need the ability to temporarily reside in their office buildings for up to 72 hours, if needed. Doing so requires that these buildings not only withstand a disaster, but have sufficient power and water to weather the first few days after the event. The City should explore strategies for supporting such onsite capacity in Central SoMa, including district scale energy.

**Objective 6.8: Help achieve zero solid waste**

Through its recycling and composting programs, San Francisco met the State-mandated 50 percent landfill diversion by 2000 and achieved the locally mandated 75 percent landfill diversion by 2010. The City has a zero waste target by 2020 and should utilize Central SoMa as a model for how to achieve this goal.

Policy 6.8.1: Maximize recycling and composting of solid waste from all buildings.

Meeting a goal of zero solid waste requires that individuals sort and dispose of their refuse into recyclables, compostables, and trash. To overcome the behavioral challenges in achieving this goal, the City requires that buildings provide adequate and equally accessible space onsite for the collection, sorting, and storage of all three streams, and requires that all multi-family residential and commercial buildings have on-site staff to facilitate source separation and tenant education. The City should continue enforcing these requirements, and should further facilitate this process by developing refuse facilities design guidelines for new buildings.

Policy 6.8.2: Maximize recycling and reuse of construction and demolition materials.

All buildings that are required to comply with the Green Building Code and/or LEED must already recycle 75 percent of their construction and demolition debris. The City should continue to implement this requirement and seek ways to encourage all other buildings to improve diversion rates, in part through on-site sorting in advance of collection.

Policy 6.8.3: Reduce litter in streetscapes and parks.

In terms of volume, litter is a minimal part of the waste stream. However, it is the most visible form of solid waste, and therefore should be reduced to the greatest degree possible in the neighborhood. To do so, the City should establish tamper-proof, durable, and well-designed refuse systems for sidewalks, parks, and open spaces in Central SoMa. All privately-owned public open spaces should be required to provide three-stream collection systems.



## **Goal #7: Preserve and Celebrate the Neighborhood's Cultural Heritage**

### CONTEXT

SoMa was once the domain of longshoremen, warehousemen, merchant mariners, day laborers, immigrant farm workers, and other manual workers (most of whom were men) who contributed immeasurably to the prosperity and economic development of the West. Many were newcomers—beginning with the Irish, Germans, and Scandinavians in the nineteenth century. These groups were followed by waves of Greeks, Eastern European Jews, Ukrainians, and Japanese during the early twentieth century. Dustbowl refugees arrived during the Depression, and Central Americans, African-Americans, and Filipinos took up residence during the post-World War II era.

The industrialization of SoMa was the result of the neighborhood's proximity to the waterfront, in addition to its regional highway and rail links, and has been referred to as San Francisco's back porch—the place where the unglamorous service businesses and industrial enterprises could conveniently set up shop. The topography of South of Market allowed for flat and wide thoroughfares, making the transportation of goods via wagon and eventually train and truck much easier.

During the Gold Rush era, SoMa served as the most productive industrial zone on the West Coast. In the years following the gold rush, the area evolved into a mixed-use neighborhood. This is in part attributed to the fact that residential uses were developed in conjunction with industrial facilities, to provide convenient access for industrial workers who could not yet afford public transit.

The 1906 earthquake and fire destroyed almost every building and structure in SoMa and dramatically changed the socio-economic characteristics of the entire area. After the 1906 earthquake, economic forces led to the reconstruction of the neighborhood as a predominantly light industrial district, which caused the residential population to plummet. In its place, SoMa developed an eclectic mix of commerce, industry, and increasingly, entertainment and residential living spaces.

The ongoing evolution and reinvention of SoMa has resulted in many important tangible and intangible cultural assets. There are several historic districts and a myriad of individually significant buildings. The neighborhood has been an important center for two culturally important communities: Filipinos and the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community. Additionally, there are many important businesses, organizations, festivals and events, and communities.

Collectively, these cultural assets create an inimitable sense of place and a connection to its past, as well as a social and economic fabric that can be shared across generations. Protecting this cultural heritage, particularly as the neighborhood changes and develops, is necessary to safeguard the neighborhood's unique identity and to ensure a high quality-of-life for its current and future inhabitants. Doing so requires

thoughtful strategies that, properly implemented, encourage a deeper awareness of our shared and multi-faceted history while conveying a sense of what is possible in the future.

## OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of preserving and celebrating the neighborhood's history.

### **Objective 7.1: Ensure that the history of the neighborhood is adequately documented**

Adequately documenting the neighborhood's history requires recording Central SoMa's rich history via both a historic context statement and survey.

#### **Policy 7.1.1: Complete and adopt a Central SoMa Historic Context Statement.**

Historic Context Statements are documents that chronicle the historical development of a neighborhood. A Central SoMa Historic Context Statement should be completed and adopted to record the important history of this neighborhood in one place.

#### **Policy 7.1.2: Complete and adopt a Central SoMa Historic Resources Survey.**

Assessing the value of a building, landscape, or feature requires a Historic Resources Survey to determine whether it is significant for local, state, or national historical registers. The research and analysis contained in such a Survey is helpful to the Planning Department, community, property owners, and decision-makers, as the documentation provides up-front information about a property's historic status. Such a Historic Resources Survey should be undertaken in Central SoMa.

### **Objective 7.2: Support the preservation, recognition, and wellbeing of the neighborhood's cultural heritage resources**

The term "cultural heritage" is understood to mean tangible properties or intangible assets that express the ways of living developed by a community and passed on from generation to generation. These elements are rooted in the community's history and are important in maintaining the continuing cultural identity of the community. Tangible cultural heritage includes objects, buildings, sites, structures, cultural landscapes, or districts that are significant in architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of San Francisco, the state of California, or the nation. Intangible cultural heritage includes the practices, representations, expressions, knowledge, or skills that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. Intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity

and human creativity. These two categories of cultural heritage resources – “tangible” or “intangible” – require different approaches for identification, protection, and management.

Policy 7.2.1: Facilitate the creation and implementation of a SoMa Pilipinas – Filipino Cultural Heritage Strategy.

The South of Market is home to the largest concentration of Filipinos in San Francisco, and is the cultural center of the regional Filipino community. The Filipino community has deep roots in the neighborhood, beginning in the 1920s and becoming a predominant presence in the 1960s. The Filipino culture is a critical part of the neighborhood’s diversity, strength, and resilience. Having survived Redevelopment in the 1960s-1980s, the community is still subject to the threat of displacement given the current market forces that are driving up housing and commercial rents. To rectify this issue, in 2016 the City created SoMa Pilipinas – Filipino Cultural Heritage District. This CHD includes all of Central SoMa north of Brannan Street, and extends into other parts of SoMa as far west as 11th Street. Because of its substantial overlap with the Plan Area, the Planning Department should collaborate with the community to develop and implement a strategy to stabilize, promote, and increase the visibility of SoMa’s Filipino community.

Policy 7.2.2: Facilitate the creation and implementation of other social or cultural heritage strategies, such as for the LGBTQ community.

Through its long and tumultuous history, Central SoMa has been home to many important social and cultural communities. The City should continue exploring opportunities to recognize and support these communities, whether through neighborhood-specific programs or as part of citywide efforts. For example, the Historic Preservation Commission adopted the Citywide LGBTQ Historic Context Statement in 2015. The LGBTQ community also has a long-standing presence in SoMa (e.g., by 1956, the two most prominent national organizations dedicated to improving the social status of gays and lesbians were both headquartered within the Central SoMa). This Historic Context Statement can be used by community history advocates and the Planning Department to provide a foundation for the protection, identification, interpretation, and designation of historically and culturally significant LGBTQ-related sites and places, within SoMa and citywide.

**Objective 7.3: Ensure the neighborhood’s tangible and intangible industrial and arts legacy is not lost**

Central SoMa has been an important industrial area since the Gold Rush. Much of the industrial jobs are now gone, due to the overall shift in the American economy towards services and the movement of many of those remaining industrial companies to the periphery of the city and region. Yet there is still an important blue-collar presence in Central SoMa reflected not only in its buildings but in the surprising diversity of practices, knowledge, and skills still extant, from the Flower Mart to auto repair shops to metal fabricators to artists’ studios.

Policy 7.3.1: Implement strategies that maintain PDR jobs in the neighborhood.

As Central SoMa continues to grow, there is potential for its PDR jobs to be priced out. The City should help maintain the neighborhood's share of PDR jobs (as discussed in more detail in Objective 3 of Goal #3). Maintaining PDR jobs helps support the preservation of intangible heritage assets, such as the practices, representations, expressions, knowledge, or skills represented within SoMa's current and legacy industrial uses.

Policy 7.3.2: Support the preservation of buildings and features that reflect the industrial and arts legacy of the neighborhood.

Protecting the neighborhood's industrial legacy is not just about the people working there, but also the context of where the work and daily life occurred. As such, important historic industrial buildings and features should be preserved and maintained in conformance with the Secretary of the Interior's Standards and via the mechanisms described elsewhere in this Goal.

**Objective 7.4: Prevent demolition of or insensitive alterations to cultural heritage resources in the built environment**

San Francisco's heritage is visible in its historic built environment, which includes objects, buildings, sites, structures, and landscapes. These resources provide visual and tangible continuity to the events, places, people, and architecture of San Francisco's storied past. Culturally significant buildings contribute to the City's diverse housing and commercial stock, and to the human scale and pedestrian orientation of its neighborhoods. These buildings are also important to quality-of-life in the City, and they help to make it attractive to residents, visitors, and businesses. Because of their importance, the Central SoMa Plan aims to prevent the demolition or insensitive alteration that would undermine the contributions that these cultural heritage resources make to the neighborhood and the City.

Policy 7.4.1: Protect Landmark-worthy cultural heritage properties through designation to Article 10 of the Planning Code.

Article 10 of the Planning Code contains a list of individual resources and districts that are protected City Landmarks. The Plan Area currently contains 29 such buildings, which are designated as either individual Landmarks or contributors to a Landmark District. The City has identified six buildings as eligible individual Landmarks and 11 additional buildings that are eligible contributors to a Landmark District, based upon review of the existing cultural resource surveys and community outreach efforts. These buildings should be protected through designation in Article 10 of the Planning Code.

Policy 7.4.2: Protect "Significant" and "Contributory" cultural heritage properties through designation to Article 11 of the Planning Code.

Article 11 of the Planning Code contains lists of individual buildings and districts considered historically and architecturally significant and contributing buildings in the downtown area. The City should extend Planning Code Article 11 designations into the Plan Area, to afford qualifying buildings the benefits, such as the ability to participate in the City’s “Transfer of Development Rights” (TDR) program, once designated. The City has identified 27 buildings as eligible “Significant” or “Contributory” buildings, based upon review of the existing cultural resource surveys and community outreach efforts.

**Objective 7.5: Support mechanisms for the rehabilitation and maintenance of cultural heritage properties**

Preserving cultural resources requires more than just legal protections – it requires a plan, funding sources, and a supportive body of experts, community members, and decision-makers. Fortunately, there is a wide variety of local, state, and federal mechanisms that can facilitate and encourage the preservation and rehabilitation of cultural resources.

**Policy 7.5.1: Support funding for the rehabilitation of the Old Mint.**

The City-owned Old Mint at 5th and Mission is one of San Francisco’s most significant buildings. A survivor of the 1906 earthquake and fire, it was listed as a National Historic Landmark, the National Park Service’s highest honor, on July 4, 1961. It is also in a state of significant disrepair and in need of substantial and immediate rehabilitation. Funding generated from the Central SoMa Plan should contribute, as part of a broader community partnership, to identify a program strategy, to fund a rehabilitation and restoration plan, and to ensure it remains a facility for public use.

**Policy 7.5.2: Enable “Significant” and “Contributing” buildings underbuilt per applicable zoning to sell Transferable Development Rights.**

Transfer of Development Rights (TDR) is an effective method for creating economic benefit for buildings designated “Significant” or “Contributing” in Article 11 of the Planning Code. It creates economic value for buildings by enabling them to sell unused development rights where there is a difference between what is allowed and the actual size of the building. In San Francisco, this tool has primarily been utilized in the downtown (C-3) zoning districts and adjacent districts. The City should extend this tool into the Plan Area. Facilitating the TDR program would support the protection of these buildings by reducing development pressure and providing an economic incentive for the preservation and maintenance of designated cultural resources.

**Policy 7.5.3: Require large new development projects to purchase Transferable Development Rights.**

In addition to extending the right to sell TDR to Central SoMa, major new developments should be required to purchase TDR as well. As such, this would create a mechanism by which new developments in Central SoMa directly support the preservation and maintenance of the neighborhood's historic buildings.

Policy 7.5.4: Support additions over wholesale demolition to preserve cultural heritage properties.

Regardless of historic designation status, the City should support new development and the preservation of cultural heritage properties through application of Standards 9 and 10 of the Secretary of the Interior's Standards. Supporting sensitive, well-designed additions to historic buildings is one way to increase square footage and to benefit from the preservation of cultural resources. As such, the City should support additions rather than wholesale demolition when such demolitions are physically feasible.

Policy 7.5.5: Encourage the use of existing strategies and incentives that facilitate the preservation and rehabilitation of designated cultural heritage properties.

Cultural heritage properties already benefit from a wide range of strategies and incentives to support preservation and maintenance. This includes measures to increase available revenue, including the Mills Act, Federal Historic Preservation Tax Incentives, and façade easements. This also includes additional flexibility from Planning Code and Building Code requirements through exemptions granted by the Zoning Administrator or via application of the California Historic Building Code. The City should continue encouraging the application of these strategies and incentives to Central SoMa's cultural resources.

**Objective 7.6: Support retention of fine-grained developed pattern and character-enhancing buildings**

Buildings that have cultural heritage significance are not the only buildings of merit in Central SoMa. There are many buildings that exhibit high levels of visual cohesion and contextual architectural expression. Collectively, these buildings also form development patterns that are emblematic of the history of SoMa and that make the neighborhood visually interesting.

Policy 7.6.1: Restrict the consolidation of small- and medium-sized lots with character-enhancing buildings.

The Plan Area has myriad development patterns, ranging from "fine-grained" blocks where the lots are as little as 25 feet wide, to monumental blocks where individual lots are hundreds of feet in length. The most pleasant blocks to experience are presently those areas where the pattern of fine-grained parcels is combined with older buildings that enhance, individually and as a group, the character and activity of SoMa. As such, these historic development patterns should be preserved by restricting the consolidation of these lots into larger lots.

Policy 7.6.2: Incentivize retention of character-enhancing buildings.

Character-enhancing buildings received a “6L” California Historic Resources Status Code (CHRSC) in the historic survey. As such, these buildings were determined not to be eligible for the same level of protection as historically or architecturally significant resources. However, because they are character-enhancing, the City should consider strategies to incentivize their retention.

## **Goal #8: Ensure that New Buildings Enhance the Character of the Neighborhood and the City**

### CONTEXT

While many existing residential, historic, public, and large commercial buildings in Central SoMa are likely to remain in the foreseeable future, there is also a substantial amount of land on which new development is likely to occur.

New buildings and landscapes will change the neighborhood in many ways. The design of ground floors can control how interesting and safe a street will be for people walking. The size and massing of buildings as perceived from the street can be inviting if scaled appropriately, alienating if too small or too far removed, or intimidating if too large, looming or impervious. The collection of the buildings as viewed from the distance can either enhance or detract from the overall skyline and sense of the City's landscape. The architecture of a building can either engage people with intimate details and support a feeling of a cohesive and dynamic neighborhood or only coolly express its own internal interests without enriching its context.

Within the existing neighborhood, there are already numerous good and bad examples for each of these issues. The goal of the Central SoMa Plan is to ensure that each new building enhances the character of the neighborhood and the city as a whole by having engaging ground floor, appropriate scale, great architecture and a beneficial contribution to the skyline.

### OBJECTIVES AND POLICIES

The Objectives and Policies below are intended to fulfill the goal of ensuring that new buildings enhance the character of the neighborhood and the city.

#### **Objective 8.1: Ensure that the ground floors of buildings contribute to the activation, safety, and dynamism of the neighborhood**

The most important part of a building is the ground floor, where it interfaces with the street and other public spaces. Most people never actually go inside or assess the vast majority of the buildings they encounter – but they are, often subconsciously, aware of how the ground floors shape their daily experience of the neighborhood. People will seek out streets that feel interesting and richly textured, enabling them to engage with friends, people-watch, view items in shop windows or activity inside businesses, and safely avoid undesired encounters.

#### **Policy 8.1.1: Require that ground floor uses actively engage the street.**

When ground floors are dominated by internally oriented or non-public uses like parking and offices, people walking by or in adjacent public spaces do not feel the ability to engage with their environment and feel socially disconnected and disinterested. Recognizing this, the City has already instituted requirements for ground floors, such as that they must be lined with active uses, and not with parking or storage. The City also requires a high amount of building transparency on the ground floor, high ceilings, and supports frequent placement of doors. The City should consider additional measures to increase ground floor activity, such as requiring retail in certain locations (as discussed in Goal #3), allowing production, distribution, and repair uses (PDR) if they properly activate the street, and prohibiting uses on the ground floor that do not interface well with the street, such as offices.

Policy 8.1.2: Design building frontages and public open spaces with furnishings and amenities to engage a mixed-use neighborhood.

As discussed elsewhere in this document, Central SoMa is one of the most lively and diverse neighborhoods in the City, containing residents, many different kinds of work activities, and visitors at all hours of the day. Buildings and open spaces should reflect and enhance this experience through the design and inclusion of amenities. Projects should include fixtures, furnishings, art, utilities, and programming at the ground floor or adjacent open space to invite and support more active and consistent use of public areas including alleys, open spaces, and sidewalks. These smaller elements help connect interior and exterior uses and support more impromptu and flexible activities on the ground floor that can evolve with the neighborhood.

Policy 8.1.3: Ensure buildings are built up to the sidewalk edge.

When buildings are set back from the sidewalk – such as in a suburban strip mall environment – people on foot feel exposed on both sides and detached from their surroundings, leaving adjacent street traffic as the defining experience. By contrast, most buildings in Central SoMa should be at the property line, or set back in instances where there is opportunity and desire to widen the sidewalk or create public space for active usage. In the case of purely residential buildings with walk-up units, the ground floors should be designed in accordance with the Ground Floor Residential Design Guidelines, such as incorporating setbacks to allow for livable interior spaces, stoops, landscaping, and appropriate public-private transition.

Policy 8.1.4: Minimize parking and loading entrances.

Frequent parking and loading entrances diminish the ability to have active, safe, and dynamic ground floors – particularly on retail-focused streets. Therefore, parking and loading entrances in buildings should be limited, and as necessary directed towards the narrow streets and alleys with fewer pedestrians and fewer retail uses.

Objective 8.2: Ensure that the overall development pattern is complementary to the skyline

San Francisco is renowned for its physical beauty and unique sense of place. These qualities are defined by buildings and streets laid upon hills and valleys, the San Francisco Bay and Pacific Ocean, and signature landmarks poised at picturesque locations. The city’s urban form at this scale is an essential characteristic of San Francisco’s identity and should be enhanced by the Central SoMa Plan.

Policy 8.2.1: Set height limits, bulk controls, and architectural guidelines mindful of important views.

From other vantage points, the proposed heights in Central SoMa should be subservient to the dramatic hills around it – including the built “hill” of the downtown high-rise district. Changes proposed in the northwest and southeast part of the Plan Area should be in keeping with the buildings immediately adjacent and/or within a block. In the southwest part of the Plan Area, there is a potential to create a new development pattern that would become, for the first time, noticeable from a distance. However, this new pattern should consist of a small cluster of buildings spaced apart from each other and achieving heights half as high, at most, of buildings downtown. As such, this area would serve as more of a “foothill,” complementing rather than detracting from the overall skyline. The tallest of these buildings should demarcate the 4th and Townsend intersection, identifying the Caltrain station and intersection of multiple light rail lines as a key node of city importance, and serve to distinguish the area on the skyline through both height and distinctive architecture.

**Objective 8.3: Reinforce the character of Central SoMa as a mid-rise district with tangible “urban rooms”**

The diversity of buildings in Central SoMa is reflective of the many roles it has played in the city’s history. One of the most common building forms is the “mid-rise” building of five to eight stories (65 to 85 feet), characteristic of its industrial and warehouse legacy. These mid-rise buildings have proven to have great longevity, because their large floors and high ceilings are attractive to a range of uses. This includes modern office uses, which desire flexibility with workspace arrangements that accommodate expansive collaborative and informal environments, while simultaneously discouraging the proliferation of individual offices.

In SoMa, these mid-rise buildings create a comfortable “urban room” – which is when the perceived height of the building is approximately equivalent to the width of the street. In the Plan Area, major streets are 82.5 feet wide and the narrow minor streets are typically 35 feet wide. This combination of mid-rise buildings whose heights are similar to the street width sets Central SoMa apart from adjacent high-rise districts.

Policy 8.3.1: Set height limits to enable mid-rise development.

Currently, height limits on major streets are too low to support mid-rise development. These height limits should be adjusted to enable mid-rise development, except where there is an important civic asset that lower heights would benefit.

Policy 8.3.2: Require new buildings to reinforce the urban room.

Buildings in Central SoMa should be designed to be mindful of creating and preserving the urban room. This predominantly requires that buildings have a strong presence along the street, rather than being set back off the property line – a condition which diminishes its boundary and thus its feeling as a “room.”

Policy 8.3.3: Require buildings whose height exceeds the street width to step back at the upper stories.

Buildings that exceed the height of the urban room will contribute to the neighborhood’s mid-rise character if the predominance of their mass and height is not visible or dominant from the street. Additionally, there should be sufficient light, air, and sense of openness between buildings. Therefore, the City should require massing and design strategies that reduce the apparent mass of buildings above a height of 85 feet and should require adequate spacing between towers.

Policy 8.3.4: Limit the distribution and bulk of new towers and focus them at important nodes.

By efficiently using land, new towers (i.e., buildings taller than 160 feet in height) are helpful to fulfilling the Plan’s goal to increase the capacity for jobs and housing (as discussed in Goal #1). However, as a mid-rise district, such towers should not be permitted to dominate the landscape. To do so, the number of towers should be limited. Additionally, these towers should be located at important nodes in the Plan Area, such as the intersection of the Central Subway and Caltrain and the intersection of 5th and Brannan.

Policy 8.3.5: Limit heights in areas with a high concentration of historic buildings and areas of unique character.

The southeastern portion of the Plan Area features two unique concentrations of historic resources – the South Park block and the western portion of the South End Historic District. In order to preserve the unique character and scale of these areas, the City should not increase height limits in either, including the area identified for expansion of the South End Historic District (as discussed in Goal # 7).

Policy 8.3.6: Minimize the impact of shadows on public spaces to the extent feasible, balanced with other core objectives.

Sunlight is an important factor in people’s attraction to and enjoyment of public spaces. Planning Code Section 295, adopted pursuant to Proposition K in 1984, protects Recreation and Park Department parks from new shading that might be significant and adverse to the use of those parks. South Park is the only Recreation and Park Department property in the Plan Area. However, there are other important public open spaces that require attention as well, despite a lack of formal protection. The City should propose height districts to minimize shadow impacts on South Park, Yerba Buena Gardens, and the Bessie Carmichael School yard. On other public spaces, particularly new spaces either discussed in Goal #5 or those that may be created in the future, shadows should be minimized to the degree that such sculpting of

the buildings does not sacrifice other important Plan objectives, especially those regarding optimizing land use. These future open spaces will be funded and activated by new development, without which they would not exist, and are being proposed in the context of the Plan's overall urban form and land use parameters. Some shading from buildings enabled by this Plan is inherent in the creation of these open spaces. As such, new buildings should be sculpted to maximize sunlight to these spaces without unduly impacting the development capacity of the sites intended by this Plan.

Policy 8.3.7: Utilize new buildings to diminish the dominant presence of the freeway in the neighborhood.

The elevated I-80 freeway slices through the Plan Area. While the freeway structure is relatively low (30-50 feet), it looms large above the low-slung buildings on either side and creates a physical and psychological divider of the neighborhood. Where the City is increasing development potential, it should allow buildings to be taller than the freeway. This will help diminish the presence of the freeway while integrating the areas on either side.

**Objective 8.4: Ensure that narrow streets and alleys maintain their intimacy and sense of openness to the sky**

Every block in Central SoMa is blessed with one or more narrow streets and alleys, whose widths are typically 35 feet or less. The patterns and layouts of these streets changes from block to block, creating unique and distinguishing configurations.

Historically, the buildings along these narrow streets and alleys have been lower in height – reflecting their smaller scale “urban room.” The result is that the alleys have provided a sense of openness, intimacy, and reprieve in this dense neighborhood of wide streets and large buildings. The scale of these streets is an essential ingredient to the livability of the district.

Policy 8.4.1: Require new buildings facing alleys and narrow streets to step back at the upper stories.

While a central tenet of the Plan is support for increasing capacity for housing and jobs in the neighborhood, the intent of this Plan is also to ensure that the narrow streets and alleys maintain their sense of openness to the sky and lower scale so that future generations can continue to enjoy their benefit. Therefore, the City should ensure that new buildings facing alleys and narrow streets step back at the upper stories. As well, in parts of the Plan Area that contain high concentrations of older and small-scale residential uses along alleys (e.g., the northwest part of the Plan area), building height limits should be kept relatively lower than on the major streets surrounding them.

**Objective 8.5: Ensure that large development sites are carefully designed to maximize public benefit**

Central SoMa includes a number of large, underutilized sites (parcels or groups of adjacent parcels that are 30,000 to well over 100,000 square feet) that represent a substantial portion of the overall development in the Plan Area. Because of their size, these sites have the potential to deliver substantial public benefits if carefully designed.

Policy 8.5.1: Provide greater direction and flexibility for large development sites in return for improved design and additional public benefits.

The City should develop guidelines and requirements for large development sites where there is potential for additional public benefits and where alternative organization or massing on the site would better achieve the goals of the Plan. These guidelines and requirements should lay out how these specific sites could provide desirable community benefits, such as public open space and recreational facilities, dedicated sites for affordable housing development, and other benefits critical to achieving the goals of the Plan.

Policy 8.5.2: Limit the length of new buildings.

Development on large lots could lead to buildings that have very long street frontages. Such buildings can have a negative impact on the surrounding environment by feeling too imposing or creating a sensation of monotony or homogeneity to the street environment. The City already has controls to prevent such conditions by requiring mass reductions for buildings longer than 200 feet and mid-block alleys on lots longer than 300 feet. The City should continue to implement these controls in Central SoMa.

### **Objective 8.6: Promote high quality architecture that enhances the neighborhood**

Perhaps the most lasting aspect of a building is its architecture – its form, materials, programming, and all the other ways it engages people. Achieving high quality architecture in Central SoMa is critical, given its central location, the substantial number of new buildings expected (some of which will be quite large), and the rich history and diversity of the buildings in the neighborhood.

Policy 8.6.1: Conform to the City's Urban Design Guidelines.

The City is in the process of adopting Urban Design Guidelines that will apply to all new development within San Francisco. These Guidelines will give direction on a number of important design issues, including site design, massing, open space, fenestration and facade development, and ground floor design. To promote design excellence, at a minimum all projects in Central SoMa should conform to the City's Urban Design Guidelines.

Policy 8.6.2: Promote innovative and contextually-appropriate design.

Central SoMa is currently an organic collection of buildings built at different scales, in different times and for different purposes. It is also a neighborhood steeped in a history of invention and creativity, including

in technology, industry and the arts. Given this eclectic and innovative environment, new development in Central SoMa should promote innovative design that also respects its context. This innovation can be evident in the choice or choices of materials, structure, sustainability features, form, landscape, and expression of uses or concept.

Policy 8.6.3: Design the upper floors to be deferential to the “urban room”.

As discussed above, the height limits and bulk controls in Central SoMa will support its character as a mid-rise district with a strong urban room. The architecture, including materials, facade patterns, and proportions, of new development should be designed to reinforce this character.

Policy 8.6.4: Design buildings to be mindful of wind.

Like much of San Francisco, Central SoMa is subject to strong winds, which generally emanate from the west. Tall buildings and exposed structures can strongly affect the wind environment for pedestrians. A building that stands alone or is much taller than the surrounding buildings can intercept and redirect winds that might otherwise flow overhead and bring them down the vertical face of the building. These winds and resulting turbulence may create conditions that are unpleasant on the neighborhoods sidewalks, streets, and open spaces. The City should require that buildings be designed to minimize new wind impacts at the ground level.

Policy 8.6.5: Ensure large projects integrate with existing urban fabric and provide a varied character.

Central SoMa has a number of large development sites due to the area’s industrial legacy. Many of these sites could feature multiple sizable buildings. Due to their scale, development on these sites has the potential to dominate and stand apart from their surroundings and form homogeneous and insular collections of buildings or campuses. Instead, projects proposed on these sites should be designed to integrate with the surrounding urban fabric, reflecting and enhancing the existing development patterns. Additionally, they should provide a varied character and avoid design cues that suggest a “campus” environment.

**Objective 8.7: Establish clear rules for development**

In developing new buildings, there are instances in which a flexible process creates a lack of clarity for all parties – community, developers, and the City – as to what is possible. While in some cases this may lead to superior outcomes, in many cases the only result is distrust and uncertainty until a decision is made very far into the process, resulting in lost time and money. The Plan would not be considered successful if neither the community nor property owners have certainty about how development will proceed and have certain guarantees regarding physical, programmatic and public benefit parameters.

Policy 8.7.1: Whenever possible, delineate via the Planning Code what is allowed and not allowed in new development.

To maximize certainty for all parties, the rules for new development should be unambiguously established in the Planning Code. This can be accomplished by minimizing allowance for exceptions and exemptions from Planning Code controls, and by clearly laying out conditions and criteria for when exceptions to the basic controls may be warranted – particularly on large sites (as discussed above). Open-ended, subjective conditions allowing exceptions for “design excellence” or ill-defined “public benefits” should be avoided in favor of objective criteria and clear direction.

**EXHIBIT II.5 -  
MAPS OF THE EASTERN  
NEIGHBORHOODS PLAN AREAS**

## Map of the Eastern Neighborhoods Plan Areas

This map is intended to replace Map 1 of the East SoMa Area Plan (per Section 3(a) of the General Plan Amendments) and Map 1 of the Western SoMa Area Plan (per Section 5(a) of the General Plan Amendments).



**Eastern Neighborhoods Planning Areas**



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20185 HEARING DATE MAY 10, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Central SoMa Plan – Planning Code and Administrative Code Amendments  
*Record No.:* 2011.1356EMTZU [Board File. No 180184]  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

RESOLUTION ADOPTING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS WITH MODIFICATIONS TO THE SAN FRANCISCO PLANNING CODE AND ADMINISTRATIVE CODE TO GIVE EFFECT TO THE CENTRAL SOUTH OF MARKET AREA PLAN, AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE, FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on February 27, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced an ordinance for Planning Code and Administrative Code Amendments pursuant to the Central South of Market Plan ("Central SoMa Plan").

WHEREAS, pursuant to Planning Code Section 302(b), on February 27, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code and Administrative Code Amendments.

WHEREAS, on April 10, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced a substitute ordinance for Planning Code and Administrative Code Amendments pursuant to the Central South of Market Plan ("Central SoMa Plan").

WHEREAS, pursuant to Planning Code Section 302(b), on April 10, 2018, the San Francisco Board of Supervisors initiated the aforementioned Planning Code and Administrative Code Amendments.

WHEREAS, this Resolution adopting and recommending that the Board of Supervisors approve the Planning Code and Administrative Code Amendments is a companion to other legislative approvals relating to the Central SoMa Plan, including recommendations that the Board of Supervisors approve General Plan Amendments, Zoning Map Amendments, and an Implementation Program.

WHEREAS, The Planning Code and Administrative Code Amendments, together with proposed General Plan and Zoning Map Amendments and the Implementation Program document, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Planning Commission incorporates by reference the general findings and overview concerning the Central SoMa Plan as set forth in Planning Commission Resolution No. 20184 governing General Plan Amendments.

WHEREAS, the Planning Code governs permitted land uses and planning standards in the City. The main function of the Administrative Code is to provide for the legislative basis for, direction to, and limitations on executive agencies of the City and the performance of their duties that are not addressed in the Charter or other City codes. Thus, conforming amendments to the Planning Code and Administrative Code are required in order to implement the Plan. An ordinance, attached hereto as Exhibit III.3, has been drafted to revise the Administrative Code and Planning Code to implement the proposed Central SoMa Plan and its related documents. This ordinance amends Administrative Code Section 35; adds Planning Code Sections 128.1, 132.4, 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, and 848; amends Sections 102, 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181, 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 270, 270.2, 303.1, 304, 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 419, 419.6, 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5, 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and 890.124; and removes Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to implement the Area Plan. The City Attorney's Office has reviewed the draft ordinance and approved it as to form. A memorandum summarizing additional proposals to amend the Planning Code and Administrative Code Amendments since consideration by the Planning Commission on March 1, 2018 is attached hereto as Exhibit III.6.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan ("Final EIR") and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Resolution No. 20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case No. 2011. 1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Planning Code and Administrative Code Amendments.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting and recommending that the Board of Supervisors approve the Planning Code and Administrative Code Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed Planning Code and Administrative Code Amendments for the following reasons:

1. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will accommodate development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the Plan Area's industrially-protective zoning and increasing height limits on many of the Plan Area's parcels.
2. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households, and by requiring that these new units be built in SoMa.
3. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will facilitate an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area.
4. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
5. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will offer parks and recreational opportunities by funding the construction and improvement of parks and recreation centers in the area and requiring large, non-residential projects to provide publicly-accessible open space.
6. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will create an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas emitting energy sources. A proposal to include a Mello-Roos Community Facilities District ("CFD") in the Central SoMa Plan is also under consideration. This CFD would provide funding for environmental sustainability and resilience strategies to improve air quality, provide biodiversity, and help manage stormwater. The CFD would also help to create an environmentally sustainable and resilient neighborhood.
7. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will preserve and celebrate the neighborhood's cultural heritage by helping to fund the rehabilitation and maintenance of historic buildings. The CFD under consideration for addition to the Central SoMa Plan would provide funding to help preserve the Old Mint and for cultural and social programming for the neighborhood's existing residents and organizations. The CFD would also help to preserve and celebrate the neighborhood's cultural heritage.

8. The Planning Code and Administrative Code Amendments will help implement the Central SoMa Plan, which will ensure that new buildings enhance the character of the neighborhood and the City by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the CEQA Findings set forth in Commission Resolution No. 20183.

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the Mitigation Monitoring and Reporting Program, the requirements of which are made conditions of this approval.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code and Administrative Code Amendments are in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code and Administrative Code Amendments are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Commission adopts the Planning Code and Administrative Code Amendments as reflected in an ordinance approved as to form by the City Attorney attached hereto as Exhibit III.3, and incorporated herein by reference, and recommends their approval with modifications by the Board of Supervisors. The proposed modifications are as follows:

- 128.1(c): Reverse the terms "Development Lot" and "Transfer Lot".
- 132.4(d)(1)(B)(iv): Increase allowed streetwall architectural modulation from five feet to eight feet.
- 135.3: Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.
- 138(a)(2): Eliminate the requirement for retail uses to provide POPOS.
- 138(d)(2), (2)(A), (2)(B), and (e)(2): Update references to point to appropriate subsections.
- 138(d)(2)(E)(i): Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.
- 138(d)(2)(F)(ii): Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.
- 140(a): In the Central SoMa SUD, allow units above 85' in height to meet exposure requirements if they are 15' back from the property line; allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor.
- 154 and 155: Allow approval of the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to meet the freight loading requirements of Sections 152.1, 154. And 155.
- 155(r)(2)(JJ): Update reference to point to 329(e)(3)(B).
- 155(u): Require a Passenger Loading Plan, per the MMRP.

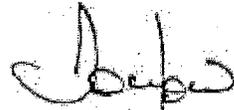
- 169.3: Amend the TDM language to require projects that submitted applications before September 4, 2016 to meet 75% of the TDM requirements.
- 249.78(c)(1) and 329(d): Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as there is a doorway every 25 feet, and 3) at corners for lots less than 50 feet in width
- 249.78(c)(1)(D): Add that hotels are allowed as an active commercial use per 145.4(c).
- 249.78(c)(5)(B): Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses.
- 263.32, 263.33, 263.34: Clarify that projects that comply with these sections do not need a Conditional Use approval.
- 263.32(b)(1): Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception
- 263.32(c)(3): Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers.
- Table 270(h): For Perry Street, make the Base Height "none".
- 329(d): Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7).
- 329(d): Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B).
- 329(d): Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155.
- 329(d): Add a subsection allowing for exceptions for exposure requirements under Section 140.
- 329(e)(2): Add Block 3786 Lot 322 as a Key Site .
- 329(e)(3): Clarify that Key Sites may utilize the exceptions granted in 329(d).
- 329(e)(3)(A): Include donation of land for affordable housing and construction of affordable units as qualified amenity.
- 329(e)(3)(B): Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.
- 406: Include a waiver that allows land dedication of space for and construction of a public park on Block 3777 to count against various fees, including the TSF and Central SoMa Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).
- 411A: Provide a \$5/gsf exception from the Transportation Sustainability Fee (TSF) for projects within the Central SoMa SUD (pending the adoption of a \$5/gsf increase by proposed legislation contained in Board File No. 180117).
- 418.7(a): Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District.
- 434: Add a Section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) includes new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and non-residential development in Central SoMa Development Tier C, and (3) the project proposed project is greater, in terms of square footage, than what would have been allowed without the Central SoMa Plan.
- 848: Add a cross-reference in the CMUO table to the residential lot coverage requirements in 249.78.

Resolution No. 20185  
May 10, 2018

Case No. 2011.1356EMTZU  
Planning Code and Administrative Code Amendments

- Administrative Code 10E.2: Amend the Eastern Neighborhoods CAC to create two CACs – one for the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one for the other three Plan Areas (Mission, Showplace Square/Potrero Hill, and Central Waterfront).

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 10, 2018.



Jonas P. Ionin  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018

**EXHIBIT III.3 -  
PLANNING CODE  
AND ADMINISTRATIVE  
CODE AMENDMENTS  
DRAFT ORDINANCE**

1 [Administrative, Planning Codes - Central South of Market Area Plan]

2

3 **Ordinance amending the Administrative and Planning Codes to give effect to the**

4 **Central South of Market Area Plan, encompassing an area generally bounded on its**

5 **western portion by Sixth Street, on its eastern portion by Second Street, on its northern**

6 **portion by the border of the Downtown Plan Area (an irregular border that generally**

7 **jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by**

8 **Townsend Street; making approval findings under the California Environmental Quality**

9 **Act, including adopting a statement of overriding considerations; and making findings**

10 **of consistency with the General Plan, and the eight priority policies of Planning Code,**

11 **Section 101.1, and findings of public necessity, convenience, and welfare under**

12 **Planning Code, Section 302.**

13 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

14 **Additions to Codes** are in *single-underline italics Times New Roman font*.

15 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.

16 **Board amendment additions** are in **double-underlined Arial font**.

17 **Board amendment deletions** are in ~~**Arial font**~~.

18 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

19 Section 1. Environmental and Planning Code Findings.

20 (a) On \_\_\_\_\_, 2018, after a duly noticed public hearing, the Planning

21 Commission certified the Final Environmental Impact Report (EIR) for the proposed Central

22 South of Market (SoMa) Area Plan (the Project) by Motion No. \_\_\_\_\_, finding that

23 the Final EIR reflects the independent judgment and analysis of the City and County of San

24 Francisco, is adequate, accurate, and objective, and contains no significant revisions to the

25

1 Draft EIR, and that the content of the report and the procedures through which the Final EIR  
2 was prepared, publicized, and reviewed comply with the California Environmental Quality Act  
3 (CEQA) (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code  
4 Regs. Section 15000 et seq.), and Chapter 31 of the Administrative Code. Copies of the  
5 Planning Commission Motion and the Final EIR are on file with the Clerk of the Board in File  
6 No. \_\_\_\_\_ and are incorporated herein by reference.

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

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

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

23 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
24 Planning Code Amendment will serve the public necessity, convenience, and welfare for the  
25

1 reasons set forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board  
2 incorporates such reasons herein by reference.

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

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

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

24  
25 Section 2. General Findings

1 (a) Findings Regarding Setback Requirement on Fourth Street. The increased  
2 development in Central SoMa is likely to cause congestion and crowding for pedestrians on  
3 the Central SoMa Plan Area's sidewalks, particularly near the intersection of the Central  
4 Subway and Caltrain, due to the increased concentration of commuters using Muni and  
5 Caltrain at that location. In most of the Plan Area, pedestrian congestion will be ameliorated  
6 by widening sidewalks to the widths identified in the Better Streets Plan, pursuant to Planning  
7 Code Section 138.1. However, the sidewalks on 4th Street between Bryant and Townsend  
8 Streets cannot be widened to the extent recommended by the Better Streets Plan because  
9 the Central Subway will run at grade in the middle of the street. Therefore, requiring the  
10 buildings on 4th Street between Bryant Street and Townsend Street be set back five feet at  
11 ground level will alleviate this impact to pedestrian congestion and crowding.

12 (b) Findings Regarding Micro-Retail Uses in the Central SoMa Special Use District.  
13 The Plan seeks to provide small retail spaces, referred to as "micro-retail," to ensure that  
14 space is available for small, non-Formula Retail establishments, which are more likely to offer  
15 non-traditional and unique merchandise for residents and visitors. The micro-retail space  
16 requirements provide for a diversity of retail land uses, which will help preserve Central  
17 SoMa's distinct neighborhood character and help fulfill the City's Priority Policy of the General  
18 Plan that existing neighborhood-serving retail uses be preserved and enhanced and that  
19 opportunities for resident employment in and ownership of neighborhood-serving retail  
20 establishments be enhanced. In addition, the Board hereby incorporates by reference and  
21 adopts the findings set forth in Planning Code Section 303.1(a), which further support the  
22 provision of non-Formula Retail micro-retail spaces in the Central SoMa Plan Area.

23 (c) Findings Regarding Privately-Owned Public Open Space (POPOS).

24 (1) Adequate open space is of vital importance to the desirability of downtown  
25 and South of Market as a place to visit, work or shop.

1           (2) New non-residential development increases demands on the City's existing  
2 limited parks, recreational facilities, and open spaces, contributing to overcrowding of those  
3 facilities.

4           (3) Publicly-accessible open space and recreation facilities are essential to  
5 creating and maintaining an attractive central business district and to generally create an  
6 environment appealing for workers, shoppers, and visitors. The economic sustainability and  
7 well-being of the City is dependent on the reputation of its commercial and visitor areas as  
8 pleasant and amenity-filled. Businesses choose to locate in San Francisco because of its  
9 balance of high-accessibility to other businesses and services and its livability. The skilled  
10 and creative workforce sought by businesses growing in San Francisco values spending time  
11 in an interesting and amenity-filled walkable urban environment. These spaces directly  
12 enhance the economic value of the commercial properties themselves.

13           (4) New non-residential development increases the demand for parks,  
14 recreational facilities, and open space. These amendments provide for open space  
15 demanded as a result of new non-residential development. These amendments also provide  
16 for a reduction in open space requirements where recreational and open space amenities are  
17 provided by other means. Also, to ensure that these publicly accessible spaces mitigate the  
18 impacts described above, truly supplement the public open space system, and provide  
19 welcoming environments to all members of the public, indoor and upper-story spaces are  
20 discouraged in favor of outdoor, street-level spaces, except where a specific recreational  
21 amenity is provided that is necessarily indoors or the project location makes outdoor space  
22 undesirable (e.g., adjacent to a freeway). Further, limited amounts of food and beverage  
23 service retail are permitted in larger spaces created pursuant to this ordinance to ensure that  
24 these spaces are active and attractive to workers, visitors, and shoppers, as well as provide  
25 some revenue for the property owners.

1           (5) To ensure that the requirements of this ordinance provide sufficient flexibility  
2 for project sponsors to address the context of their particular sites and address the impacts of  
3 their developments, project sponsors are given options to meet the requirements other than  
4 by setting aside space on their project sites. These options include (depending on zoning  
5 district) provision of off-site open space and payment of fees in lieu of providing any space.  
6 Reasonable geographic latitude is given in provision of off-site spaces. In-lieu fee amounts  
7 are set based on the reasonably comparable costs of acquiring land in the area of the  
8 development and improving the property to the same high standard of investment as would be  
9 expected in a highly-trafficked public space in a high-density urban area (i.e., significantly  
10 higher cost per square foot for more intensive amenity, hardscape, and engineering  
11 investment than relatively cheaper expansive lawns and landscape areas common in less  
12 dense more outlying neighborhoods). These in-lieu fees are based on costs identified in  
13 Downtown San Francisco Park, Recreation, and Open Space Development Impact Fee  
14 Nexus Study by Hausrath Economics from April 2012.

15           (6) The San Francisco Infrastructure Level of Service Analysis (2014) (“LOS  
16 Analysis”), p. 22, concludes that four acres of open space are necessary for every 1,000  
17 “Service Population Units.” Each employee is equivalent to 0.19 “Service Population Units”  
18 (Hausrath Economics Group, “Phoenix Park and EDU Factors Study,” A Report to City of  
19 Phoenix Planning Department, Sept. 1998, cited in San Francisco Citywide Nexus Analysis  
20 (2014) at p. 14 n. 22.) Thus, every 1,000 additional employees creates a demand for 0.76  
21 acres of open space (4.0 acres/1,000 employees x 0.19 = 0.76 acres/1,000 workers).

22           (7) Development under the Central SoMa Plan is expected to add 8.5 million  
23 gross square feet (gsf) of new non-residential building space, based on the Planning  
24 Department’s *Buildout Analysis for Central SoMa* (January 25, 2018).

25

1 (8) This 8.5 million gsf would result in approximately 40,000 jobs (assuming an  
2 employment density of approximately 220 gsf per worker). ("Central SoMa Growth Allocation  
3 by TAZ - August 2016.")

4 (9) Because, as noted above, every 1,000 additional employees creates a  
5 demand for 0.76 acres of open space, the Central SoMa Plan would create demand for an  
6 additional 30.4 acres of open space.

7 (10) The San Francisco Citywide Nexus Analysis (2014) ("Citywide Nexus  
8 Analysis"), at p. 15, states that the cost to construct new open space is approximately \$10.3  
9 million per acre. Therefore providing 30.4 acres of new open space in Central SoMa would  
10 cost the City approximately \$313 million.

11 (11) Non-residential development projects in Central SoMa pay the Eastern  
12 Neighborhoods Infrastructure Impact Fee (Fee), of which 6% is dedicated to open space. As  
13 of 2018, the maximum Fee paid by non-residential uses was \$19.81 per gsf; 6% of which is  
14 \$1.19 per gsf. As such, non-residential projects in Central SoMa are expected to generate  
15 approximately \$10 million towards open space, leaving an unfunded portion of nearly \$300  
16 million.

17 (12) The Central SoMa Plan POPOS program would yield approximately four  
18 acres of open space, based on the proposed requirement of 1 gsf of POPOS for every 50 gsf  
19 of non-residential development and the expectation of 8.5 million of gsf of non-residential  
20 development. At a cost of \$10.3 million per acre, these four acres of POPOS would be the  
21 equivalent of approximately \$40 million of additional open space fees.

22 (13) Therefore, expanding the POPOS requirement to the Central SoMa Plan  
23 Area is an essential part of the City's overall strategy to meet the demand for open space  
24 generated by new residents and workers.

25

1 Section 3. The Administrative Code is hereby amended by revising Chapter 35, to  
2 read as follows:

3  
4 CHAPTER 35: RESIDENTIAL, HOTEL, AND INDUSTRIAL PDR COMPATIBILITY AND  
5 PROTECTION

6 SEC. 35.1. SHORT TITLE.

7 This Chapter 35 may be referred to as the Residential and Industrial PDR Compatibility  
8 and Protection Ordinance.

9 SEC. 35.2. DECLARATION OF POLICY.

10 It shall be the policy of the City and County of San Francisco (City) to protect its  
11 existing and future industrial businesses Production, Distribution, and Repair (PDR) Uses from  
12 potentially incompatible adjacent and nearby development provided that such industrial Uses  
13 are conducted and maintained in a manner consistent with proper and accepted customs and  
14 standards and in accordance with all applicable federal, state, and local laws and regulations.  
15 The City and County of San Francisco encourages the use of best available control technologies  
16 and best management practices whenever possible to further reduce the potential for  
17 incompatibility with other uses, including residential.

18 Furthermore, it shall be the policy of the City and County of San Francisco to support the  
19 health, safety, and welfare of ~~protect~~ the future residents of and overnight visitors to  
20 ~~industrial~~ Industrial, PDR, and mixed-use neighborhoods by providing for a notification process  
21 so that such residents and overnight visitors are made aware of some of the possible  
22 consequences of moving to or staying in an industrial or mixed-use such neighborhoods and by  
23 encouraging and, if possible, requiring, features in any new residential or hotel construction  
24 designed to promote the compatibility of residential and hotel and adjacent or nearby industrial  
25 PDR uses.

1           **SEC. 35.3. DEFINITIONS.**

2           For the purposes of this Chapter 35, the following definitions shall apply.

3           ~~(a) "Adjacent Property" means all real property inside or within 150 feet of an Industrial Use~~  
4 ~~Zoning District.~~

5           ~~(b) "Eligible IndustrialPDR Use" means any legally existing, including legally non-~~  
6 ~~conforming, or future IndustrialPDR Use, conducted or maintained for industrialPDR purposes,~~  
7 ~~in a manner consistent with proper and accepted customs and standards, as established and followed~~  
8 ~~by similar industrialPDR uses in the same neighborhood if such uses exist, and in accordance with all~~  
9 applicable federal, state, and local laws and regulations.

10           ~~"Hotel Use" is as defined in Planning Code Section 102.~~

11           ~~(c) "IndustrialPDR Use" means any industrial use as defined in the Planning Code~~  
12 ~~Section 102, including, but not limited to, Automotive as defined in Planning Code Section 223, Animal~~  
13 ~~Services as defined in Planning Code Section 224, Wholesaling, Storage, Distribution and Open Air~~  
14 ~~Handling of Materials and Equipment as defined in Planning Code Section 225, Manufacturing and~~  
15 ~~Processing as defined in Planning Code Section 226. Other Uses as defined in Planning Code Section~~  
16 ~~227, and Light Manufacturing. Wholesale Sales, Storage as defined in Planning Code Section 890.54.~~  
17 ~~Upon adoption of the permanent Eastern Neighborhoods Zoning Controls. "Industrial Use" shall also~~  
18 ~~include Production, Design, and Repair Uses ("PDR Uses"), as defined in the zoning controls,~~  
19 ~~including, but not limited to, Publishing, Audio/Visual, Arts, Fashion, Transport, Food/Event, Interior~~  
20 ~~Design, Construction, Equipment, Motor Vehicles, and Other PDR uses.~~

21           ~~(d) "IndustrialPDR Use Zoning District" means a zoning district designated in Planning~~  
22 ~~Code Section 201 as an Industrial District, Production Distribution Repair District, or Eastern~~  
23 ~~Neighborhoods Mixed Use District C-M (Heavy Commercial), M-1 (Light Industrial), M-2 (Heavy~~  
24 ~~Industrial), SPD (South Park), RSD (Residential/Service Mixed Use), SLR (Service/Light~~  
25 ~~Industrial/Residential Mixed Use), SLI (Service/Light Industrial), SSO (Service/Secondary Office), or~~

1 ~~MB-CI (Mission Bay Commercial Industrial). Upon adoption of the permanent Eastern Neighborhoods~~  
2 ~~Zoning Controls, "Industrial Use Zoning District" shall also include a zoning district within the~~  
3 ~~Eastern Neighborhoods Plan Area in which PDR is a principally permitted use, including, but not~~  
4 ~~limited to, zoning districts designated PDR Zone, Employment and Business Development Zone, or~~  
5 ~~Urban Mixed Use Zone.~~

6 "Property" means all real property inside a PDR Use Zoning District.

7 ~~(e) "Residential Use" is as defined in Planning Code Section 102~~means the use of any real  
8 ~~property as a dwelling unit or units, regardless of whether it is a primary residence.~~

9 ~~(f) "Transfer" means, but is not limited to, the following: sale or lease.~~

10 "Transferee" means a purchaser or lessee of all or any portion of a Property, and includes but  
11 is not limited to the purchaser or lessee's partners, assigns, successors, representatives, and heirs.

12 "Transferee" shall not mean a guest at a Hotel or Motel.

13 "Transferor" means an owner of a Property who sells or leases all or any portion of the  
14 structure to a Transferee, and includes but is not limited to the owner's partners, assigns, successors,  
15 and representatives.

16 **SEC. 35.4. PROTECTION OF ~~INDUSTRIAL~~PDR USES.**

17 No Eligible ~~Industrial~~PDR Use shall be or become a public or private nuisance if the  
18 PDR Use operates in compliance with the Municipal Code and state and federal law, and with the  
19 terms of its permits due to any changed condition in Adjacent Property after the Industrial Use has been  
20 in operation for more than two years if it was not a nuisance at the time it was established.

21 **SEC. 35.5. EXEMPTIONS AND NONAPPLICATION.**

22 (a) The provisions of Section 35.4 shall not apply whenever a nuisance results from  
23 the negligent, improper, or illegal operation of any ~~Industrial~~PDR Use.

1 (b) This Chapter 35 is not intended to supersede or limit any other provisions of the  
2 Municipal Code with regard to the regulation and control of Industrial PDR Uses, including, but  
3 not limited to, Article 11 of the Health and Safety Code.

4 \* \* \* \*

5 **SEC. 35.6. NOTICE REQUIREMENTS FOR TRANSFER OF REAL PROPERTY FOR**  
6 **RESIDENTIAL USE.**

7 (a) **Notice Requirement.** The ~~#~~Transferor of ~~Adjacent~~ Property for Residential Use or  
8 Hotel Use must provide notice to the ~~#~~Transferee as follows.

9 (1) Timing of Disclosure. For all transfers of ~~Adjacent~~ Property having any  
10 Residential Use or Hotel Use, the ~~#~~Transferor shall provide the disclosure described in  
11 ~~§~~subsection 35.6(a)(2) on a written document. This notice shall be provided for a lease prior to  
12 the tenant(s) signing ~~at~~the lease, or for a purchase agreement for the transfer of the ~~Adjacent~~  
13 Property at the time required by California Civil Code Section 1102.3.

14 (2) ~~Disclosure~~Contents of Disclosure Notice. The disclosure shall include a  
15 citation to this Section 35.6, a copy of this Chapter 35 as is in effect when the disclosure notice is  
16 provided, and a written statement containing substantially the following language in at least 12-  
17 point font:

18 **"DISCLOSURE OF ADJACENT NEIGHBORING INDUSTRIAL PDR USES**

19 You are purchasing or leasing property in an area that permits Production, Distribution, and  
20 Repair (PDR) Uses, as defined in Planning Code Section 102 that may be adjacent to an existing  
21 industrial use. Industrial PDR Uses may subject you to inconveniences or discomfort arising  
22 from ~~Industrial~~their operations, which may include, but are not limited to: noise, odors, dust,  
23 chemicals, smoke, operation of machinery, and loading and unloading operations, which may  
24 occur throughout the day and night. One or more of these types of inconveniences may occur  
25 even if the industrial PDR Use is operating in conformance with existing laws and regulations

1 and locally accepted customs and standards for operations of such use. ~~If you live near~~  
2 ~~industrial uses, you~~You should be prepared to accept such inconveniences or discomfort as  
3 normal and a necessary aspect of living in a neighborhood with mixed ~~industrial~~PDR and  
4 residential Uses. A PDR Use shall not be considered a public or private nuisance if it operates in  
5 compliance with the Municipal Code and state and federal law, and with the terms of its  
6 permits~~Transferor shall maintain a copy of this disclosure in the transferor's records for not less than~~  
7 ~~two years, and a copy shall be provided to the City or the transferee upon request.~~"

8 (b) **Affidavit of Disclosure.**

9 (1) Contents of Affidavit. The ~~t~~Transferor shall make and sign, upon penalty of  
10 perjury, an affidavit containing the following information, with appropriate terms to be inserted in  
11 place of the bracketed language, as specified: stating that the transferor provided the disclosure  
12 required by this Section and shall attach a copy of the notice actually provided; provided, however,  
13 that the attachment need not also include a copy of the then-current text of this Chapter. This affidavit,  
14 with the attached notice provided, shall be maintained in the transferor's records for not less than two  
15 years, and a copy shall be provided to the City or the transferee upon request.

16 (A) the identities of the Transferor and any entity on whose behalf the  
17 Transferor is acting;

18 (B) the identity of the Transferee;

19 (C) the address, including unit number, of the portion of the Project being  
20 transferred;

21 (D) whether the Transfer is a sale or lease; and

22 (E) the following language:

23 "I have provided to the [purchaser or lessee] the disclosure required by San Francisco  
24 Administrative Code Chapter 35. Attached is a true and correct copy of the notice provided to the  
25 [purchaser or lessee].

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
2 true and correct. Executed on [date] in [city and state]."

3 (2) Affidavit Transmitted to the Planning Department. The Transferor shall transmit  
4 to the Planning Department, by any means acceptable to the Planning Department, the affidavit and a  
5 copy of the disclosure notice provided to each Transferee; provided however, that the attachment need  
6 not also include a copy of the then-current text of this Chapter 35. This transmittal must occur within  
7 90 days of the transfer. Upon request of the Transferee, the Transferor shall also provide a copy of this  
8 affidavit, with an attached copy of the disclosure notice referenced in the affidavit, to the Transferee.

9 (3) Affidavits Available to the Public. Pursuant to state and local law, upon request,  
10 the Planning Department shall provide a copy of the affidavit and attached notice to any member of the  
11 public.

12 (4) Covenants, Conditions, and Restrictions for Condominium Projects. If the  
13 Property will be subdivided into condominiums, the requirements of this Section 35.6(b) shall be  
14 included as terms of the Covenants, Conditions, and Restrictions ("CC&Rs") that will be filed with the  
15 State and that govern owners of the property. Upon request, a copy of the CC&Rs shall be provided to  
16 the Planning Department.

17 \* \* \* \*

18 (e) ~~This Chapter shall not create any private right of action against the City. The City shall~~  
19 ~~have no duty or liability based on any failure to achieve the disclosure required by this Chapter or~~  
20 ~~based on the City's failure to prosecute.~~ Enforcement. The Planning Department shall enforce this  
21 Section 35.6 through the application of Planning Code Sections 176 and 176.1.

22 **SEC. 35.7. PLANNING DEPARTMENT AND COMMISSION REVIEW OF**  
23 **RESIDENTIAL PROJECTS.**

24 The Planning Department and Commission shall consider, among other  
25 considerations factors, the compatibility of uses when approving Residential Uses and Hotel Uses

1 ~~in PDR Use Zoning Districts adjacent to or near existing Industrial Uses and to shall~~ take all  
2 reasonably available means through the City's design review and approval processes to  
3 ensure that the design of such new residential and hotel development projects is sensitive to  
4 both the existing and future Industrial PDR Uses in these Districts and the future residents and  
5 overnight visitors of the new development. Such ~~considerations factors~~ may include, among  
6 others:

7 (a) The proposed project's consistency with the Industrial Area Design Guidelines;

8 (b) The proposed project's overall design, acoustical treatment, and ventilation to  
9 achieve interior noise levels and ventilation compatible with residential standards; and

10 (c) The location of non-habitable spaces or spaces such as closets, bathrooms,  
11 kitchens, and/or landscaping so that such spaces may provide a buffer between the proposed  
12 habitable residential areas and any common property line with Industrial PDR Uses.

13 **SEC. 35.8. SEVERABILITY.**

14 In the event that a court or agency of competent jurisdiction holds that a Federal or  
15 State law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this  
16 Chapter 35 or the application thereof to any person or circumstances, it is the intent of the  
17 Board of Supervisors that the court or agency sever such clause, sentence, paragraph, or  
18 section or application thereof so that the remainder of this ~~ordinance~~ Chapter shall remain in  
19 effect.

20 **SEC. 35.9. NO PRIVATE RIGHT OF ACTION AGAINST CITY.**

21 This Chapter 35 shall not create any private right of action against the City. The City shall have  
22 no duty or liability based on any failure to achieve the disclosure required by this Chapter or based on  
23 the City's failure to enforce or prosecute pursuant to this Chapter.

1 Section 4. The Planning Code is hereby amended by adding Sections 128.1, 132.4,  
2 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, and 848; revising Sections 102, 124,  
3 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181, 182,  
4 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 270, 270.2, 303.1, 304,  
5 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 419, 419.6, 423.1, 423.2, 423.3,  
6 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5, 803.9, 809, 813, 825,  
7 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, and 890.124; and deleting Sections  
8 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818, to read as follows:

9 **SEC. 102. DEFINITIONS.**

10 \* \* \* \*

11 **Floor Area, Gross.** In Districts other than C-3, CMUO, and the Van Ness Special Use  
12 District, the sum of the gross areas of the several floors of a building or buildings, measured  
13 from the exterior faces of exterior walls or from the centerlines of walls separating two  
14 buildings. Where columns are outside and separated from an exterior wall (curtain wall) that  
15 encloses the building space or are otherwise so arranged that the curtain wall is clearly  
16 separate from the structural members, the exterior face of the curtain wall shall be the line of  
17 measurement, and the area of the columns themselves at each floor shall also be counted.

18 In C-3 and CMUO Districts and the Van Ness Special Use District, the sum of the gross  
19 areas of the several floors of a building or buildings, measured along the glass line at windows  
20 at a height of four feet above the finished floor and along a projected straight line parallel to  
21 the overall building wall plane connecting the ends of individual windows, provided, however,  
22 that such line shall not be inward of the interior face of the wall.

23 (a) Except as specifically excluded in this definition, "Gross Floor Area" shall include,  
24 but not be limited to, the following:

25 \* \* \* \*

1 (7) In districts other than C-3 and CMUO Districts, floor space in accessory  
2 buildings; and

3 (8) In C-3 and CMUO Districts, any floor area dedicated to accessory or non-  
4 accessory parking, except for bicycle parking, required off-street loading, and  
5 accessory parking as specified in subsection (b)(7); and

6 \* \* \* \*

7 (b) "Gross Floor Area" shall not include the following:

8 \* \* \* \*

9 (4) Mechanical equipment, appurtenances, and areas necessary to the  
10 operation or maintenance of the building itself (A) if located at an intermediate story of the  
11 building and forming a complete floor level; or (B) in C-3 and CMUO Districts, if located on a  
12 number of intermediate stories occupying less than a full floor level, provided that the  
13 mechanical equipment, appurtenances, and areas are permanently separated from occupied  
14 floor areas and in aggregate area do not exceed the area of an average floor as determined  
15 by the Zoning Administrator;

16 \* \* \* \*

17 (7) In C-3 and CMUO Districts, floor space dedicated to parking which does not  
18 exceed the amount principally permitted as accessory, and is located underground.

19 \* \* \* \*

20 (13) Ground floor area in the C-3-O, C-3-O(SD), C-3-S, C-3-S(SU), ~~and~~ C-3-G,  
21 and CMUO Districts devoted to building or pedestrian circulation and building service;

22 \* \* \* \*

23 (16) Floor area in C-3, ~~South of Market Mixed Use Districts~~, and Eastern  
24 Neighborhoods Mixed Use Districts devoted to child care facilities, provided that:

- 1 (A) Allowable indoor space is no less than 3,000 square feet and no  
 2 more than 6,000 square feet, ~~and~~;
- 3 (B) The facilities are made available rent free, ~~and~~;
- 4 (C) Adequate outdoor space is provided adjacent, or easily accessible, to  
 5 the facility. Spaces such as atriums, rooftops, or public parks may be used if they meet  
 6 licensing requirements for child care facilities, ~~and~~;
- 7 (D) The space is used for child care for the life of the building as long as  
 8 there is a demonstrated need. No change in use shall occur without a finding by the Planning  
 9 Commission that there is a lack of need for child care and that the space will be used for a  
 10 facility described in ~~S~~subsection (b)(17) below dealing with cultural, educational, recreational,  
 11 religious, or social service facilities;

12 (17) Floor area in C-3, ~~South of Market Mixed Use Districts~~, and Eastern  
 13 Neighborhoods Mixed Use Districts permanently devoted to cultural, educational, recreational,  
 14 religious, or social service facilities available to the general public at no cost or at a fee  
 15 covering actual operating expenses, provided that such facilities are:

- 16 (A) Owned and operated by a nonprofit corporation or institution; or  
 17 (B) Are made available rent free for occupancy only by nonprofit  
 18 corporations or institutions for such functions. Building area subject to this ~~S~~subsection shall  
 19 be counted as Occupied Floor Area, except as provided in ~~S~~subsections(a) through (f) in the  
 20 definition for Floor Area, Occupied, for the purpose of calculating the freight loading  
 21 requirements for the project;

22 \* \* \* \*

23 **SEC. 124. BASIC FLOOR AREA RATIO.**

24 (a) Except as provided in ~~S~~subsections (b), (c), (d), (e), and (l) of this Section 124, the  
 25 basic Floor Area Ratio limits specified in the Zoning Control Table for the district in which the

1 lot is located, or in Table 124 below, shall apply to each building or development in the  
 2 districts indicated.

3

4 **TABLE 124**

5 **BASIC FLOOR AREA RATIO LIMITS**

<i>District</i>	<i>Basic Floor Area Ratio Limit</i>
* * * *	
<del>RSD</del> , SPD, NC-1, NCT-1, NC-S	1.8 to 1
Haight	
Inner Clement	
Inner Sunset	
North Beach	
Outer Clement	
Sacramento	
24th Street-Noe Valley	
West Portal	
* * * *	
<del>SLR</del> , <del>SLI</del>	2.5 to 1
<del>SSO and in a 40 or 50 foot height district</del>	3.0 to 1
<del>SSO and in a 65 or 80 foot height district</del>	4.0 to 1

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<i>SSO and in a 130 foot height district</i>	<i>4.5 to 1</i>
* * * *	

\* \* \* \*

(j) Within ~~the any RSD, SPD, SLR, SLL or SSO~~ District, Live/Work Units constructed above the floor area ratio limits in Section 102 (Floor Area Ratio, subsection (b)(19)) of this Code shall be subject to the following conditions and standards:

(1) Considering all Dwelling Units and all Live/Work Units on the lot, existing and to be constructed, there shall be no more than one Live/Work Unit and/or Dwelling Unit per 200 square feet of lot area, ~~except that, for projects in the RSD District which will exceed 40 feet in height, and therefore are required to obtain conditional use approval, the allowable density for Dwelling Units and Live/Work Units shall be established as part of the conditional use determination;~~

and

\* \* \* \*

**SEC. 128.1. TRANSFER OF DEVELOPMENT RIGHTS IN THE CENTRAL SOMA SPECIAL USE DISTRICT.**

*(a) Purpose. The purpose of this Section is to use Transferable Development Rights to facilitate the economic viability of buildings that are of civic importance, that are not built to their full development potential, and that are within the Central SoMa Special Use District, established in Section 249.78.*

**(b) Definitions.**

**"Development Lot."** *A lot within the Central SoMa Special Use District to which Transferable Development Rights may be transferred.*

**"Preservation Lot."** *A parcel of land within the Central SoMa Special Use District on which exists (1) a Significant or Contributory Building, as designated pursuant to Article 11 of this*

1 Code; or (2) a structure designated as an individual landmark or as contributory to a historic district  
2 designated pursuant to Article 10 of this Code. The boundaries of the Preservation Lot shall be the  
3 boundaries of the Assessor's Lot on which the building is located at the time the ordinance making the  
4 designation is adopted, unless boundaries are otherwise specified in that ordinance.

5 "Transfer Lot." A lot within the Central SoMa Special Use District from which  
6 Transferable Development Rights may be transferred.

7 "Transferable Development Rights (TDR)." Units of allowable Gross Floor Area that  
8 may be transferred, pursuant to the provisions of this Section and Article 11 of this Code, from a  
9 Transfer Lot to increase the allowable Gross Floor Area of a development on a Development Lot.

10 "Unit of TDR." One unit of TDR is one square foot of Gross Floor Area.

11 (c) Applicability. TDR may be transferred from a Development Lot to a Transfer Lot, subject to  
12 the requirements set forth in this Section 128.1.

13 (1) The maximum TDR available for transfer from a Transfer Lot consists of the  
14 difference between the allowable Gross Floor Area on the Transfer Lot and the actual Gross Floor  
15 Area of the development located on the Transfer Lot. For purposes of this Section, the allowable Gross  
16 Floor Area of the Transfer Lot is as follows:

17 (A) 3.0 Floor Area Ratio for projects in height districts of 40 to 49 feet;

18 (B) 4.0 Floor Area Ratio for projects in height districts of 50 to 59 feet;

19 (C) 5.0 Floor Area Ratio for projects in height districts of 60 to 69 feet;

20 (D) 6.0 Floor Area Ratio for projects in height districts of 70 to 85 feet; and

21 (E) 7.5 Floor Area Ratio for projects in height districts over 85 feet.

22 (2) TDR may not be transferred for use on any lot on which there is a Significant or  
23 Contributory building designated pursuant to Article 11 or any building designated pursuant to Article  
24 10; provided that this restriction shall not apply if the Historic Preservation Commission finds that the  
25 additional space resulting from the transfer of TDR is essential to make economically feasible the

1 reinforcement of a Significant or Contributory building designated pursuant to Article 11 to meet the  
2 standards for seismic loads and forces of the Building Code, in which case TDR may be transferred for  
3 that purpose, provided that the project sponsor has satisfied all other requirements of this Section and  
4 Article 11, including but not limited to the requirements of Sections 1111 through 1111.6.

5 (3) Notwithstanding any other provision of this Section 128.1, development on a  
6 Development Lot is limited by the provisions of this Code, other than those on floor area ratio,  
7 governing the approval of projects, including but not limited to the requirements relating to height,  
8 bulk, setback, sunlight access, and separation between towers, and any limitations imposed pursuant to  
9 Section 329 review applicable to the Development Lot.

10 (d) Controls. The transfer of TDR shall be allowed only under the following circumstances:

11 (1) The Transfer Lot is a Preservation Lot or consists of a building all of the housing  
12 units of which are Affordable Housing Units as defined in Section 401.

13 (2) The purchaser of the TDR is a Development Lot as defined in Section 128 and  
14 128.1.

15 (e) Additional Requirements. Projects transferring TDR pursuant to this Section 128.1 are  
16 subject to the requirements of Planning Code Section 128(e) through (l).

17 **SEC. 132.4. SETBACKS, STREETWALL ARTICULATION, AND TOWER SEPARATION**  
18 **IN THE CENTRAL SOMA SPECIAL USE DISTRICT.**

19 (a) Purpose. The controls in this Section 132.4 are intended to ensure that new buildings in the  
20 Central SoMa Special Use District contribute to the activation, safety, and dynamism of the  
21 neighborhood, help create a strong urban room, and facilitate a substantial amount of light and air to  
22 the neighborhood's major streets.

23 (b) Definitions. The definitions of Section 102 shall apply, as well as the following additional  
24 definitions.

25 "Mid-Rise Building." A building above 85 feet and up to 160 feet in Height.

1 "Mid-Rise Portion." *The portion of a Mid-Rise Building above 85 feet in Height.*

2 "Separation." *The distance, measured horizontally, between the outside surfaces of the*  
3 *exterior walls of the subject buildings.*

4 "Tower." *Any building taller than 160 feet in Height.*

5 "Tower Portion." *The portion of a Tower above 85 feet in Height.*

6 (c) Applicability. *The controls in this Section 132.4 apply within the Central SoMa Special Use*  
7 *District, established in Section 249.78.*

8 (d) Controls.

9 (1) Streetwall.

10 (A) Requirements. *Buildings shall be built up to the street- or alley-facing*  
11 *property line up to 65 feet in Height, subject to the controls of Section 261.1 as applicable, except as*  
12 *provided in subsection (B) below.*

13 (B) Permitted Streetwall Setbacks. *Notwithstanding the requirements of*  
14 *subsection (A), any building may be recessed from the property line as follows:*

15 (i) To the extent necessary to accommodate any setback required by this  
16 Code;

17 (ii) For portions of residential buildings with walk-up dwelling units that  
18 have setbacks in accordance with the Ground Floor Residential Guidelines;

19 (iii) For publicly-accessible open space built pursuant to the  
20 requirements of Section 138; or

21 (iv) For building facade architectural articulation and modulation up to  
22 a maximum depth of 5 feet.

23 (2) Setbacks.

24 (A) For Mid-Rise Buildings in the CS Bulk District, as defined in Section 270(h),  
25 the following requirements apply:

1 (i) Along all street- and alley-facing property lines, a 15-foot setback is  
2 required for the Mid-Rise Portion for at least 60 percent of the frontage length. This setback may be  
3 reduced for obstructions permitted by Section 136;

4 (ii) Along all interior property lines, a 15-foot setback is required for the  
5 Mid-Rise Portion for the entire frontage. This setback may be reduced for obstructions permitted  
6 according to Section 136.

7 (B) For Towers in the CS Bulk District, along all property lines, a 15-foot  
8 setback is required for the Tower Portion for the entire frontage. This setback may be reduced for  
9 obstructions permitted according to Section 136.

10 (C) Along 4th Street between Bryant Street and Townsend Street, building  
11 facades on new development shall be set back from the street-facing property line by a minimum depth  
12 of five feet to a minimum height of 25 feet above sidewalk grade. This setback shall be designed as an  
13 extension of the sidewalk, free of columns or other obstructions, except as allowed according to Section  
14 136, and shall generally be available to the public at all times for pedestrian circulation.

15 **(3) Building Separation.**

16 (A) The Tower Portion of a project shall have a horizontal separation of at least  
17 115 feet from the Tower Portion of any other Tower.

18 (B) Through the procedures of Section 329, the Planning Commission may  
19 reduce the separation required under subsection (A) if it finds that a Tower project meets all of the  
20 following criteria:

21 (i) The Tower Portion of the project has, at a minimum, a horizontal  
22 separation of at least 85 feet from the Tower Portion of any other Tower;

23 (ii) The maximum floor area of any floor of the Tower Portion of the  
24 project is no more than 10,000 gross square feet;



1 (1) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-3, RC-4, NC Districts other  
2 than the Pacific Avenue NC District, C, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-  
3 MX, and SPD, RSD, SLR, SLI and SSO Districts. The minimum rear yard depth shall be equal  
4 to 25% of the total depth of the lot on which the building is situated, but in no case less than  
5 15 feet. For buildings containing only SRO Units in the *South of Market Mixed Use and Eastern*  
6 *Neighborhoods Mixed Use* Districts, the minimum rear yard depth shall be equal to 25% of the  
7 total depth of the lot on which the building is situated, but the required rear yard of SRO  
8 buildings not exceeding a height of 65 feet shall be reduced in specific situations as described  
9 in ~~S~~subsection (c) below.

10 \* \* \* \*

11 (C) RC-3, RC-4, NC-3, NCT-3, Broadway, Fillmore Street NCT, Hayes-  
12 Gough NCT, Japantown, SoMa NCT, Mission Street NCT, Polk Street, Pacific Avenue, C,  
13 M, SPD, ~~RSD, SLR, SLI, SSO~~, MUR, MUG, MUO, and UMU Districts. Rear yards shall be  
14 provided at the lowest story containing a Dwelling Unit, and at each succeeding level or story  
15 of the building. In the Hayes-Gough NCT, lots fronting the east side of Octavia Boulevard  
16 between Linden and Market Streets (Central Freeway Parcels L, M, N, R, S, T, U, and V) are  
17 not required to provide rear yards at any level of the building, provided that the project fully  
18 meets the usable open space requirement for Dwelling Units *per pursuant to* Section 135 of  
19 this Code, the exposure requirements of Section 140, and gives adequate architectural  
20 consideration to the light and air needs of adjacent buildings given the constraints of the  
21 project site.

22 \* \* \* \*

23 (c) Reduction of Requirements in RH-2, RH-3, RTO, RTO-M, RM-1, and RM-2  
24 Districts. The rear yard requirement stated in *Paragraph subsection (a)(2)* above and as stated  
25 in *Paragraph subsection (a)(1)* above for SRO buildings located in *either the South of Market*

1 ~~Mixed Use or the~~ Eastern Neighborhoods Mixed Use Districts not exceeding a height of 65 feet,  
2 shall be reduced in specific situations as described in this ~~§~~subsection (c), based upon  
3 conditions on adjacent lots. Except for those SRO buildings referenced above in this  
4 paragraph whose rear yard can be reduced in the circumstances described in ~~§~~subsection (c)  
5 to a 15-foot minimum, under no circumstances, shall the minimum rear yard be thus reduced  
6 to less than a depth equal to 25 percent of the total depth of the lot on which the building is  
7 situated, or to less than 15 feet, whichever is greater.

8 \* \* \* \*

9 **SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP**  
10 **HOUSING, R, NC, MIXED USE, C, AND M DISTRICTS.**

11 Except as provided in Sections 134.1, 172, and 188 of this Code, usable open space  
12 shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use,  
13 and M Districts according to the standards set forth in this Section 135 unless otherwise  
14 specified in specific district controls elsewhere in this Code.

15 \* \* \* \*

16 (d) **Amount Required.** Usable open space shall be provided for each building in the  
17 amounts specified herein and in Tables 135A and B for the district in which the building is  
18 located; provided, however, that in the Downtown Residential (DTR) Districts, open space  
19 shall be provided in the amounts specified in Section 825 of this Code.

20 In Neighborhood Commercial Districts, the amount of usable open space to be  
21 provided shall be the amount required in the nearest Residential District, but the minimum  
22 amount of open space required shall be in no case greater than the amount set forth in Table  
23 135A for the district in which the building is located. The distance to each Residential District  
24 shall be measured from the midpoint of the front lot line or from a point directly across the  
25 street therefrom, whichever requires less open space.

1 \* \* \* \*

2 (5) Eastern Neighborhoods Mixed Use Districts.

3 (A) Minimum amount.

4 (i) Dwelling units, excluding SRO dwelling units. The minimum  
5 amount of usable open space to be provided for use by each dwelling unit shall be as  
6 specified in Table 135B.

7 (ii) ~~For group housing structures and,~~ including SRO dwelling  
8 units. The minimum amount of usable open space provided for use by each bedroom shall  
9 be one-third the amount required for a dwelling unit as specified in Table 135B.

10 (B) Compliance.

11 (i) Privately-owned public open space. Usable open space  
12 requirements in these areas may be fulfilled by providing privately-owned public open space  
13 as specified in Table 135B.

14 (ii) Towers in the CMUO District. Residential developments taller than  
15 160 feet shall provide on-site at least 36 square feet per unit or bedroom of the open space requirement  
16 of Table 135B. Any additional open space required pursuant to Table 135B may be satisfied through  
17 payment of the fee established in Section 427.

18 (iii) Payment in case of Variance or exception. Projects granted a  
19 usable open space Variance pursuant to Section 305 or an exception through Section 329 shall pay the  
20 fee established in Section 427 for each square foot of useable open space not provided.

21 \* \* \* \*

TABLE 135 A		
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING		
OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT		
District	Square Feet <del>of</del> Usable	Ratio of Common Usable

	Open Space Required <del>For</del> <i>for</i> Each Dwelling Unit If All Private	Open Space That May Be Substituted for Private
* * * *		
C-3, <del>C-M, SLR, SLL, SSO</del> , M-1, M-2	36	1.33
* * * *		

\* \* \* \*

(h) **Publicly-Accessible Usable Open Space Standards.** In DTR Districts and the Eastern Neighborhoods Mixed Use Districts, some or all of the usable open space requirements may be fulfilled by providing privately-owned public open space. Any space credited as publicly-accessible usable open space, where permitted or required by this Code, shall meet the following standards:

(1) **Types of Open Space.** Open space shall be of one or more of the following types:

- (A) An unenclosed park or garden at street grade or following the natural topography, including improvements to hillsides or other unimproved public areas;
- (B) An unenclosed plaza at street grade, with seating areas and landscaping and no more than 10 percent of the total floor area devoted to facilities for food or beverage service, exclusive of seating areas as regulated in Section 138(d)(5);
- (C) An unenclosed pedestrian pathway which complies with the standards of Section 270.2 and which is consistent with applicable design guidelines.
- (D) Streetscape improvements with landscaping and pedestrian amenities that result in additional pedestrian space beyond the pre-existing sidewalk width

1 and conform to the Better Streets Plan and any other applicable neighborhood streetscape  
2 plans ~~perpursuant to~~ Section 138.1 or other related policies such as those associated with  
3 sidewalk widenings or building setbacks, other than those intended by design for the use of  
4 individual ground floor residential units; and

5 (2) **Standards of Open Space.** Open space shall meet the standards  
6 described in Section 138(d)~~(1) through (11) of this Code.~~

7 (3) **Maintenance.** Maintenance requirements for open space in these areas are  
8 subject to Section 138(h) of this Code.

9 (4) **Informational Plaque.** Signage requirements for open space in these areas  
10 are subject to Section 138(i) of this Code.

11 (5) **Open Space Provider.** Requirements regarding how to provide and  
12 maintain open space are subject to Section 138(f) of this Code.

13 (6) **Approval of Open Space Type and Features.** Approval of open space in  
14 these areas is subject to requirements of Section 138(d) of this Code.

15 \* \* \* \*

16 **SEC. 135.3. USABLE OPEN SPACE FOR USES OTHER THAN DWELLING UNITS,**  
17 **GROUP HOUSING AND LIVE/WORK UNITS WITHIN THE ~~SOUTH OF MARKET,~~ EASTERN**  
18 **NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS.**

19 (a) **Amount of Open Space Required.** All newly constructed structures, all structures  
20 to which ~~gross floor area~~Gross Floor Area equal to 20%~~percent~~ or more of existing ~~gross floor~~  
21 ~~area~~Gross Floor Area is added, and all structures in the ~~SSO and~~ Eastern Neighborhoods Mixed  
22 Use Districts within which floor area is converted to office use other than office use accessory  
23 to a non-office use shall provide and maintain usable open space for that part of the new,  
24 additional or converted square footage which is not subject to Sections 135.1 and 135.2 as  
25 follows:

1           **MINIMUM USABLE OPEN SPACE REQUIREMENTS FOR USES OTHER THAN**  
 2 **DWELLING UNITS, GROUP HOUSING AND LIVE/WORK UNITS IN THE *SOUTH OF***  
 3 ***MARKET*, EASTERN NEIGHBORHOODS MIXED USE, AND DTR DISTRICTS**

Use	Square Feet of Useable Open Space Required
* * * *	
<i>Manufacturing and light industrial, storage without distribution facilities, and like uses in the South of Market Mixed Use Districts</i>	<i>1 sq. ft. per 120 gross sq. ft. of occupied floor area of new or added square footage</i>
* * * *	
<i>Office uses, as defined in 890.70, in the South of Market Mixed Use Districts</i>	<i>1 sq. ft. per 90 sq. ft. of occupied floor area of new, converted or added square footage</i>
* * * *	

14           \* \* \* \*

15           **(2) Eastern Neighborhoods Mixed Use Districts.** In the Eastern  
 16 Neighborhoods Mixed Use Districts, the open space requirements of this Section 135.3 may  
 17 be fulfilled by providing privately-owned public open space. Such open space is subject to the  
 18 following:

19                   (A) The amount of open space required pursuant to Table 135.3 may be  
 20 reduced by ~~33% percent~~ if it is publicly accessible usable open space.

21                   (B) Publicly accessible usable open space is required to meet all  
 22 requirements specified in Section 135(h) of this Code.

23                   (C) Up to ~~50% percent~~ of the publicly accessible open space may be  
 24 provided off-site, subject to Section 329 ~~of this Code~~ for projects to which that Section applies  
 25 and Section 307(h) for other projects. Any such space shall meet the publicly accessible open

1 space standards set forth in Section 135(h) and be provided within 800 feet of the project. The  
2 publicly accessible off-site usable open space shall be constructed, completed, and ready for  
3 use no later than the project itself, and shall receive its Certificate of Final Completion from  
4 the Department of Building Inspection prior to the issuance of any Certificate of Final  
5 Completion or Temporary Certificate of Occupancy for the project itself. This subsection (C)  
6 shall not apply to projects in the CMUO District, and instead such projects shall comply with Section  
7 138.

8 \* \* \* \*

9 **SEC. 138. PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS**  
10 **IN C-3 DISTRICTS.**

11 (a) Requirement Applicability. The following projects shall provide open space in the amount  
12 and in accordance with the standards set forth in this Section:

13 (1) In C-3 Districts, any project proposing new construction of An applicant for a  
14 permit to construct a new a Non-Residential building or an addition of Gross Floor Area equal to  
15 20 percent or more of an existing Non-Residential building (hereinafter "building"). Institutional  
16 uses in C-3 Districts are exempt from the requirements of this Section 138. in C-3 Districts shall provide  
17 open space in the amount and in accordance with the standards set forth in this Section. All  
18 determinations concerning the adequacy of the amount of open space to be provided and its compliance  
19 with the requirements of this Section shall be made in accordance with the provisions of Section 309.

20 (2) In the CMUO District, any project proposing new construction or an addition of  
21 50,000 gross square feet or more of Non-Residential use. Institutional and PDR uses in the CMUO  
22 District are exempt from the requirements of this Section 138.

23 **(b) Amount Required.** Except in the C-3 O(SD) District, oOpen space shall be provided  
24 in the amounts specified in Table 138 below for all uses except (i) Residential Uses, which shall be  
25 governed by Section 135 of this Code and (ii) Institutional Uses.

Table 138

Minimum Amount of Open Space Required	
Use District	Ratio of Square Feet of Open Space to Gross Floor Area With Open Space Requirement
C-3-O	1:50
C-3-R	1:100
C-3-G	1:50
C-3-S	1:50
C-3-O (SD)	1:50
<u>CMUO</u>	<i>1:50; however, every square foot of the following amenities shall count as 1.33 square feet towards meeting the requirements of this Section: (1) playgrounds; (2) community gardens; (3) sport courts; and (4) dog runs.</i>

(c) **Location.** The open space required by this Section may be on the same site as the buildingproject for which the permit is sought, or within 900 feet of it on either private property or, with the approval of all relevant public agencies, public property, provided that all open space required by this Section for a project within the C-3 District shall must be located entirely within the C-3 District. Projects within the CMUO District may provide the open space required by this Section within one-half mile of the project if the required open space is on publicly-owned land underneath or adjacent to the I-80 freeway. Open space is within 900 feet of the building for which the permit is sought within the meaning of this Section if any portion of the buildingproject is located within 900 feet of any portion of the open space. Off-site open space shall be developed and open for use prior to issuance of a first certificate of occupancy, as defined in Section 401 of this Code, of the buildingproject whose open space requirement is

1 being met off-site. Failure to comply with the requirements of this subsection shall be grounds  
2 for enforcement under this Code, including but not limited to the provisions of Sections 176  
3 and 176.1.

4 (d) **Types and Standards of Open Space.**

5 (1) C-3 Districts. In C-3 Districts, ~~Ex~~cept as otherwise provided in ~~S~~ubsection  
6 (~~ef~~), the project ~~applicant~~ may satisfy the requirements of this Section by providing one or more  
7 of the following types of open space: A plaza, an urban park, an urban garden, a view terrace,  
8 a sun terrace, a greenhouse, a small sitting area (a "snippet"), an atrium, an indoor park, or a  
9 public sitting area in a galleria, in an arcade, in a public street or alley, or in a pedestrian mall  
10 or walkway, as more particularly defined in the table entitled "Guidelines for Open Space" in  
11 the Open Space Section of the Downtown Plan, or any amendments thereto, provided that the  
12 open space meets the following minimum standards. The open space shall:

13 (~~1A~~) Be of adequate size;

14 (~~2B~~) Be situated in such locations and provide such ingress and egress  
15 as will make the area easily accessible to the general public;

16 (~~3C~~) Be well-designed, and where appropriate, be landscaped;

17 (~~4D~~) Be protected from uncomfortable wind;

18 (~~5E~~) Incorporate various features, including ample seating and, if  
19 appropriate, access to food service, which will enhance public use of the area;

20 (~~6F~~) Have adequate access to sunlight if sunlight access is appropriate  
21 to the type of area;

22 (~~7G~~) Be well-lighted if the area is of the type requiring artificial  
23 illumination;

24 (~~8H~~) Be open to the public at times when it is reasonable to expect  
25 substantial public use;

- 1                    ~~(9I)~~ Be designed to enhance user safety and security;
- 2                    ~~(10J)~~ If the open space is on private property, provide toilet facilities open
- 3 to the public; and
- 4                    ~~(11K)~~ Have at least 75 percent of the total open space approved be open
- 5 to the public during all daylight hours.

6                    (2) CMUO District. In the CMUO District, a project shall satisfy the requirements

7 listed below, as well as the approval process described in subsection (f):

8                    (A) Projects shall meet the minimum standards of subsection (e)(1).

9                    (B) Projects may provide open spaces outdoors or indoors, or may pay the in-

10 lieu fee as set forth in Section 427 and subject to Commission review pursuant to (f) below, except that

11 development on sites of 40,000 square feet or more and located south of Bryant Street shall provide the

12 required open space outdoors and may not pay an in-lieu fee.

13                    (C) All open space provided shall be at street grade up to an amount that equals

14 15 percent of the lot area. Any additional required open space may be provided above street grade.

15                    (D) All open space shall be publicly accessible, at a minimum, from 7AM to

16 6PM every day.

17                    (E) All outdoor open space provided at street grade, except space provided

18 underneath the I-80 freeway, shall meet the following requirements:

19                    (i) The open space shall be open to the sky, except for obstructions

20 permitted by Section 136;

21                    (ii) Any buildings on the subject property that directly abut the open

22 space shall meet the active space requirements of Section 145.1; and

23                    (iii) The open space shall be maximally landscaped with plantings on

24 horizontal and vertical surfaces, subject to the appropriate design for circulation routes and any

25 recreational or public amenities provided.

1 (F) All indoor open spaces provided at street grade shall:

2 (i) Have a minimum area of 2,500 square feet;

3 (ii) Have a minimum floor-to-ceiling height of 20 feet;

4 (iii) Provide openings directly to a sidewalk or other publicly-accessible  
5 outdoor space and, weather permitting, be accessible without the need to open doors;

6 (iv) Be situated, designed, and programmed distinctly from building  
7 lobbies or other private entrances to the building;

8 (G) All spaces shall include at least one publicly-accessible potable water  
9 source convenient for drinking and filling of water bottles.

10 (H) Any food service area provided in the required open space shall occupy no  
11 more than 20% of the open space;

12 (I) Any restaurant seating shall not take up more than 20% of the seating and  
13 tables provided in the required open space; and

14 (J) All spaces shall facilitate three-stream waste sorting and collection.

15 **(e) Approval of Open Space Type and Features.**

16 (1) In C-3 Districts, the type, size, location, physical access, seating and table  
17 requirements, landscaping, availability of commercial services, sunlight and wind conditions  
18 and hours of public access shall be reviewed and approved in accordance with the provisions  
19 of Section 309, and shall generally conform to the "Guidelines for Open Space" in the Open  
20 Space Section of the Downtown Plan, or any amendments thereto.

21 The Commission may, by resolution, declare certain types of open space ineligible to  
22 meet the requirements of this Section 138, either throughout C-3 Districts; or in certain defined  
23 areas, if it determines that a disproportionate number of certain types of open space; or ~~that~~  
24 an insufficient number of parks and plazas; is being provided ~~in order~~ to meet the public need  
25

1 for open space and recreational uses. Such resolution may exempt from its application  
2 projects whose permit applications are on file with the Planning Department.

3 Over time, no more than 20 percent of POPOS in the space provided under this Section  
4 138C-3 Districts shall be indoor space and at least 80 percent shall be outdoor space. Once an  
5 indoor space has been approved, another such feature may not be approved until the total  
6 square footage of outdoor open space features approved under this subsectionSection exceeds  
7 80 percent of the total square footage of all open spaces approved under this  
8 subsectionSection.

9 (2) In the CMUO District, all determinations concerning the adequacy of the location,  
10 amount, amenities, design, and implementation of open space required by this Section shall be made in  
11 accordance with the provisions of Section 329 and subsection (e), above. As part of this determination,  
12 the Planning Commission shall consider the ability of the open space to meet the open space, greening,  
13 and community needs of the neighborhood, as follows:

14 (A) Location. The provision of outdoor space, including off-site, should be  
15 given preference over the provision of indoor space and/or the payment of the in-lieu fee. The  
16 Commission may approve the provision of indoor space and/or the payment of the in-lieu fee only  
17 where the provision of outdoor space would:

18 (i) Be subject to substantially negative or unpleasant environmental  
19 conditions, such as noise, wind, or lack of access to direct sunlight; and/or

20 (ii) Where provision of the open space outdoors would substantially  
21 degrade the street wall or otherwise undermine the pedestrian experience.

22 (B) Amenities. The type of amenities provided shall take into consideration and  
23 complement the amenities currently and foreseeably provided in nearby publicly-accessible open  
24 spaces and recreational facilities, both publicly and privately owned, with a preference given to  
25 provision of amenities and types of spaces lacking or over-utilized in the area.

1 \* \* \* \*

2 **SEC. 140. ALL DWELLING UNITS IN ALL USE DISTRICTS TO FACE ON AN OPEN**  
3 **AREA.**

4 (a) **Requirements for Dwelling Units.** ~~With the exception of Dwelling Units in SRO~~  
5 ~~buildings in the South of Market Mixed Use Districts, i~~In each Dwelling Unit in any use district, the  
6 required windows (as defined by Section 504 of the San Francisco Housing Code) of at least  
7 one room that meets the 120-square-foot minimum superficial floor area requirement of  
8 Section 503 of the Housing Code shall face directly onto an open area of one of the following  
9 types:

10 (1) A public street, public alley at least 20 feet in width, side yard at least 25 feet  
11 in width, or rear yard meeting the requirements of this Code; provided, that if such windows  
12 are on an outer court whose width is less than 25 feet, the depth of such court shall be no  
13 greater than its width; or

14 (2) An open area (whether an inner court or a space between separate  
15 buildings on the same lot) which is unobstructed (except for fire escapes not projecting more  
16 than necessary for safety and in no case more than four feet six inches, chimneys, and those  
17 obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code) and  
18 is no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in  
19 question is located and the floor immediately above it, with an increase of five feet in every  
20 horizontal dimension at each subsequent floor, except for SRO buildings in the Eastern  
21 Neighborhoods Mixed Use Districts, which are not required to increase five feet in every  
22 horizontal dimension until the fifth floor of the building.

23 \* \* \* \*

24 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,**  
25 **RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

1 (a) **Purpose.** The purpose of this Section is to preserve, enhance, and promote  
2 attractive, clearly defined street frontages that are pedestrian-oriented and fine-grained, and  
3 ~~which~~ that are appropriate and compatible with the buildings and uses in Neighborhood  
4 Commercial Districts, Commercial Districts, Residential-Commercial Districts, and Mixed Use  
5 Districts.

6 \* \* \* \*

7 (c) **Controls.** The following requirements shall generally apply, except for those  
8 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling  
9 Height, which only apply to a "development lot" as defined above.

10 In NC-S Districts, the applicable frontage shall be the primary facade(s) ~~which~~ that  
11 contains customer entrances to commercial spaces.

12 \* \* \* \*

13 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere in  
14 this Code:

15 (A) All ground floor uses in UMU Districts shall have a minimum floor-to-  
16 floor height of 17 feet, as measured from grade. Ground floor Residential Uses shall also be  
17 designed to meet the City's Ground Floor Residential Design Guidelines.

18 (B) Ground floor Non-Residential Uses in all C-3, NCT, DTR, Chinatown  
19 Mixed Use, ~~RSD, SLR, SLL~~, SPD, ~~SSO~~, RED-MX, WMUG, MUG, MUR, WMUO<sub>2</sub> and MUO  
20 Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade.

21 \* \* \* \*

22 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

23 (a) **Purpose.** To support active, pedestrian-oriented commercial uses on important  
24 commercial streets.

1 (b) **Applicability.** The requirements of this Section apply to the following street  
2 frontages.

3 \* \* \* \*

4 (7) Fourth Street, between Folsom Bryant and Townsend Streets in the SLI and  
5 CMUO Districts;

6 \* \* \* \*

7 (28) Any street frontage that is in the Polk Street Neighborhood Commercial  
8 District; ~~and~~,

9 (29) Pacific Avenue, between Van Ness Avenue and Jones Street, on lots  
10 where the last known ground floor use was a commercial or retail use;

11 (30) Folsom Street, between 4th and 6th Streets in the CMUO and MUG Districts;

12 (31) Second Street, on the west side, between Dow Place and Townsend Street in the  
13 CMUO District;

14 (32) Third Street, between Folsom Street and Townsend Street in the CMUO and C-3-O  
15 Districts;

16 (33) Brannan Street, between Third Street and Fourth Street, in the CMUO District;  
17 and

18 (34) Townsend Street, on the north side, between Second Street and Fourth Street.

19 \* \* \* \*

20 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**  
21 **SPECIFIED DISTRICTS.**

22 \* \* \* \*

23 **Table 151.1**

24 **OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces
-----------------	---

1		or Space Devoted to Off-Street Car
2		Parking Permitted
3	<b>RESIDENTIAL USES</b>	
4	* * * *	
5	Dwelling Units and SRO Units in <i>SLI, SALI,</i>	P up to one car for each four Dwelling or
6	<i>SSO, MUG</i> <u>outside of the Central SoMa SUD,</u>	SRO Units; C up to 0.75 cars for each
7	WMUG, MUR, MUO, WMUO, SPD Districts,	Dwelling Unit, subject to the criteria and
8	except as specified below	conditions and procedures of Section
9		151.1(e) or (f); NP above 0.75 cars for each
10		Dwelling or SRO Unit.
11	Dwelling Units in <i>SLI, SALI, SSO, MUG</i>	P up to one car for each four Dwelling Units;
12	<u>outside of the Central SoMa SUD,</u> WMUG,	C up to one car for each Dwelling Unit,
13	MUR, MUO, WMUO, <u>and</u> SPD Districts with	subject to the criteria and conditions and
14	at least two bedrooms and at least 1,000	procedures of Section 151.1(e) or (f); NP
15	square feet of Occupied Floor Area	above one car for each Dwelling Unit.
16	* * * *	
17	<u>Dwelling Units in MUG District within the</u>	<u>P up to one car for each two Dwelling Units; NP</u>
18	<u>Central SoMa SUD and the CMUO Districts</u>	<u>above 0.50 cars for each Dwelling Unit.</u>
19	* * * *	
20	<b>NON-RESIDENTIAL USES IN DISTRICTS OTHER THAN C-3</b>	
21	* * * *	
22	<b>Entertainment, Arts, and Recreation Uses Category</b>	
23	Arts Activities, except theaters and	P up to one for each 2,000 square feet of
24	auditoriums	Occupied Floor Area. <i>In South of Market</i>
25		<i>Mixed Use Districts, participation in</i>

	<i>transportation programs may be required per Section 151.1(j).</i>
* * * *	
<b>Sales and Services Category</b>	
* * * *	
All retail in the Eastern Neighborhoods Mixed Use Districts where any portion of the parcel is <u>within the CMUO District or is less</u> than 1/4 mile from Market, Mission, 3rd Streets and 4th Street north of Berry Street, except grocery stores of over 20,000 gross square feet.	P up to one for each 1,500 square feet of Gross Floor Area.
* * * *	
Office uses in DTR, <del>SSO</del> , SPD, MUG, WMUG, MUR, WMUO, and MUO Districts	P up to 7% of the Occupied Floor Area of such uses and subject to the pricing conditions of Section 155(g); NP above.
<u>Office uses in the CMUO District</u>	<u>P up to one car per 3,500 square feet of Occupied Floor Area.</u>
* * * *	

\* \* \* \*

(f) **Small Residential Projects in MUG, WMUG, MUR, MUO, CMUO, WMUO, RED, RED-MX and SPD Districts.** Any project that is not subject to the requirements of Section 329 and that requests residential accessory parking in excess of what is principally permitted in Table 151.1 shall be reviewed by the Zoning Administrator subject to Section 307(i). The Zoning Administrator may grant parking in excess of what is principally permitted in Table

1 151.1, not to exceed the maximum amount stated in Table 151.1, only if the Zoning  
2 Administrator determines that:

3 \* \* \* \*

4 **SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES**  
5 **IN DISTRICTS OTHER THAN C-3, AND EASTERN NEIGHBORHOODS MIXED USE**  
6 **DISTRICTS, ~~OR SOUTH OF MARKET MIXED USE DISTRICTS.~~**

7 In districts other than C-3, and Eastern Neighborhoods Mixed Use Districts, ~~and the~~  
8 ~~South of Market Mixed Use Districts~~, off-street freight loading spaces shall be provided in the  
9 minimum quantities specified in the following table, except as otherwise provided in Section  
10 152.2 and Section 161 of this Code. The measurement of Occupied Floor Area shall be as  
11 defined in this Code, except that nonaccessory parking spaces and driveways and  
12 maneuvering areas incidental thereto shall not be counted.

13 **Table 152**

14 **OFF-STREET FREIGHT LOADING SPACES REQUIRED (OUTSIDE C-3, AND EASTERN**  
15 **NEIGHBORHOODS MIXED USE DISTRICTS, ~~AND SOUTH OF MARKET MIXED USE~~**  
16 **~~DISTRICTS~~)**

17 \* \* \* \*

18 **SEC. 152.1. REQUIRED OFF-STREET FREIGHT LOADING AND SERVICE**  
19 **VEHICLE SPACES IN C-3, AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS,**  
20 **~~AND SOUTH OF MARKET MIXED USE DISTRICTS.~~**

21 In C-3, and Eastern Neighborhoods Mixed Use Districts, ~~and South of Market Mixed Use~~  
22 ~~Districts~~, off-street freight loading spaces shall be provided in the minimum quantities specified  
23 in the following Table 152.1, except as otherwise provided in Sections 153(a)(6), 161, and as  
24 stated below in this Section 152.1. Notwithstanding the requirements of this Section, including  
25 Table 152.1, no building in the C-3-O(SD) district shall be required to provide more than six

1 off-street freight loading or service vehicle spaces in total. The measurement of Occupied  
 2 Floor Area shall be as defined in this Code, except that non-accessory parking spaces and  
 3 driveways and maneuvering areas incidental thereto shall not be counted.

4 For projects in the Eastern Neighborhoods Mixed Use Districts that are subject to  
 5 Section 329, the Planning Commission may waive these requirements *perpursuant to* the  
 6 procedures of Section 329 if it finds that the design of the project, particularly ground floor  
 7 frontages, would be improved and that such loading could be sufficiently accommodated on  
 8 adjacent Streets and Alleys. For projects in the Eastern Neighborhoods Mixed Use Districts  
 9 that are not subject to Section 329, the Zoning Administrator may administratively waive these  
 10 requirements pursuant to Section 307(h) and the criteria identified above which apply to  
 11 projects subject to Section 329.

12 **Table 152.1**

13 **OFF-STREET FREIGHT LOADING SPACES REQUIRED (IN C-3, AND EASTERN**  
 14 **NEIGHBORHOODS MIXED USE DISTRICTS, ~~AND SOUTH OF MARKET MIXED USE~~**  
 15 ***DISTRICTS*)**

Use or Activity	Gross Floor Area of Structure or Use (sq. ft.)	Number of Off-Street Freight Loading Spaces Required
* * * *		
Wholesaling, manufacturing, and all other uses primarily engaged in handling goods, and Live/Work Units within existing buildings, within Eastern Neighborhoods	0 – 10,000	0
	10,001 – 50,000	1
	Over 50,000	0.21 spaces per 10,000 sq. ft. of Occupied Floor Area (to closest whole number <i>perpursuant to</i> Section 153)

1	Mixed Use Districts, <i>and</i>		
2	<i>South of Market Mixed Use</i>		
3	<i>Districts</i>		
4	* * * *		

5 \* \* \* \*

6 **SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES.**

7 (a) In the calculation of off-street parking, freight loading spaces, and bicycle parking  
 8 spaces required under Sections 151, 152, 152.1, 155.2, 155.3 and 155.4 of this Code, the  
 9 following rules shall apply:

10 \* \* \* \*

11 (6) In C-3, MUG, MUR, MUO, CMUO, *and* UMU, ~~and South of Market Districts~~,  
 12 substitution of two service vehicle spaces for each required off-street freight loading space  
 13 may be made, provided that a minimum of 50 percent of the required number of spaces are  
 14 provided for freight loading. Where the 50 percent allowable substitution results in a fraction,  
 15 the fraction shall be disregarded.

16 \* \* \* \*

17 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF**  
 18 **OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES.**

19 Required off-street parking and freight loading facilities shall meet the following  
 20 standards as to location and arrangement. In addition, facilities which are not required but are  
 21 actually provided shall meet the following standards unless such standards are stated to be  
 22 applicable solely to required facilities. In application of the standards of this Code for off-street  
 23 parking and loading, reference may be made to provisions of other portions of the Municipal  
 24 Code concerning off-street parking and loading facilities, and to standards of the Better  
 25 Streets Plan and the Bureau of Engineering of the Department of Public Works. Final authority

1 for the application of such standards under this Code, and for adoption of regulations and  
2 interpretations in furtherance of the stated provisions of this Code shall, however, rest with the  
3 Planning Department.

4 \* \* \* \*

5 (d) **Enclosure of Off-Street Loading and Service Vehicle Spaces Required.** All off-  
6 street freight loading and service vehicle spaces in the C-3, DTR, MUO, CMUO, WMUO,  
7 MUG, WMUG, and MUR, ~~and South of Market Mixed Use Districts~~ shall be completely enclosed,  
8 and access from a public Street or Alley shall be provided by means of a private service  
9 driveway, ~~which that~~ is totally contained within the structure. Such a private service driveway  
10 shall include adequate space to maneuver trucks and service vehicles into and out of all  
11 provided spaces, and shall be designed so as to facilitate access to the subject property while  
12 minimizing interference with street and sidewalk circulation. Any such private service driveway  
13 shall be of adequate width to accommodate drive-in movement from the adjacent curb or  
14 inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an  
15 adjacent Street or Alley is determined by the Zoning Administrator to be primarily used for  
16 building service, up to four off-street freight or loading spaces may be allowed to be  
17 individually accessible directly from such a Street or Alley, pursuant to the provisions of  
18 Section 309 in a C-3 District, ~~the provisions of Section 307(g) in a South of Market Mixed Use~~  
19 ~~District~~, the provisions of Section 309.1 in a DTR District, the provisions of Section 329 for  
20 projects subject to Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District, or  
21 by administrative decision of the Zoning Administrator for projects that are not subject to  
22 Section 329 in a MUO, CMUO, WMUO, MUG, WMUG, or MUR District.

23 \* \* \* \*

24 (g) **Parking Pricing Requirements.** In order to discourage long-term commuter  
25 parking, any off-street parking spaces provided for a structure or use other than Residential or

1 Hotel in a C-3, DTR, ~~SSO~~, SPD, MUG, WMUG, MUR, CMUO, WMUO, or MUO District,  
2 whether classified as an accessory or Conditional Use, ~~which~~that are otherwise available for  
3 use for long-term parking by downtown workers shall maintain a rate or fee structure for their  
4 use such that the rate charge for four hours of parking duration is no more than four times the  
5 rate charge for the first hour, and the rate charge for eight or more hours of parking duration is  
6 no less than 10 times the rate charge for the first hour. Additionally, no discounted parking  
7 rate shall be permitted for weekly, monthly or similar time-specific periods.

8 \* \* \* \*

9 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In  
10 order to preserve the pedestrian character of certain downtown and neighborhood commercial  
11 districts and to minimize delays to transit service, garage entries, driveways or other vehicular  
12 access to off-street parking or loading (except for the creation of new publicly-accessible  
13 Streets and Alleys) shall be regulated on development lots as follows on the following Street  
14 frontages:

15 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except  
16 as set forth in Section 827.

17 (2) Not permitted:

18 \* \* \* \*

19 (N) 3rd Street, in the UMU districts for 100 feet north and south of  
20 Mariposa and 100 feet north and south of 20th Streets, ~~and 4th Street between Bryant and~~  
21 ~~Townsend in the SLI and MUO District,~~

22 \* \* \* \*

23 (Y) 2nd Street from Market to ~~Folsom~~ Townsend Streets,

24 \* \* \* \*

25 (CC) Buchanan Street from Post Street to Sutter Street.

1 (DD) Grant Avenue between Columbus Avenue and Filbert Street,  
2 (EE) Green Street between Grant Avenue and Columbus/Stockton,  
3 (FF) All Alleys within the North Beach NCD and the Telegraph Hill-North  
4 Beach Residential SUD<sub>2</sub>,

5 (GG) Howard Street from 5th Street to 13th Street,  
6 (HH) Folsom Street from 2nd Street to 13th Street,  
7 (II) Brannan Street from 2nd Street to 6th Street,  
8 (JJ) Townsend Street from 2nd Street to 6th Street, except as set forth in Section  
9 249.78(e)(3).

10 (KK) 3rd Street from Folsom Street to Townsend Street,  
11 (LL) 4th Street from Folsom Street to Townsend Street, and  
12 (MM) 6th Street from Folsom Street to Brannan Street.

13 (3) Not permitted except with a Conditional Use authorization, except that in the  
14 C-3-O(SD) and the CMUO Districts, the Planning Commission may grant such permission as  
15 an exception pursuant to Sections 309 or 329 in lieu of a Conditional Use authorization where  
16 the amount of parking proposed does not exceed the amounts permitted as accessory  
17 according to Section 151.1.

18 \* \* \* \*

19 (I) 1st, Fremont and Beale Streets from Market to Folsom Street, and  
20 (J) The eastern (water) side of The Embarcadero between Townsend  
21 and Taylor Streets<sub>2</sub>,

22 (K) Harrison Street from 2nd Street to 6th Street,  
23 (L) Bryant Street from 2nd Street to 6th Street, and  
24 (M) 5th Street from Howard Street to Townsend Street.

25 \* \* \* \*

1 (u) Driveway and Loading Operations Plan (DLOP) in the Central SoMa Special Use  
2 District.

3 (1) Purpose. The purpose of a Driveway Loading and Operations Plan (DLOP) is to  
4 reduce potential conflicts between driveway operations, including loading activities, and pedestrians,  
5 bicycles, and vehicles, and to maximize reliance of on-site loading spaces to accommodate new loading  
6 demand.

7 (2) Applicability. Development projects of more than 100,000 net new gross square  
8 feet in the Central SoMa Special Use District.

9 (3) Requirement. Applicable projects shall prepare a DLOP for review and approval  
10 by the Planning Department and the SFMTA. The DLOP shall be written in accordance with any  
11 guidelines issued by the Planning Department.

12 \* \* \* \*

13 **SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND**  
14 **TRANSPORTATION BROKERAGE SERVICES IN COMMERCIAL AND MIXED USE**  
15 **DISTRICTS.**

16 (a) **Purpose.** This Section 163 is intended to ~~assure~~ ensure that adequate services are  
17 undertaken to minimize the transportation impacts of added office employment and residential  
18 development in the downtown and South of Market area, in a manner consistent with the  
19 objectives and policies of the General Plan, by facilitating the effective use of transit,  
20 encouraging ridesharing, and employing other practical means to reduce commute travel by  
21 single-occupant vehicles.

22 (b) **Applicability.** The requirements of this Section apply to any project meeting one  
23 of the following conditions:

24 \* \* \* \*

1 (4) In the case of the ~~SSO~~, WMUO, CMUO, or MUO District, where the  
2 occupied square feet of new, converted or added floor area for office use equals at least  
3 25,000 square feet.

4 \* \* \* \*

5 **SEC. 169. TRANSPORTATION DEMAND MANAGEMENT PROGRAM.**

6 Sections 169 through 169.6 (hereafter referred to collectively as "Section 169") set forth  
7 the requirements of the Transportation Demand Management Program (TDM Program).

8 \* \* \* \*

9 **SEC. 169.3. APPLICABILITY.**

10 \* \* \* \*

11 (e) Operative Date.

12 (1) Except as described in subsection (4) below, Development Projects with a  
13 Development Application filed or an Environmental Application deemed complete on or before  
14 September 4, 2016 shall be subject to 50% of the applicable target, as defined in the Planning  
15 Commission's Standards.

16 (2) Except as described in subsection (4) below, Development Projects with no  
17 Development Application filed or an Environmental Application deemed complete on or before  
18 September 4, 2016, but that file a Development Application on or after September 5, 2016,  
19 and before January 1, 2018, shall be subject to 75% of such target.

20 (3) Development Projects with a Development Application on or after January 1,  
21 2018 shall be subject to 100% of such target.

22 (4) Development Projects within the Central SoMa Special Use District that have a  
23 Central SoMa Development Tier of A, B, or C, as defined in Section 423.2, regardless of the date filed  
24 of any Development Application or Environmental Application, shall be subject to 100% of such target.

25 \* \* \* \*

1                    **SEC. 175.1. EFFECTIVE DATE OF THE CENTRAL SOMA ZONING CONTROLS.**

2                    *(a) Intent. It is the intent of this Section 175.1 to provide for an orderly transition from prior*  
3 *zoning and planning requirements to the requirements under the Central SoMa Controls, without*  
4 *impairing the validity of prior actions by the City or frustrating completion of actions authorized prior*  
5 *to the effective date of those Controls.*

6                    *(b) Definitions. The following definitions shall apply to this Section 175.1:*

7                    *(1) "Central SoMa Controls" shall mean all Ordinances adopted in furtherance of the*  
8 *Central SoMa Area Plan, including but not limited to Ordinance Nos. \_\_\_\_\_, and associated*  
9 *amendments to the Planning Code, Zoning Map, and Administrative Code.*

10                    *(2) "Development Application" is defined in Planning Code Section 401.*

11                    *(3) "Project Approval" shall mean any required approval or determination on a*  
12 *Development Application that the Planning Commission, Planning Department, or Zoning*  
13 *Administrator issues.*

14                    *(4) "Code Conforming Project" shall mean a development project for which all*  
15 *required Development Applications could have received Project Approval under the Planning Code*  
16 *immediately prior to the effective date of the Central SoMa Controls.*

17                    *(c) Applicability. A Code Conforming Project within the Central SoMa Special Use District*  
18 *may elect to be exempt from the Central SoMa Controls and instead be subject to those controls in*  
19 *place immediately prior to the effective date of the Central SoMa Controls, if at least one Development*  
20 *Application for such project was filed before February 15, 2018 and the project receives its first*  
21 *Project Approval by December 31, 2019.*

22                    **SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND**  
23 **RECONSTRUCTION.**

24                    The following provisions shall apply to nonconforming uses with respect to  
25 enlargements, alterations and reconstruction:

1 \* \* \* \*

2 (f) **Nighttime Entertainment Uses in Certain Mixed-Use Districts.** A nighttime  
3 entertainment use within the ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts may be enlarged, intensified,  
4 extended, or expanded, including the expansion to an adjacent lot or lots, provided that: (1)  
5 the enlargement, intensification, extension, or expansion is approved as a conditional use  
6 pursuant to Sections 303 and 316 of this Code; (2) the use as a whole meets the parking and  
7 signage requirements, floor area ratio limit, height and bulk limit, and all other requirements of  
8 this Code ~~which~~that would apply if the use were a permitted one; and (3) the provisions of  
9 Section 803.5(b) of this Code are satisfied.

10 \* \* \* \*

11 **SEC. 182. NONCONFORMING USES: CHANGES OF USE.**

12 The following provisions shall apply to nonconforming uses with respect to changes of  
13 use:

14 (a) A nonconforming use shall not be changed or modified so as to increase the  
15 degree of nonconformity under the use limitations of this Code, with respect to the type of use  
16 or its intensity except as provided in Section 181 for Nighttime Entertainment uses within the  
17 ~~RSD~~, MUG, or MUR, ~~or SLR~~ Districts. The degree of nonconformity shall be deemed to be  
18 increased if the new or modified use is less widely permitted by the use districts of the City  
19 than the nonconforming use existing immediately prior thereto. For purposes of this Section,  
20 intensification of a Formula Retail use as defined in Section 178(c) is determined to be a  
21 change or modification that increases the degree of nonconformity of the use.

22 (b) Except as limited in this ~~S~~subsection, a nonconforming use may be reduced in size,  
23 extent or intensity, or changed to a use that is more widely permitted by the use districts of the  
24 City than the existing use, subject to the other applicable provisions of this Code. Except as  
25 otherwise provided herein, the new use shall still be classified as a nonconforming use.

1 \* \* \* \*

2 (3) ~~A nonconforming use in any South of Market Mixed Use District may not be~~  
3 ~~changed to an Office, Retail, Bar, Restaurant, Nighttime Entertainment, Adult Entertainment, Hotel,~~  
4 ~~Motel, inn, hostel, or Movie Theater use in any district where such use is otherwise not permitted or~~  
5 ~~conditional, except as provided in Subsection (f) below.~~

6 \* \* \* \*

7 (f) Once a nonconforming use has been changed to a principal or ~~e~~Conditional ~~u~~Use  
8 permitted in the district in which the property is located, or brought closer in any other manner  
9 to conformity with the use limitations of this Code, the use of the property may not thereafter  
10 be returned to its former nonconforming status, ~~except that within any South of Market Mixed Use~~  
11 ~~District, any area occupied by a nonconforming Office use that is changed to an arts, home and/or~~  
12 ~~business service use falling within the definition of an Arts Activity in Section 102 or zoning categories~~  
13 ~~816.42 through 816.47 or a wholesale, storage, or light manufacturing use falling within zoning~~  
14 ~~categories 816.64 through 816.67 shall be allowed to return to its former nonconforming Office use.~~  
15 Upon restoration of a previous nonconforming use as permitted above, any modification,  
16 enlargement, extension, or change of use, from circumstances that last lawfully existed prior  
17 to the change from office use, shall be subject to the provisions of this Article, and the  
18 restored nonconforming use shall be considered to have existed continuously since its original  
19 establishment, prior to the change to Office use, for purposes of this Article.

20 \* \* \* \*

21 **SEC. 201. CLASSES OF USE DISTRICTS.**

22 In order to carry out the purposes and provisions of this Code, the City is hereby  
23 divided into the following classes of use districts:

24 \* \* \* \*

25 

<del>South of Market Use Mixed Use Districts</del>
--

<i>(Also see Sec. 802.5)</i>	
<i>RSD</i>	<i>Residential Service District (Defined in Sec. 815)</i>
<i>SLR</i>	<i>Service/Light Industrial/Residential District (Defined in Sec. 816)</i>
<i>SLI</i>	<i>Service/Light Industrial District (Defined in Sec. 817)</i>
<i>SSO</i>	<i>Service/Secondary Office District (Defined in Sec. 818)</i>

\* \* \* \*

<i>Eastern Neighborhoods Mixed Use Districts</i>	
<i>(Also see Sec. 802.4)</i>	
<i>CMUO</i>	<i>Central SoMa Mixed Use – Office District (Defined in Sec. 848)</i>
<i>SPD</i>	<i>South Park District (Defined in Sec. 814)</i>
* * * *	

\* \* \* \*

In addition to the classes of use districts in the above table, the following terms shall apply:

"R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RTO, RTO-M, RC-1, RC-2, RC-3 or RC-4 District;

"M District" shall mean any M-1 or M-2 District;

"PDR District" shall mean any PDR-1-B, PDR-1-D, PDR-1-G or PDR-2 District;

"RH District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 District;

"RM District" shall mean any RM-1, RM-2, RM-3, or RM-4 District;

"RTO District" shall mean any RTO or RTO-M District;

"C-3 District" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S District. For the purposes of Section 128 and Article 11 of this Code, the term "C-3 District" shall also include the South of Market Extended Preservation District designated on Section Map SU03 of the Zoning Map;

1 "NCT District" shall mean any district listed in Section 702.1(b), including any NCT-1,  
2 NCT-2, NCT-3, and any Neighborhood Commercial Transit District identified by street or area  
3 name; and

4 "Mixed Use District" shall mean all Chinatown Mixed use, ~~South of Market Mixed Use,~~  
5 Eastern Neighborhood Mixed use, and Downtown Residential Districts.

6 \* \* \* \*

7 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

8 (a) **Purpose and Findings.** This Section 206.34 describes the 100 Percent Affordable  
9 Housing Bonus Program, or "100 Percent Affordable Housing Program". In addition to the  
10 purposes described in Section 206.1, the purpose of the 100 Percent Affordable Housing  
11 Program is to facilitate the construction and development of projects in which all of the  
12 residential units are affordable to Low and Very-Low Income Households. Projects pursuing a  
13 development bonus under this 100 Percent Affordable Program would exceed the City's  
14 shared Proposition K housing goals that 50% of new housing constructed or rehabilitated in  
15 the City by 2020 be within the reach of working middle class San Franciscans, and at least  
16 33% affordable for low and moderate income households.

17 \* \* \* \*

18 (b) **Applicability.** A 100 Percent Affordable Housing Bonus Project under this Section  
19 206.34 shall be a Housing Project that:

20 \* \* \* \*

21 (3) is not seeking and receiving a density or development bonus under the  
22 provisions of California Government Code Sections 65915 et seq., Planning Code Sections  
23 207, 124(f), 304, ~~803.8~~ or any other state or local program that provides development  
24 bonuses;

25 \* \* \* \*

1           **SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.**

2           (a) The dwelling unit density in the Chinatown Mixed Use District shall be at a density  
3 ratio not exceeding the amount set forth in the specific district tables in Article 8.

4           (b) ~~Except as indicated in Paragraph (c) below, the dwelling unit density in the South of~~  
5 ~~Market Mixed Use Districts shall be as specified in the specific district tables in Article 8.~~

6           (c) ~~There shall be no density limit for single room occupancy (SRO) units in any South of~~  
7 ~~Market Mixed Use District.~~

8           (d) There shall be no density limit for any residential use, as defined by Section  
9 890.88 in any DTR district.

10          (ec) There shall be no density limits for any residential use, as defined by Section  
11 890.88, in the Eastern Neighborhoods Mixed Use Districts.

12           \* \* \* \*

13           **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING OR HOMELESS**  
14 **SHELTERS.**

15           ~~Except for Single Room Occupancy Units in the South of Market Mixed Use Districts, the~~  
16 density limitations for Group Housing or Homeless Shelters, as described in Sections 102,  
17 790.88(b) and (c) and 890.88(b) and (c) of this Code, shall be as follows:

18          (a) For Group Housing, the maximum number of Bedrooms on each Lot shall be as  
19 specified in the Zoning Control Table for the District in which the Lot is located, except that in  
20 RTO, RTO-M, RCD, UMU, MUG, WMUG, MUR, MUO, CMUO, WMUO, RED, RED-MX, SPD,  
21 DTR, and all NCT Districts the density of Group Housing shall not be limited by lot area, and  
22 except that for Lots in NC Districts, the group housing density shall not exceed the number of  
23 Bedrooms permitted in the nearest R District provided that the maximum density not be less  
24 than the amount permitted by the ratio specified for the NC District in which the lot is located.  
25 For Homeless Shelters, the maximum number of beds on each lot shall be regulated

1 *perpursuant to* the requirements of the Standards of Care for City Shelters contained in  
2 Administrative Code, Chapter 20, Article XIII, in addition to the applicable requirements of the  
3 Building Code and Fire Code.

4 \* \* \* \*

5 **SEC. 211.2. CONDITIONAL USES, P DISTRICTS.**

6 The following uses shall require Conditional Use authorization from the Planning  
7 Commission, as provided in Section 303 of this Code, unless otherwise permitted under  
8 Section 211.1 of this Code:

9 \* \* \* \*

10 (b) For P Districts located within the right-of-way of any State or federal  
11 highway:

12 (1) Parking lot or garage uses when: (A) adjacent to any Eastern  
13 Neighborhoods Mixed Use Districts, ~~or the South of Market Mixed Use District,~~ or (B) within the  
14 Market and Octavia Plan Area.

15 \* \* \* \*

16 **SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**

17 (a) **Purpose.** The Life Science and Medical Special Use District is intended to support  
18 uses that benefit from proximity to the University of California, San Francisco (UCSF) campus  
19 at Mission Bay. These uses include medical office and life science (biotechnology) uses.

20 (b) **Geography.** The boundaries of the Life Science and Medical Special Use District  
21 are shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders  
22 Mariposa St. on the north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east.  
23 Within this area, the Dogpatch Historic District is generally excluded.

24 (c) **Controls.** All provisions of the Planning Code currently applicable shall continue to  
25 apply, except as otherwise provided in this Section:

1           (1) **Medical Services.** Medical services, including medical offices and clinics,  
2 as defined in Section 890.114, are a principally permitted use and are exempted from use size  
3 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
4 controls (Sec. 803.9(~~hf~~)). For the purposes of this Section, a medical service use may be  
5 affiliated with a hospital or medical center as defined in 890.44.

6           (2) **Life Science Offices.** Office uses that contain Life Science facilities, as  
7 defined in Section 890.53, are a principally permitted use and are exempted from use size  
8 limitations, PDR replacement requirements (Sec. 230), and vertical (floor-by-floor) zoning  
9 controls (Sec. 219.1 and 803.9(~~hf~~)).

10          (3) **Life Science Laboratories.** Laboratories that engage in life science  
11 research and development, as defined in Section 890.52, are a principally permitted use and  
12 are exempted from use size limitation, PDR replacement requirements (Sec. 230), and  
13 vertical (floor-by-floor) zoning controls (Sec. 219.1 and 803.9(~~hf~~)).

14           \* \* \* \*

15           **SEC. 249.40. POTRERO CENTER MIXED-USE SPECIAL USE DISTRICT.**

16          (a) **Purpose.** The Potrero Center Mixed-Use Special Use District is intended to  
17 facilitate the continued operation of the shopping center located at 2300 16th Street, which is  
18 characterized by large formula retail sales and services, while providing an appropriate  
19 regulatory scheme for a potential phased mixed-use redevelopment of the shopping center in  
20 the future.

21          (b) **Geography.** The boundaries of the Potrero Center Mixed-Use Special Use District  
22 shall consist of Assessor's Block 3930A, Lot 002 as designated on the Zoning Map of the City  
23 and County of San Francisco and generally bound by Bryant Street to the west, 16th Street to  
24 the south, Potrero Avenue to the east, and Assessor's Blocks 3931A, 3921A and 3922A to the  
25 north.

1 (c) **Controls.** All provisions of the Planning Code shall continue to apply, except for  
2 the following:

3 (1) **Floor Area Ratio.** The maximum floor area ratio (FAR) set forth in Section  
4 124 shall not apply to Retail Sales and Services uses or to Gym uses. The maximum FAR for  
5 Retail Sales and Service uses and Gym uses shall not exceed 3.0:1.

6 (2) **Use Size Limitations for Retail Sales and Services and Gyms.** The use  
7 size limitations and ratio requirements applicable to Retail Sales and Service uses and Gym  
8 uses of Sections 121.6(a), 803.9(~~ig~~), 843.45 and 843.51 shall not apply. Retail Sales and  
9 Service uses and Gym uses are principally permitted, and the replacement of one such use or  
10 tenant by another such use or tenant in an existing store or gym, regardless of its size, is  
11 permitted. Newly constructed space for Retail Sales and Service uses or Gym uses larger  
12 than 25,000 gross square feet per use or the expansion of an existing Retail Sales and  
13 Services use or Gym use by more than 25,000 new gross square feet per use shall require  
14 conditional use authorization pursuant to the provisions of Section 303.

15 \* \* \* \*

16 **SEC. 249.45. VISITACION VALLEY/SCHLAGE LOCK SPECIAL USE DISTRICT.**

17 A Special Use District entitled the "Visitacion Valley/Schlage Lock Special Use District"  
18 is hereby established for a portion of the Visitacion Valley neighborhood and the Schlage Lock  
19 site within the City and County of San Francisco, the boundaries of which are designated on  
20 Sectional Map SU10 of the Zoning Maps of the City and County of San Francisco, and which  
21 includes properties generally fronting Bayshore Boulevard between Tunnel Avenue in the  
22 north and the San Francisco/San Mateo County line in the south, and properties fronting  
23 Leland Avenue between Bayshore Boulevard and Cora Street. The following provisions shall  
24 apply within the Special Use District:

25 \* \* \* \*

1 (e) **Controls in Zone 1.** Development in Zone 1 of the Special Use District shall be  
2 regulated by the controls contained in this Section 249.45(e) and the Design for Development.  
3 Where not explicitly superseded by definitions and controls established in this Section  
4 249.45(e) or the Design for Development, the definitions and controls in this Planning Code  
5 shall apply except where those controls conflict with the Development Agreement. The  
6 following shall apply only in Zone 1 of the Special Use District:

7 \* \* \* \*

8 (2) **Use Requirements.**

9 \* \* \* \*

10 (C) **Prohibited Uses.** The following uses shall be prohibited within this Special  
11 Use District:

12 (i) Auto repair services;

13 (ii) Office, except in existing buildings or as an accessory use to other  
14 permitted uses. The floor controls set forth in Section 803.9(~~hf~~) for the MUG zoning  
15 designation shall not apply to office use in the Old Office Building or to the existing building  
16 located on Assessor's Block and Lot No. 5100-007;

17 \* \* \* \*

18 **SEC. 249.78. CENTRAL SOMA SPECIAL USE DISTRICT.**

19 (a) **Purpose.** *In order to implement the goals, objectives, and policies of the Central SoMa*  
20 *Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board of Supervisors in File No.*  
21 *\_\_\_\_\_), the Central SoMa Special Use District (SUD) is hereby established.*

22 (b) **Geography.** *The SUD is within the South of Market (SoMa) neighborhood, and its*  
23 *boundaries generally run from 2nd Street to the east to 6th Street to the west, and from Townsend*  
24 *Street to the south to an irregular border that generally follows Folsom, Howard, and Stevenson Streets*  
25 *to the north, as more specifically shown on Sectional Maps 1SU and 8SU of the Zoning Map.*

1           (c) Land Use Controls.

2                   (1) Active Uses. The controls of Section 145.1 and 145.4 shall apply, except as  
3 specified below:

4                           (A) Active uses, as defined in Section 145.1, are required along any outdoor  
5 publicly-accessible open space;

6                           (B) An office use, as defined in Section 890.70, is not an "active use" on the  
7 ground floor;

8                           (C) POPOS, as defined in Section 138, is an "active use" on the ground floor;

9                           (D) Production, Distribution, and Repair uses, as defined in Section 102, shall  
10 be considered an "Active commercial use," as defined in Section 145.4(c).

11                           (E) Notwithstanding the PDR exemption found in Section 145.1(c)(6), PDR uses  
12 shall meet the transparency and fenestration requirements contained in that Section.

13                   (2) Nighttime Entertainment. Nighttime Entertainment uses are principally permitted,  
14 regardless of the underlying zoning district, in the area bounded by 4th Street, 6th Street, Bryant Street,  
15 and Townsend Street.

16                   (3) Hotels. Hotels shall not be subject to the land use ratio requirements of Section  
17 803.9(g).

18                   (4) Micro-Retail. "Micro-Retail" shall mean a Retail Use, other than a Formula Retail  
19 Use, of no greater than 1,000 gross square feet.

20                           (A) Applicability. Micro-Retail controls shall apply to new development  
21 projects on sites of 20,000 square feet or more.

22                           (B) Controls.

23                                   (i) Amount. Applicable development projects are required to have at  
24 least one Micro-Retail unit for every 20,000 square feet of site area, rounded to the nearest unit.

1 (ii) Location and Design. All Micro-Retail units shall be on the ground  
2 floor, independently and directly accessed from a public right-of-way or publicly-accessible open  
3 space, and designed to be accessed and operated independently from other spaces or uses on the  
4 subject property.

5 (iii) Type. Formula Retail uses, as defined in Section 303.1, are not  
6 permitted as Micro-Retail.

7 (5) PDR Requirements. In addition to the requirements of Section 202.8, the following  
8 shall apply to any newly constructed project that contains at least 50,000 gross square feet of office:

9 (A) The project shall provide an amount of PDR space that is the greater of the  
10 following:

11 (i) the square footage of PDR space required by the controls of Section  
12 202.8, or

13 (ii) on-site dedication of space for PDR Uses equivalent to 40 percent of  
14 the lot area, in which case for purposes of this section, land dedicated to a building whose housing  
15 units consist entirely of Affordable Housing Units as defined in Section 401, publicly accessible open  
16 space and mid-block alleys that are fully open to the sky except for obstructions permitted pursuant to  
17 Section 136, and ground floor space dedicated to child care are exempted from calculation of the lot  
18 area.

19 (B) In the alternative, the project sponsor may provide either of the following:

20 (i) Establishment off-site, through new construction, addition, or change  
21 of use, of a minimum of 150 percent of gross square feet of the on-site PDR requirement. Such off-site  
22 PDR shall be located within the area bounded by Market Street, the Embarcadero, King Street,  
23 Division Street, and South Van Ness Avenue; or

24 (ii) Preservation of existing PDR uses off-site, at a minimum of 200  
25 percent of the on-site requirement, for the life of the project that is subject to the requirements of this

1 subsection (6) or for 55 years, whichever is less. This off-site PDR shall be located on one or more lots  
2 in the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van  
3 Ness Avenue. The PDR space preserved off-site shall not include any space already required to be  
4 preserved pursuant to this Section or Section 202.8.

5 (C) The PDR requirements of this subsection may be reduced by 25 percent for  
6 any project subject to any contract or agreement meeting the requirements of California Civil Code  
7 Section 1954.28(d), including but not limited to a development agreement approved by the City under  
8 California Government Code Section 65864 et seq. if, pursuant to the terms of such agreement, the  
9 required replacement space is rented, leased, or sold at 50 percent below market rate for PDR space  
10 for a period of not less than 55 years or the life of the project, whichever is less. Such restrictions on  
11 the rent, lease, or sale price shall be recorded on the subject property as a Notice of Special  
12 Restrictions.

13 (D) Any project that meets the requirements of this Section 249.78 and the PDR  
14 replacement requirements of Section 202.8 shall not be subject to the Conditional Use Authorization  
15 required by Section 202.8.

16 (6) Use on Large Development Sites.

17 (A) Applicability. South of Harrison Street on sites larger than 40,000 square  
18 feet that entail new construction or an addition of 100,000 square feet or more.

19 (B) Requirement. At least two-thirds of the Gross Floor Area of all building  
20 area below 160 feet in height shall be non-residential.

21 (d) Urban Design and Density Controls.

22 (1) Design of Buildings. New construction shall comply with the "Central SoMa Guide  
23 to Urban Design" as adopted and periodically amended by the Planning Commission.

24 (2) Floor Area Ratio. There shall be no maximum Floor Area Ratio limit for lots  
25 within the CMUO, MUG, and WMUO Districts in this SUD.

1                    **(3) Living and Solar Roofs and Renewable Energy.**

2                    (A) Definitions. For the purpose of this subsection, all terms shall be as defined  
3 in Sections 102 and 149.

4                    (B) Applicability. Any development that meets all of the following criteria:

5                    (i) The development lot is 5,000 square feet or larger; and

6                    (ii) The building constitutes a Large Development Project or Small  
7 Development Project under the Stormwater Management Ordinance (Public Works Code Secs. 147-  
8 147.6); and

9                    (iii) The building height is 160 feet or less.

10                   (C) Requirements.

11                   (i) Notwithstanding the requirements of Section 149, at least fifty  
12 percent of the roof area shall be covered by one or more Living Roofs.

13                   (ii) Residential projects subject to this subsection (d)(3) shall comply  
14 with Green Building Code Section 4.201.2, which sets forth requirements for solar photovoltaic systems  
15 and/or solar thermal systems.

16                   (iii) Non-residential projects shall comply with Green Building Code  
17 Section 5.201.1.2, which sets forth requirements for solar photovoltaic systems and/or solar thermal  
18 systems.

19                   (iv) All projects shall commit, as a condition of approval, to sourcing  
20 electricity from 100% greenhouse gas-free sources.

21                   (v) The Living Roof shall be considered in determining compliance with  
22 the Stormwater Management Ordinance.

23                   (vi) The Planning Department, after consulting with the Public Utilities  
24 Commission and the Department of the Environment, shall adopt rules and regulations to implement  
25

1 this subsection 249.78(d)(3) and shall coordinate with those departments to ensure compliance with the  
2 Stormwater Management Ordinance.

3 (D) Waiver. If the project sponsor demonstrates to the Zoning Administrator's  
4 satisfaction that it is physically infeasible to meet the Living Roof requirements as written for the  
5 project in question, the Zoning Administrator may, in his or her sole discretion and pursuant to the  
6 procedures set forth in Planning Code Section 307(h), reduce the requirements stated in subsection (C)  
7 from fifty percent to thirty-three percent.

8 (4) Lot Coverage. For residential uses, the rear yard requirements of Section 134 of  
9 this Code shall not apply. Lot coverage is limited to 80 percent at all residential levels, except that on  
10 levels in which all residential units face onto a public right-of-way, 100 percent lot coverage may  
11 occur. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in  
12 yards pursuant to Section 136(c) of this Code. Where there is a pattern of mid-block open space for  
13 adjacent buildings, the unbuilt area of the new project shall be designed to adjoin that mid-block open  
14 space.

15 (5) Lot Merger Restrictions.

16 (A) Applicability. Lots that meet both of the following criteria shall be subject  
17 to the lot merger restrictions of this Section:

18 (i) Lots containing one or more buildings with California Historic  
19 Resources Status Code 1, 2, 3, 4, 5, or 6L, as identified in a survey adopted by the Historic  
20 Preservation Commission; and

21 (ii) Lots with any single street frontage under 200 feet in length.

22 (B) Control. Any lot to which this subsection is applicable shall not merge with  
23 an adjacent lot in such a way that any existing street frontage of under 200 feet is increased to 200 feet  
24 in length or longer.

25 (C) Exemptions.

1 (i) The street frontages of lots abutting the north side of Perry Street are  
2 exempt from this control.

3 (ii) On blocks of less than 200 feet in length between streets or alleys, an  
4 applicable lot may merge with an adjacent non-applicable lot if the non-applicable lot is a corner lot.

5 (6) Open Space. A project whose housing units consist entirely of Affordable Housing  
6 Units, as defined in Section 401, shall provide at least 36 square feet of usable Open Space, as set forth  
7 in Section 135, per unit unless the project is located directly adjacent to a publicly-owned park in  
8 which case such project shall not be required to provide usable Open Space.

9 (7) Wind.

10 (A) Applicability. This subsection shall apply to new buildings above 85 feet in  
11 Height and additions to existing buildings that result in a building above 85 feet in Height.

12 (B) Definitions.

13 "Comfort Level" means ground-level equivalent wind speeds of 11 miles  
14 per hour in areas of substantial pedestrian use and seven miles per hour in public seating areas  
15 between 7:00 a.m. and 6:00 p.m. when occurring for more than 15 percent of the time year round.

16 "Equivalent Wind Speed" means an hourly mean wind speed adjusted to  
17 incorporate the effects of gustiness or turbulence on pedestrians.

18 "Nine-Hour Hazard Criterion" means a ground-level equivalent wind  
19 speed of 26 miles per hour for more than nine hours per year per test location.

20 "One-Hour Hazard Criterion" means a ground-level equivalent wind  
21 speed of 26 miles per hour for more than one hour per year per test location.

22 "Substantial Increase" means an increase in wind speeds of more than  
23 six miles per hour for more than 15 percent of the time year round.

24 (C) Controls for Wind Comfort.

1 (i) Projects may not result in wind speeds that exceed the Comfort Level  
2 at any location.

3 (ii) Projects may not cause a Substantial Increase in wind speed at any  
4 location where the existing or resulting wind speed exceeds the Comfort Level.

5 (iii) Pursuant to Section 329, the Planning Commission may grant an  
6 exception to the standards of subsections (i) and (ii) above as applied to a project if it finds that the  
7 project meets the following criteria:

8 (aa) It has undertaken all feasible measures to reduce wind  
9 speeds through such means as building sculpting and appurtenances, permanent wind baffling  
10 measures, and landscaping; and

11 (bb) Reducing wind speeds further would substantially detract  
12 from the building design or unduly restrict the square footage of the project.

13 **(D) Controls for Hazardous Winds.**

14 (i) Projects shall not result in net new locations with an exceedance of  
15 the One-Hour Hazard Criterion, except as allowed by the Planning Commission based on criteria  
16 described in subsection (ii) below.

17 (ii) Pursuant to Section 329, the Planning Commission may grant an  
18 exception to the standard of subsection (i) above as applied to a proposed project if it finds that the  
19 proposed project meets all of the following criteria:

20 (aa) The project does not result in net new locations with an  
21 exceedance of the Nine-Hour Hazard Criterion;

22 (bb) The project has undertaken all feasible measures to reduce  
23 hazardous wind speeds, such as building sculpting and appurtenances, permanent wind baffling  
24 measures, and landscaping; and

1 (cc) Meeting the requirements of subsection (i) would detract  
2 from the building design or unduly restrict the square footage of the project.

3 (iii) No exception shall be granted and no building or addition shall be  
4 permitted for any project that causes net new locations with an exceedance in the Nine-Hour Hazard  
5 Criterion.

6 (E) Guidelines. Procedures and methodologies for implementing this  
7 subsection shall be issued by the Department.

8 (8) Ground Floor Heights. PDR space provided at the ground floor that is subject to  
9 the requirements of Section 202.8 or 249.78(c)(5) shall have a minimum floor-to-floor height of 17 feet,  
10 as measured from grade.

11 (e) Community Development Controls.

12 (1) Affordable Housing Funds. Affordable Housing Fees for projects within the  
13 Central SoMa Special Use District shall be deposited in the Central SoMa Affordable Housing Fund  
14 and shall be expended within a limited geographic area, as specified in Administrative Code Section  
15 10.100-46.

16 (2) Land Dedication.

17 (A) Residential projects in this SUD may opt to fulfill the Inclusionary Housing  
18 requirement of Section 415 through the Land Dedication alternative contained in Section 419.6.

19 (B) Non-Residential projects in this Special Use District may opt to fulfill their  
20 Jobs-Housing Linkage Fee requirement of Section 413 through the Land Dedication alternative  
21 contained in Section 413.7.

22  
23 (3) TDR Requirements for Large Development Sites.

24 (A) Applicability. This control applies to projects that:  
25

1 (i) Are located in Central SoMa Development Tier C, as defined in  
2 Section 423.2;

3 (ii) Contain new construction, or addition, of 50,000 non-residential  
4 gross square feet or greater; and

5 (iii) Have a Floor Area Ratio of 3:1 or greater.

6 **(B) Requirement.**

7 (i) A project subject to this subsection (4) will be considered a  
8 “Development Lot,” pursuant to Section 128.1;

9 (ii) To exceed a Floor Area Ratio of 3:1, a Development Lot shall  
10 acquire one Unit of TDR from a Transfer Lot, as defined in Sections 128 and 128.1, up to a Floor Area  
11 Ratio of 4.25:1. Above 4.25:1, the acquisition of additional TDR is not required.

12 \* \* \* \*

13 **SEC. 260. HEIGHT LIMITS: MEASUREMENT.**

14 \* \* \* \*

15 (b) **Exemptions.** In addition to other height exceptions permitted by this Code, the  
16 features listed in this subsection (b) shall be exempt from the height limits established by this  
17 Code, in an amount up to but not exceeding that which is specified.

18 (1) The following features shall be exempt; provided the limitations indicated for  
19 each are observed; provided further that the sum of the horizontal areas of all features listed  
20 in this subsection (b)(1) shall not exceed 20 percent of the horizontal area of the roof above  
21 which they are situated, or, in C-3 Districts, and in the Rincon Hill Downtown Residential  
22 District, where the top of the building has been separated into a number of stepped elements  
23 to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and  
24 provided further that in any R, RC-3, or RC-4 District the sum of the horizontal areas of all  
25 such features located within the first 10 feet of depth of the building, as measured from the

1 front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such  
2 first 10 feet of depth.

3 As an alternative, the sum of the horizontal areas of all features listed in this  
4 subsection (b)(1) may be equal to but not exceed 20 percent of the horizontal area permitted  
5 for buildings and structures under any bulk limitations in Section 270 of this Code applicable  
6 to the subject property.

7 Any such sum of 20 percent heretofore described may be increased to 30  
8 percent by unroofed screening designed either to obscure the features listed under (A) and  
9 (B) below or to provide a more balanced and graceful silhouette for the top of the building or  
10 structure.

11 \* \* \* \*

12 (E) In any C-3 District and the CMUO District, enclosed space related to the  
13 recreational use of the roof, not to exceed 16 feet in height.

14 (F) Rooftop enclosures and screening for features listed in subsections (b)(1)(A)  
15 and (B) above that add additional building volume in any C-3 District except as otherwise  
16 allowed in the S-2 Bulk district according to subsection (M) below; or the Eastern  
17 Neighborhoods Mixed Use Districts, ~~or South of Market Mixed Use District~~. The rooftop  
18 enclosure or screen creating the added volume:

19 (i) shall not be subject to the percentage coverage limitations  
20 otherwise applicable to this Section 260(b) but shall meet the requirements of Section 141;

21 (ii) shall not exceed 20 feet in height, measured as provided in  
22 subsection (a) above;

23 (iii) may have a volume, measured in cubic feet, not to exceed  
24 three-fourths of the horizontal area of all upper tower roof areas multiplied by the maximum  
25 permitted height of the enclosure or screen;

1 (iv) shall not be permitted within the setbacks required by  
2 Sections 132.1, 132.2, and 132.3;

3 (v) shall not be permitted within any setback required to meet the  
4 sun access plane requirements of Section 146; and

5 (vi) shall not be permitted within any setback required by Section  
6 261.1.

7 \* \* \* \*

8 (L) ~~[Reserved.]~~ In the Central SoMa Special Use District, additional building  
9 volume used to enclose or screen from view the features listed in subsections (b)(1)(A) and (b)(1)(B)  
10 above. The rooftop form created by the added volume shall not be subject to the percentage coverage  
11 limitations otherwise applicable to the building, but shall meet the requirements of Section 141; shall  
12 not exceed 10 percent of the total height of any building taller than 200 feet; shall have a horizontal  
13 area not more than 100 percent of the total area of the highest occupied floor; and shall contain no  
14 space for human occupancy. The features described in subsection (b)(1)(B) shall not be limited to 16  
15 feet for buildings taller than 200 feet, but shall be limited by the permissible height of any additional  
16 rooftop volume allowed by this subsection (L).

17 \* \* \* \*

18 (2) The following features shall be exempt, without regard to their horizontal  
19 area, provided the limitations indicated for each are observed:

20 \* \* \* \*

21 (O) ~~Additional building height, up to a height of five feet above the otherwise~~  
22 ~~applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work~~  
23 ~~units located within a South of Market District.~~

24 (P) Enclosed recreational facilities up to a height of 10 feet above the  
25 otherwise applicable height limit when located within a 65-U Height and Bulk District and ~~either~~

1 an MUO-~~or SSO~~ District, and only then when authorized by the Planning Commission as a  
2 Conditional Use pursuant to Section 303 of this Code, provided that the project is designed in  
3 such a way as to reduce the apparent mass of the structure above a base 50-foot building  
4 height.

5 (~~OP~~) Historic Signs and Vintage Signs permitted pursuant to Article 6 of  
6 this Code.

7 (~~RQ~~) In the Eastern Neighborhoods Mixed Use Districts, enclosed utility  
8 sheds of not more than 100 square feet, exclusively for the storage of landscaping and  
9 gardening equipment for adjacent rooftop landscaping, with a maximum height of 8 feet above  
10 the otherwise applicable height limit.

11 (~~SR~~) Hospitals, as defined in this Code, that are legal non-complying  
12 structures with regard to height, may add additional mechanical equipment so long as the new  
13 mechanical equipment 1) is not higher than the highest point of the existing rooftop enclosure,  
14 excluding antennas; 2) has minimal visual impact and maximum architectural integration; 3) is  
15 necessary for the function of the building; and 4) no other feasible alternatives exist. Any  
16 existing rooftop equipment that is out of service or otherwise abandoned ~~must~~shall be removed  
17 prior to installation of new rooftop equipment.

18 \* \* \* \*

19 **SEC. 261.1. ADDITIONAL HEIGHT LIMITS FOR NARROW STREETS AND ALLEYS**  
20 **IN, RTO, NC, NCT, AND EASTERN NEIGHBORHOODS MIXED USE, ~~AND SOUTH OF~~**  
21 **~~MARKET MIXED USE~~ DISTRICTS.**

22 (a) **Purpose.** The intimate character of narrow streets (rights-of-way 40 feet in width  
23 or narrower) and alleys is an important and unique component of the City and certain  
24 neighborhoods in particular. The scale of these streets should be preserved to ensure they do  
25

1 not become overshadowed or overcrowded. Heights along alleys and narrow streets are  
2 hereby limited to provide ample sunlight and air, as follows:

3 (b) **Definitions.**

4 (1) "Narrow Street" shall be defined as a public right of way less than or equal  
5 to 40 feet in width, or any mid-block passage or alley that is less than 40 feet in width created  
6 under the requirements of Section 270.2.

7 (2) "Subject Frontage" shall mean any building frontage in an RTO, NC, NCT or  
8 Eastern Neighborhood Mixed Use District that abuts a Narrow Street and that is more than 60  
9 feet from an intersection with a street wider than 40 feet.

10 (3) "East-West Narrow Streets" shall mean all Narrow Streets, except those  
11 created pursuant to Section 270.2, that are oriented at 45 degrees or less from a true east-  
12 west orientation or are otherwise named herein: Elm, Redwood, Ash, Birch, Ivy, Linden,  
13 Hickory, Lily, Rose, Laussat, Germania, Clinton Park, Brosnan, Hidalgo, and Alert Streets.

14 (4) "North-South Narrow Streets" shall mean all Narrow Streets, except those created  
15 pursuant to Section 270.2, that are oriented at 45 degrees or less from a true north-south orientation.

16 (c) **Applicability.** The controls in this Section shall apply in all RTO, NC, NCT, and  
17 Eastern Neighborhoods Mixed Use, ~~and South of Market Mixed Use~~ Districts. Notwithstanding the  
18 foregoing, in the CS Bulk District these controls shall only apply on certain frontages as described in  
19 Section 270(h).

20 (d) **Controls.**

21 (1) **General Requirement.** Except as described below, all ~~s~~Subject ~~f~~Frontages  
22 shall have upper stories set back at least 10 feet at the property line above a height equivalent  
23 to 1.25 times the width of the abutting ~~n~~Narrow ~~s~~Street.

24 (2) **Southern Side of East-West Narrow Streets and, within the Central SoMa**  
25 **Special Use District, all North-South Narrow Streets.** All ~~s~~Subject ~~f~~Frontages on the southerly

1 side of an East-West Narrow Street and, within the Central SoMa Special Use District, all Subject  
2 Frontages on a North-South Narrow Street shall have upper stories which are set back at the  
3 property line such that they avoid penetration of a sun access plane defined by an angle of 45  
4 degrees extending from the most directly opposite northerly property line (as illustrated in  
5 Figure 261.1A.) No part or feature of a building, including but not limited to any feature listed  
6 in Sections 260(b), may penetrate the required setback plane.

7 (3) Northern Side of all Narrow Streets with the Central SoMa Special Use District.  
8 Subject Frontages in a 65- or 85- foot Height district are required to meet Apparent Mass Reduction  
9 requirements, as defined in Section 270(h), as follows:

10 (A) All Subject Frontages in a 65-foot Height district are required to have an  
11 Apparent Mass Reduction of fifty percent, as measured utilizing a Base Height of 35 feet.

12 (B) All Subject Frontages in a 85-foot Height district are required to have an  
13 Apparent Mass Reduction of seventy percent, as measured utilizing a Base Height of 35 feet.

14 (34) **Mid-block Passages.** Subject ~~f~~rontages abutting a mid-block passage  
15 provided perpursuant to the requirements of Section 270.2 shall have upper story setbacks as  
16 follows:

17 \* \* \* \*

18 ~~SEC. 263.11. SPECIAL HEIGHT EXCEPTIONS: SOUTH OF MARKET RSD 40 X/85-B~~  
19 ~~HEIGHT DISTRICT.~~

20 (a) ~~General. In the 40 X/85 B Height and Bulk District, as designated on Sectional Map No.~~  
21 ~~HT01 of the Zoning Map, located within the boundaries of the South of Market RSD District, height~~  
22 ~~exceptions above the 40-foot base height to a maximum of 85 feet may be approved in accordance with~~  
23 ~~the Conditional Use procedures and criteria provided in Sections 303 of this Code, and the criteria and~~  
24 ~~conditions set forth below.~~

1            ~~(b) Reduction of Shadows on Certain Public, Publicly Accessible, or Publicly Financed or~~  
2 ~~Subsidized Private Open Space.~~

3            ~~(1) New buildings or additions subject to this Section shall be shaped to reduce~~  
4 ~~substantial shadow impacts on public plazas, parks or other nearby publicly accessible or publicly~~  
5 ~~financed private open spaces. The criteria set forth in Section 147 of this Code shall be used to assess~~  
6 ~~the shadow impacts of new building development over 40 feet in height.~~

7            ~~(2) To the extent that height above 40 feet on lots 14, 16, 18, 19, 20, 20A, 21, 22, 24, 25,~~  
8 ~~26, 28, 29, 30, 31, 34, 91 and 92 of Assessor's Block 3733 and on lots 14, 15, 17, 18, 19, 23, 24, 26, 27,~~  
9 ~~28, 32, 33, 36 and 95 of Assessor's Block 3752 would create adverse impact on light and air to~~  
10 ~~adjacent residential uses and/or sunlight access to residential open spaces, such additional height shall~~  
11 ~~not be permitted.~~

12            ~~(c) Reduction of Ground Level Wind Currents. New buildings or additions subject to this~~  
13 ~~Section shall be shaped, or other wind baffling measures shall be adopted, so that the development will~~  
14 ~~not cause ground level wind currents to exceed, more than 10 percent of the time year round, between~~  
15 ~~7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial~~  
16 ~~pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing~~  
17 ~~ambient wind speeds exceed the comfort level, the building or addition shall be designed to reduce the~~  
18 ~~ambient wind speeds to meet the requirements.~~

19            ~~If it is shown that a building or addition cannot be shaped or wind baffling measures cannot be~~  
20 ~~adopted to meet the foregoing requirements without creating an unattractive and ungainly building~~  
21 ~~form and without unduly restricting the development potential of the building site in question, and/or it~~  
22 ~~is concluded that, because of the limited amount by which the comfort level is exceeded, the limited~~  
23 ~~location in which the comfort level is exceeded, the limited time during which the comfort level is~~  
24 ~~exceeded, or the addition is insubstantial, an exception may be granted as part of the conditional use~~  
25

1 *process, allowing the building or addition to add to the amount of time that the comfort level is*  
2 *exceeded by the least practical amount.*

3 *No exception shall be allowed and no building or addition shall be permitted that causes*  
4 *equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the*  
5 *year.*

6 *For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly mean*  
7 *wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.*

8 ~~*(d) Construction of Live/Work Units Above the 40-Foot Base Height Limit. Live/work units*~~  
9 ~~*may be relied upon to qualify for a height exception under this Section only if:*~~

10 ~~*(1) Each non-residential use within each individual live/work unit is limited to an*~~  
11 ~~*activity permitted within the district or conditional within the district and specifically approved as a*~~  
12 ~~*conditional use;*~~

13 ~~*(2) Each live/work unit is sufficiently insulated for noise attenuation between units to*~~  
14 ~~*insure that noise shall not exceed the acceptable decibel levels established for residential use as*~~  
15 ~~*specified in the San Francisco Noise Control Ordinance; and*~~

16 ~~*(3) The project satisfies the open space, parking and freight loading provisions of this*~~  
17 ~~*Code without administrative exceptions.*~~

18 ~~*(e) Affordability. In determining whether to allow a height exception under this Section the*~~  
19 ~~*Planning Commission shall, in addition to the criteria set forth in Section 303(c) of this Code, consider*~~  
20 ~~*the extent to which the project seeking the exception will include residential and live/work units*~~  
21 ~~*affordable to low income and moderate income households. The City Planning Commission may*~~  
22 ~~*impose conditions on the approval of additional height pursuant to this Subsection to assure housing*~~  
23 ~~*affordability and the enforceability and enforcement of housing affordability and use provisions, which*~~  
24 ~~*may include, but need not be limited to, a requirement that a minimum stated percentage of the total*~~  
25 ~~*number of units approved pursuant to this Section remain affordable to households whose incomes are*~~

1 *not greater than a stated percentage of a defined median income for a period of not less than a stated*  
2 *number of years.*

3 *(1) The property owner shall submit an annual report to the City, along with a fee*  
4 *whose amount shall be determined periodically by the City Planning Commission, to cover costs of the*  
5 *enforcement of the affordability of designated units. The fee shall not exceed the amount of those costs.*  
6 *The report shall state rents, annual household income, number of adults and children living in each*  
7 *designated unit, and such other information as the City may require.*

8 \* \* \* \*

9 **SEC. 263.32. SPECIAL HEIGHT EXCEPTIONS: PERMITTED BUILDING HEIGHTS IN**  
10 **THE CENTRAL SOMA SPECIAL USE DISTRICT.**

11 *(a) Purpose. The provision of affordable housing, public open space, and recreational*  
12 *amenities are encouraged in the Central SoMa Special Use District to achieve the policy objectives of*  
13 *the Central SoMa Plan. To facilitate the creation of these amenities, additional height may be allowed,*  
14 *as long as it does not result in a net increase in development potential for the primary project as set*  
15 *forth in subsection (c), below.*

16 *(b) Applicability. This Section shall apply to any project that:*

17 *(1) Provides housing units consisting entirely of on-site or off-site Affordable Housing*  
18 *Units as defined in Section 401; or*

19 *(2) Provides land for publicly-owned parks or publicly-owned recreational amenities,*  
20 *which land that the City deems suitable for such use, taking into consideration size, configuration,*  
21 *physical characteristics, physical and environmental constraints, access, location, adjacent use, and*  
22 *other relevant planning criteria.*

23 *(c) Controls. An additional 25 feet of height above the otherwise applicable height limit is*  
24 *permitted for applicable development projects subject to the following conditions:*

1           (1) The development capacity of the primary project shall not be increased due to the  
2 provision of the additional height as compared to the development capacity achievable without the  
3 special height exception. For purposes of this section, the development capacity of the primary project  
4 shall be calculated as the Gross Floor Area of development proposed on the site, less:

5                   (A) Any Gross Floor Area constructed in the project providing housing units  
6 consisting entirely of Affordable Housing Units, as defined in Section 401;

7                   (B) Any Gross Floor Area of potential development of land dedicated to the City  
8 for affordable housing pursuant to Section 249.78(e)(2), as determined by the Planning Department;

9                   (C) Any Gross Floor Area of potential development of land dedicated to the City  
10 for publicly-owned parks or publicly-owned recreation centers, as determined by the Planning  
11 Department; and

12                   (D) Any Gross Floor Area constructed as a publicly-owned recreation center.

13           (2) The additional height shall not cause any new or substantially increased significant  
14 impacts that cannot be mitigated to less than significant levels related to wind and shadow that would  
15 not have occurred without the additional height, as determined by the Environmental Review Officer.

16           (3) A projects utilizing a height exemption pursuant to this Section 263.32 may add 25  
17 feet above the otherwise applicable Height limit for purposes of calculating its Apparent Mass  
18 Reduction pursuant to Section 270(h).

19           **SEC. 263.33. SPECIAL HEIGHT EXCEPTIONS: VASSAR AND HARRISON STREETS.**

20           (a) Purpose. To facilitate the provision of increased affordable housing and a large hotel  
21 proximate to the Moscone Convention Center.

22           (b) Applicability. Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099, 100, 101,  
23 and 105.

24           (c) Controls.

25                   (1) The applicable lots shall have a base height limit of 130 feet.

1                   (2) For development on Assessor's Block No. 3763, Lot 105, the Height limit shall be  
2 200 feet for a project that includes a hotel of not less than 400 guest rooms.

3                   (3) For development on Assessor's Block No. 3763, Lots 078, 079, 080, 080A, 081, 099,  
4 100, and 101, the Height limit shall be 350 feet for a project that includes affordable housing in an  
5 amount that is equal to or greater than 110% of the requirement set forth in Section 415.

6                   **SEC. 263.34. SPECIAL HEIGHT EXCEPTIONS: FOURTH AND HARRISON STREETS**

7                   (a) Purpose. To facilitate the provision of affordable housing.

8                   (b) Applicability. Assessor's Block No. 3762, Lots 106, 108, 109, 112, 116, and 117.

9                   (c) Controls.

10                   (1) Lots 108, 109, 117, and portions of Lot 116 shall have a base height limit of 85 feet,  
11 as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of San  
12 Francisco.

13                   (2) Lots 106, 113 and portions of Lots 112 and 116 shall have a base height limit of  
14 130 feet, as shown on Height and Bulk District Map HT01 of the Zoning Map of the City and County of  
15 San Francisco.

16                   (3) The Height limit shall be 160 feet for a project that dedicates land for the provision  
17 of affordable housing, pursuant to Section 419.5(a)(2)(A) and (C) through (J).

18                   **SEC. 270. BULK LIMITS: MEASUREMENT.**

19                   (a) The limits upon the bulk of buildings and structures shall be as stated in this  
20 Section and in Sections 271 and 272. The terms "height," "plan dimensions," "length" and  
21 "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the  
22 maximum plan dimensions shall be as specified in the following table, at all horizontal cross-  
23 sections above the height indicated.

<b>TABLE 270</b> <b>BULK LIMITS</b>
--

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)	
		Length	Diagonal Dimension
* * * *			
CS	<i>This table not applicable. But see Section 270(h).</i>		

\* \* \* \*

(h) CS Bulk District. In the CS Bulk District, the bulk limits contained in this subsection 270(h) shall apply.

(1) Definitions. For purposes of this subsection, the definitions of Section 102 and the following definitions apply unless otherwise specified in this Section:

Apparent Mass Reduction. The percentage of the Skyplane that does not include the Projected Building Mass from the subject lot. For purposes of calculating Apparent Mass Reduction, any portion of the Projected Building Mass that projects above the Height limit shall be added to the projection within the Skyplane.

Base Height. The lowest Height from which the Skyplane is measured.

Lower Tower. The lower two-thirds of the Tower Portion of a Tower, rounded to the nearest floor.

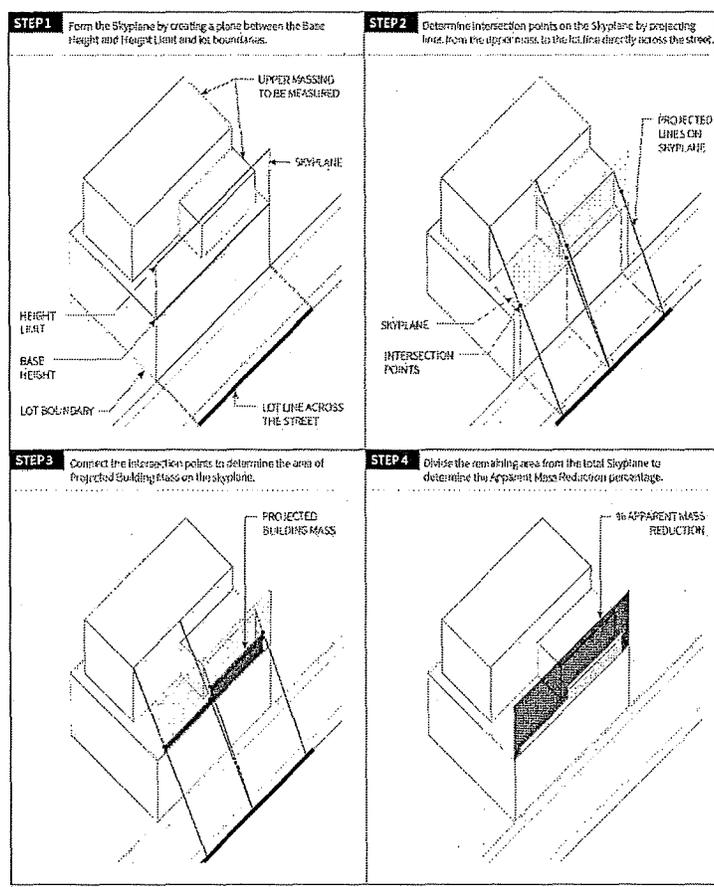
Major Street. 2nd Street, 3rd Street, 4th Street, 5th Street, 6th Street, Mission Street, Howard Street, Folsom Street, Harrison Street, Bryant Street, Brannan Street, and Townsend Street.

Mid-Block Passage. Any passage created pursuant to Section 270.2.

Narrow Street. A right-of-way with a width of 40 feet or less and more than 60 feet from an intersection with a street wider than 40 feet.



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**Tower.** Any building taller than 160 feet in Height.

**Tower Portion.** The portion of a Tower above 85 feet in Height.

**Upper Tower.** The upper one-third of the Tower Portion of a Tower, rounded to the nearest floor.

**(2) Apparent Mass Reduction.** Projects in the CS Bulk District are subject to the Apparent Mass Reduction controls of Table 270(h), as well as the setback requirements of Section 132.4.

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<u>Table 270(h)</u>				
<u>Apparent Mass Reduction</u>				
<u>Building</u>	<u>Side of the Street</u>	<u>Height</u>	<u>Base Height</u>	<u>Apparent Mass Reduction</u>
<u>Frontage</u>		<u>District</u>		
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>67%</u>
<u>Major Street</u>	<u>Southeast and southwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>80%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>130 feet</u>	<u>85 feet</u>	<u>50%</u>
<u>Major Street</u>	<u>Northeast and northwest</u>	<u>160 feet</u>	<u>85 feet</u>	<u>70%</u>
<u>Major Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>85 feet</u>	<u>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</u>
<u>Narrow Street</u>	<u>Southeast and southwest</u>	<u>160 feet and less</u>	<u>35 feet</u>	<u>The controls of Section 261.1(d)(2) shall apply.</u>
<u>Narrow Street</u>	<u>Northeast and northwest</u>	<u>135 feet and 160 feet</u>	<u>35 feet</u>	<u>85%</u>
<u>Narrow Street</u>	<u>All</u>	<u>Above 160 feet</u>	<u>35 feet</u>	<u>None for the Tower</u>

1				<u>Portion, as defined in</u>
2				<u>Section 132.4. 85% for the</u>
3				<u>remainder of the building,</u>
4				<u>using a Height limit of 160</u>
5				<u>feet for purposes of this</u>
6				<u>calculation.</u>
7	<u>Mid- Block</u>	<u>All</u>	<u>All</u>	<u>The controls of Section</u>
8	<u>Passage</u>		<u>None</u>	<u>261.1(d)(3) shall apply.</u>
9	<u>Perry Street</u>	<u>Northwest</u>	<u>All</u>	<u>The controls of Section</u>
10			<u>35 feet</u>	<u>261.1(d)(1) shall apply.</u>
11	<u>Other Street</u>	<u>All</u>	<u>All</u>	<u>Same as the Apparent</u>
12			<u>Width of the</u>	<u>Mass Reduction for</u>
13			<u>abutting</u>	<u>projects along Major</u>
14			<u>street</u>	<u>Streets in the same height</u>
15				<u>district and on the same</u>
16				<u>side of the street.</u>

**(3) Bulk Controls for Buildings Towers.**

**(A) Maximum Floor Area for the Tower Portion.**

(i) For residential and hotel uses, the maximum Gross Floor Area of any floor is 12,000 gross square feet.

(ii) For all other uses, the maximum Gross Floor Area of any floor is 17,000 gross square feet and the average Gross Floor Area for all floors in the Tower Portion shall not exceed 15,000 gross square feet.

**(B) Maximum Plan Dimensions for the Tower Portion.**

(i) The maximum length shall be 150 feet.

1 (ii) The maximum diagonal shall be 190 feet.

2 (iii) For buildings with a Height of 250 feet or more, the average Gross  
3 Floor Area of the Upper Tower shall not exceed 85 percent of the average Gross Floor Area of the  
4 Lower Tower, and the average diagonal of the Upper Tower shall not exceed 92.5 percent of the  
5 average diagonal of the Lower Tower.

6 (4) Exceptions. Except as specifically described in this subsection (h) and in Section  
7 329(e), no exceptions to the controls in the CS Bulk District shall be permitted. The procedures for  
8 granting special exceptions to bulk limits described in Section 272 shall not apply.

9 \* \* \* \*

10 **SEC. 270.2. SPECIAL BULK AND OPEN SPACE REQUIREMENT: MID-BLOCK**  
11 **ALLEYS IN LARGE LOT DEVELOPMENT IN THE EASTERN NEIGHBORHOODS MIXED**  
12 **USE DISTRICTS, SOUTH OF MARKET NEIGHBORHOOD COMMERCIAL TRANSIT**  
13 **DISTRICT, FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT,**  
14 **REGIONAL COMMERCIAL DISTRICT, ~~SOUTH OF MARKET MIXED USE DISTRICT,~~ C-3**  
15 **DISTRICT, AND DTR DISTRICT.**

16 \* \* \* \*

17 (c) **Applicability.** This Section 270.2 applies to all new construction on parcels that  
18 have one or more street or alley frontages of over 200 linear feet on a block face longer than  
19 400 feet between intersections, and are in the C-3 Districts, if located south of Market Street,  
20 or in the ~~South of Market Mixed Use Districts,~~ South of Market Neighborhood Commercial  
21 Transit District, Folsom Street Neighborhood Commercial Transit District, Regional  
22 Commercial District, Eastern Neighborhoods Mixed Use Districts, or DTR Districts, except for  
23 parcels in the RH DTR District, which are subject to Section 827.

24 \* \* \* \*

25 **SEC. 303.1. FORMULA RETAIL USES.**

1 \* \* \* \*

2 (b) **Definition.** A Formula Retail use is hereby defined as a type of retail sales or  
3 service activity or retail sales or service establishment that has eleven or more other retail  
4 sales establishments in operation, or with local land use or permit entitlements already  
5 approved, located anywhere in the world. In addition to the eleven establishments either in  
6 operation or with local land use or permit entitlements approved for operation, the business  
7 maintains two or more of the following features: a standardized array of merchandise, a  
8 standardized facade, a standardized decor and color scheme, uniform apparel, standardized  
9 signage, a trademark or a servicemark.

10 \* \* \* \*

11 (e) **Conditional Use Authorization Required.** A Conditional Use Authorization shall  
12 be required for a Formula Retail use in the following zoning districts unless explicitly  
13 exempted:

14 \* \* \* \*

15 (12) The C-3-G District with frontage on Market Street, between 6th Street and  
16 the intersection of Market Street, 12th Street and Franklin Street.; and

17 (13) The Central SoMa Mixed-Use Office District as defined in Section 848, except for  
18 those uses not permitted pursuant to subsection (f) below.

19 (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in the  
20 following zoning districts:

21 \* \* \* \*

22 (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are  
23 also Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and 790.91.; and

24 (10) Central SoMa Mixed Use-Office District does not permit Formula Retail Uses that  
25 are also Bar, Restaurant, or Limited Restaurant Uses as defined in Section 102.

1 \* \* \* \*

2 **SEC. 304. PLANNED UNIT DEVELOPMENTS.**

3 In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, or the DTR  
4 Districts, ~~or the South of Market Mixed Use Districts~~, the Planning Commission may authorize as  
5 conditional uses, in accordance with the provisions of Section 303, Planned Unit  
6 Developments subject to the further requirements and procedures of this Section. After review  
7 of any proposed development, the Planning Commission may authorize such development as  
8 submitted or may modify, alter, adjust or amend the plan before authorization, and in  
9 authorizing it may prescribe other conditions as provided in Section 303(d). The development  
10 as authorized shall be subject to all conditions so imposed and shall be excepted from other  
11 provisions of this Code only to the extent specified in the authorization.

12 \* \* \* \*

13 **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.**

14 In addition to those specified in Sections 302 through 306 of this Code, the Zoning  
15 Administrator shall have the following powers and duties in administration and enforcement of  
16 this Code. The duties described in this Section shall be performed under the general  
17 supervision of the Director of Planning, who shall be kept informed of the actions of the  
18 Zoning Administrator.

19 \* \* \* \*

20 (g) **Exceptions from Certain Specific Code Standards through Administrative**  
21 **Review in the Chinatown Mixed Use Districts** ~~and the South of Market Mixed Use Districts.~~

22 The Zoning Administrator may allow complete or partial relief from rear yard, open space and  
23 wind and shadow standards as authorized in the applicable sections of this Code, when  
24 modification of the standard would result in a project better fulfilling the criteria set forth in the  
25

1 applicable section. The procedures and fee for such review shall be the same as those which  
2 are applicable to Variances, as set forth in Sections 306.1 through 306.5 and 308.2.

3 (h) **Exceptions from Certain Specific Code Standards through Administrative**  
4 **Review.** The Zoning Administrator may allow complete or partial relief from certain standards  
5 specifically identified below, in Section 161, or elsewhere in this Code when modification of  
6 the standard would result in a project fulfilling the criteria set forth below and in the applicable  
7 section.

8 (1) **Applicability.**

9 \* \* \* \*

10 (E) **Better Roofs; Living Roof Alternative.** For projects subject to  
11 Section 149 *and 249.78(d)(3)*, the Zoning Administrator may waive portions of the applicable  
12 requirements as provided in Section 149(e) *and 249.78(d)(3)(D), respectively.*

13 \* \* \* \*

14 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS**  
15 **MIXED USE DISTRICTS.**

16 (a) **Purpose.** The purpose of this Section is to ensure that all large projects proposed  
17 in the Eastern Neighborhoods Mixed Use Districts are reviewed by the Planning Commission,  
18 in an effort to achieve the objectives and policies of the General Plan, the applicable Design  
19 Guidelines, and the purposes of this Code.

20 (b) **Applicability.** This Section applies to all projects in the Eastern Neighborhoods  
21 Mixed Use *Districts*, except projects in the Western SoMa Special Use District, *that are* subject  
22 to Section 823(c) ~~(1211)~~, that meet at least one of the following criteria:

23 (1) **Outside the Central SoMa Special Use District.**

24 (A) The project includes the construction of a new building greater than  
25 75 feet in height (excluding any exceptions permitted *perpursuant to* Section 260(b)), or

1 includes a vertical addition to an existing building with a height of 75 feet or less resulting in a  
2 total building height greater than 75 feet; or

3 (2B) The project involves a net addition or new construction of more than  
4 25,000 gross square feet.

5 (2) Within the Central SoMa Special Use District.

6 (A) The project includes the construction of a new building greater than 85 feet  
7 in height (excluding any exceptions permitted pursuant to Section 260(b)), or includes a vertical  
8 addition to an existing building with a height of 85 feet or less resulting in a total building height  
9 greater than 85 feet; or

10 (B) The project involves a net addition or new construction of more than 50,000  
11 gross square feet.

12 \* \* \* \*

13 (d) **Exceptions.** As a component of the review process under this Section 329,  
14 projects may seek specific exceptions to the provisions of this Code as provided for below:

15 \* \* \* \*

16 (12) Where not specified elsewhere in this subsection (d), modification of other  
17 Code requirements ~~which~~ that could otherwise be modified as a Planned Unit Development  
18 (as set forth in Section 304), irrespective of the zoning district in which the property is located,  
19 except that such modifications shall not be permitted for projects in the Central SoMa Special Use  
20 District.

21 (e) Exceptions for Key Sites in Central SoMa.

22 (1) Purpose. The Central SoMa Plan Area contains a number of large, underutilized  
23 development sites. By providing greater flexibility in the development of these sites, the City has an  
24 opportunity to achieve key objectives of the Central SoMa Plan and to locate important public assets  
25 that would otherwise be difficult to locate in a highly developed neighborhood like SoMa.

1                    (2) Applicability. The controls discussed below apply to the following lots, as identified  
2 in the Key Site Guidelines adopted by the Central SoMa Area Plan (Ordinance No. \_\_\_\_\_, on file  
3 with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_):

4                    (A) The southwest corner of the intersection of 5th Street and Howard Street,  
5 consisting of Block 3732, Lots 003, 004, 005, 099, 100, 145A, 146, and 149, as well as any other  
6 parcels included as part of the same development application for one of these lots:

7                    (B) The southeast corner of the intersection of 4th Street and Harrison Street,  
8 consisting of Block 3762, Lots 106, 108, 109, 112, 116, and 117;

9                    (C) The southwest corner of the intersection of 2nd Street and Harrison Street,  
10 consisting of Block 3763, Lots 001, 078, 079, 080, 080A, 081, 099, 100, 101, 105, 112, and 113.

11                    (D) The northeast corner of the intersection of 4th Street and Brannan Street,  
12 consisting of Block 3776, Lot 025;

13                    (E) The northeast corner of the intersection of 5th Street and Brannan Street,  
14 consisting of Block 3777, Lots 045, 050, 051, and 052;

15                    (F) The southern half of the block north of Brannan Street between 5th Street  
16 and 6th Street, consisting of Block 3778, Lots 001B, 002B, 004, 005, 047, and 048;

17                    (G) The southeast corner of the intersection of 5th and Brannan Streets,  
18 consisting of Block 3786, Lots 036 and 037; and

19                    (H) The northeast corner of the intersection of 4th and Townsend Streets,  
20 consisting of Block 3787, Lots 026, 028, 050, 161, 162, 163, and 164.

21                    (3) Controls. Pursuant to this Section 329(e) and the Key Site Guidelines adopted as  
22 part of the Central SoMa Area Plan, the Planning Commission may grant exceptions to the provisions  
23 of this Code as set forth below for projects that provide qualified amenities in excess of what is  
24 required by the Code.

1                    (A) Qualified Amenities. Qualified additional amenities provided by these Key  
2 Sites include: affordable housing beyond what is required under Section 415 et seq.; PDR at a greater  
3 amount and/or lower rent (if qualifying for a permitted exception for commercial rent control under  
4 applicable provisions of state law) than is otherwise required under Sections 202.8 or 249.78(c)(5);  
5 public parks, recreation centers, or plazas; and improved pedestrian networks.

6                    (B) Exceptions. Upon consideration of qualified amenities in excess of what is  
7 required by the Code, the Planning Commission may grant one or more exceptions to the following:  
8 the streetwall, setback, or tower separation controls established in Section 132.4; protected street  
9 frontages in Section 155(r); the setback requirements of Section 261.1; bulk controls established in  
10 Section 270(h); the lot merger restrictions established in Section 249.78(d)(5); the PDR requirements  
11 established in Section 249.78(c)(5); the requirement that POPOS be open to the sky established in  
12 Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6).

13                    (4) Determination. In granting such exceptions, the Planning Commission shall  
14 determine that the provision of the proposed amenities and exceptions would meet the following  
15 criteria:

16                    (A) The amenities and exceptions would, on balance, be in conformity with and  
17 support the implementation of the Goals, Objectives, and Policies of the Central SoMa Plan,

18                    (B) The amenities would result in an equal or greater benefit to the City than  
19 would occur without the exceptions, and

20                    (C) The exceptions are necessary to facilitate the provision of important public  
21 assets that would otherwise be difficult to locate in a highly developed neighborhood like SoMa.

22                    **(ef) Hearing and Decision.**

23                    \* \* \* \*

24                    **SEC. 401. DEFINITIONS.**

1 In addition to the specific definitions set forth elsewhere in this Article, the following  
2 definitions shall govern interpretation of this Article:

3 \* \* \* \*

4 "Designated affordable housing zones." For the purposes of implementing the Eastern  
5 Neighborhoods ~~Community Improvements~~~~Public Benefits~~ Fund, shall mean the Mission NCT  
6 defined in Section 754 ~~and those Mixed Use Residential Districts defined in Section 841 that are~~  
7 ~~located within the boundaries of either the East SoMa or Western SoMa Plan Areas.~~

8 \* \* \* \*

9 "Eastern Neighborhoods ~~Community Improvements~~~~Public Benefits~~ Fund." The fund into  
10 which all fee revenue collected by the City from the Eastern Neighborhoods Impact Fee is  
11 deposited.

12 \* \* \* \*

13 **SEC. 411A.3. APPLICATION OF TSF.**

14 \* \* \* \*

15 (d) **Application of the TSF to Projects in the Approval Process at the Effective**  
16 **Date of Section 411A.** The TSF shall apply to Development Projects that are in the approval  
17 process at the effective date of Section 411A, except as modified below:

18 (1) Projects that have a Development Application approved before the effective  
19 date of this Section shall not be subject to the TSF, but shall be subject to the TIDF at the rate  
20 applicable perpursuant to Planning Code Sections 411.3 (e) and 409, as well as any other  
21 applicable fees.

22 (2) Projects that have filed a Development Application or environmental review  
23 application on or before July 21, 2015, and have not received approval of any such  
24 application, shall be subject to the TSF as follows, except as described in subsection (3) below:

1 (A) Residential Uses subject to the TSF shall pay 50% of the applicable  
2 residential TSF rate, as well as any other applicable fees.

3 (B) The Non-residential or PDR portion of any project shall be subject to  
4 the TSF but pay the applicable TIDF rate ~~per~~pursuant to Planning Code Sections 411.3(e) and  
5 409, as well as any other applicable fees.

6 (3) Projects that have not filed a Development Application or environmental  
7 review application before July 22, 2015, and file the first such application on or after July 22,  
8 2015, and have not received approval of any such application, as well as projects within the  
9 Central SoMa Special Use District that have a Central SoMa Development Tier of A, B, or C, as  
10 defined in Section 423.2, regardless of the date filed of any Development Application, shall be subject  
11 to the TSF as follows:

12 (A) Residential Uses subject to the TSF shall pay 100% of the applicable  
13 residential TSF rate, as well as any other applicable fees.

14 (B) The Non-residential or PDR portion of any project shall pay 100% of  
15 the applicable Non-residential or PDR TSF rate, as well as any other applicable fees.

16 \* \* \* \*

17 **SEC. 413.7. COMPLIANCE BY LAND DEDICATION WITHIN THE CENTRAL SOMA**  
18 **SPECIAL USE DISTRICT.**

19 (a) Controls. Within the Central SoMa Special Use District, projects may satisfy all or a  
20 portion of the requirements of Section 413.5, 413.6 and 413.8 via dedication of land with equivalent or  
21 greater value than the fee owed pursuant to Section 413 et seq.

22 **(b) Requirements.**

23 (1) The value of the dedicated land shall be determined by appraisal. Prior to issuance  
24 by DBI of the first site or building permit for a development project subject to Section 413.1 et seq. the  
25 sponsor shall submit to the Department, with a copy to MOHCD, a self-contained appraisal report as

1 defined by the Uniform Standards of Professional Appraisal Practice prepared by an M.A.I. appraiser  
2 of the fair market value of any land to be dedicated by the sponsor to the City and County of San  
3 Francisco.

4 (2) Projects are subject to the requirements of Section 419.5(a)(2)(A) and (C) through  
5 (J).

6 \* \* \* \*

7 **SEC. 413.10. CITYWIDE AFFORDABLE HOUSING FUND.**

8 All monies contributed pursuant to Sections 413.6 or 413.8 or assessed pursuant to  
9 Section 413.9 shall be deposited in the Citywide Affordable Housing Fund ("Fund"),  
10 established in Administrative Code Section 10.100-49. The receipts in the Fund collected  
11 under Section 413et seq. shall be used solely to increase the supply of housing affordable to  
12 qualifying households subject to the conditions of this Section. The fees collected under this  
13 Section may not be used, by way of loan or otherwise, to pay any administrative, general  
14 overhead, or similar expense of any entity. The Mayor's Office of Housing and Community  
15 Development ("MOHCD") shall develop procedures such that, for all projects funded by the  
16 Citywide Affordable Housing Fund, MOHCD requires the project sponsor or its successor in  
17 interest to give preference in occupying units as provided for in Administrative Code Chapter  
18 47.

19 Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the Jobs-Housing Linkage  
20 Program and collected within the Central SoMa Special Use District shall be paid into the Citywide  
21 Affordable Housing Fund, but the funds shall be separately accounted for. Such funds shall be  
22 expended within the area bounded by Market Street, the Embarcadero, King Street, Division Street,  
23 and South Van Ness Avenue.

24 \* \* \* \*

25 **SEC. 415.3. APPLICATION.**

1 \* \* \* \*

2 (b) Except as provided in subsection (3) below, any development project that has  
3 submitted a complete Environmental Evaluation application prior to January 12, 2016 shall  
4 comply with the Affordable Housing Fee requirements, the on-site affordable housing  
5 requirements or the off-site affordable housing requirements, and all other provisions of  
6 Section 415.1 *et seq.*, as applicable, in effect on January 12, 2016. For development projects  
7 that have submitted a complete Environmental Evaluation application on or after January 1,  
8 2013, the requirements set forth in Planning Code Sections 415.5, 415.6, and 415.7 shall  
9 apply to certain development projects consisting of 25 dwelling units or more during a limited  
10 period of time as follows.

11 \* \* \* \*

12 (3) During the limited period of time in which the provisions of Section 415.3(b)  
13 apply, the following provisions shall apply:

14 (A) For any housing development that is located in an area with a  
15 specific affordable housing requirement set forth in an Area Plan or a Special Use District, or  
16 in any other section of the Code such as Section 419, with the exception of the UMU Zoning  
17 District or in the South of Market Youth and Family Zoning District, the higher of the affordable  
18 housing requirement set forth in such Area Plan or Special Use District or in Section 415.3(b)  
19 shall apply;

20 (B) Development projects that are within the Central SoMa Special Use  
21 District; that are designated as Central SoMa Development Tier A, B, or C, as defined in Section  
22 423.2; and that submitted a complete Environmental Evaluation application prior to January 12, 2016  
23 shall be subject to the affordable housing requirements set forth in Sections 415.5, 415.6, and 415.7  
24 that apply to projects that submitted a complete Environmental Evaluation Application on or after  
25 January 13, 2016 and before December 31, 2017; and

1                   (C) Any affordable housing impact fee paid pursuant to an Area Plan or  
2 Special Use District shall be counted as part of the calculation of the inclusionary housing  
3 requirements contained in Planning Code Sections 415.1 *et seq.*

4                   \* \* \* \*

5                   **SEC. 415.5. AFFORDABLE HOUSING FEE.**

6                   \* \* \* \*

7                   (f) **Use of Fees.** All monies contributed pursuant to the Inclusionary Affordable  
8 Housing Program shall be deposited in the Citywide Affordable Housing Fund ("the Fund"),  
9 established in Administrative Code Section 10.100-49, *except as specified below*. The Mayor's  
10 Office of Housing and Community Development ("MOHCD") shall use the funds collected  
11 under this Section 415.5 in the following manner:

12                   \* \* \* \*

13                   (2) **"Small Sites Funds."**

14                   (A) **Designation of Funds.** MOHCD shall designate and separately  
15 account for 10% of all fees that it receives under Section 415.1 *et seq.* that are deposited into  
16 the Citywide Affordable Housing Fund, established in Administrative Code Section 10.100-49,  
17 excluding fees that are geographically targeted such as those referred to in Sections  
18 249.78(e)(1), 415.5(b)(1), and 827(b)(1), to support acquisition and rehabilitation of Small Sites  
19 ("Small Sites Funds"). MOHCD shall continue to divert 10% of all fees for this purpose until  
20 the Small Sites Funds reach a total of \$15 million, at which point, MOHCD will stop  
21 designating funds for this purpose. At such time as designated Small Sites Funds are  
22 expended and dip below \$15 million, MOHCD shall start designating funds again for this  
23 purpose, such that at no time the Small Sites Funds shall exceed \$15 million. When the total  
24 amount of fees paid to the City under Section 415.1 *et seq.* totals less than \$10 million over  
25 the preceding 12-month period, MOHCD is authorized to temporarily divert funds from the

1 Small Sites Fund for other purposes. MOHCD ~~must~~shall keep track of the diverted funds,  
2 however, such that when the amount of fees paid to the City under Section 415.1 *et seq.*  
3 meets or exceeds \$10 million over the preceding 12-month period, MOHCD shall commit all of  
4 the previously diverted funds and 10% of any new funds, subject to the cap above, to the  
5 Small Sites Fund.

6 \* \* \* \*

7 (4) Pursuant to Section 249.78(e)(1), all monies contributed pursuant to the  
8 Inclusionary Affordable Housing Program and collected within the Central SoMa Special Use District  
9 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
10 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
11 Street, Division Street, and South Van Ness Avenue.

12 \* \* \* \*

13 **SEC. 415.7. OFF-SITE AFFORDABLE HOUSING ALTERNATIVE.**

14 \* \* \* \*

15 **(c) Location of off-site housing:**

16 (1) Except as specified in subsection (ii) below, the off-site units shall be located  
17 within one mile of the principal project;

18 (2) Projects within the Central SoMa SUD must be located within the area bounded by  
19 Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.

20 \* \* \* \*

21 **SEC. 417.5. USE OF FUNDS.**

22 The Eastern Neighborhoods Area Plan Alternate Affordable Housing Fee shall be paid  
23 into the Citywide Affordable Housing Fund, but the funds shall be separately accounted for.  
24 MOH shall expend the funds according to the following priorities: First, to increase the supply  
25 of housing affordable to qualifying households in the Eastern Neighborhoods Project Areas;

1 second, to increase the supply of housing affordable to qualifying households within 1 mile of  
2 the boundaries of the Eastern Neighborhoods Project Areas; third, to increase the supply of  
3 housing affordable to qualifying households in the City and County of San Francisco. The  
4 funds may also be used for monitoring and administrative expenses subject to the process  
5 described in Section 415.5(e). All monies contributed pursuant to the Eastern Neighborhoods Area  
6 Plan Alternate Affordable Housing Fee and collected within the Central SoMa Special Use District  
7 shall be paid into the Citywide Affordable Housing Fund, but the funds shall be separately accounted  
8 for. Such funds shall be expended within the area bounded by Market Street, the Embarcadero, King  
9 Street, Division Street, and South Van Ness Avenue.

10 \* \* \* \*

11 **SEC. 419. HOUSING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT**  
12 **PROJECTS IN THE UMU ZONING DISTRICTS OF THE EASTERN NEIGHBORHOODS**  
13 **AND THE LAND DEDICATION ALTERNATIVE IN THE UMU DISTRICT, MISSION NCT**  
14 **DISTRICT, AND CENTRAL SOMA SPECIAL USE DISTRICT.**

15 Sections 419.1 through 419.6, hereafter referred to as Section 419.1 et seq., set forth  
16 the housing requirements for residential development projects in the UMU Zoning Districts of  
17 the Eastern Neighborhoods and the Land Dedication Alternative in the UMU District, Mission  
18 NCT District, and Central SoMa Special Use District. The effective date of these requirements  
19 shall be either December 19, 2008, which is the date that the requirements originally became  
20 effective, or the date a subsequent modification, if any, became effective.

21 \* \* \* \*

22 **SEC. 419.6. LAND DEDICATION ALTERNATIVE IN THE MISSION NCT DISTRICT**  
23 **AND CENTRAL SOMA SPECIAL USE DISTRICT.**

1           (a) Mission NCT District. The Land Dedication alternative is available for any project  
2 within the Mission NCT District under the same terms and conditions as provided for in  
3 Section 419.5(a)(2)(A)-(J).

4           (b) Central SoMa Special Use District. The Land Dedication alternative is available for  
5 projects within the Central SoMa Special Use District under the same terms and conditions as provided  
6 for in Section 419.5(a)(2), except that in lieu of the requirements of Table 419.5, projects may satisfy  
7 the requirements of Section 415.5 by dedicating land for affordable housing if the dedicated site will  
8 result in a total amount of dedicated Gross Floor Area that is equal to or greater than 45% of the  
9 potential Gross Floor Area that could be provided on the principal site, as determined by the Planning  
10 Department. Any dedicated land shall be within the area bounded by Market Street, the Embarcadero,  
11 King Street, Division Street, and South Van Ness Avenue.

12           \* \* \* \*

13           **SEC. 423.1. PURPOSE AND FINDINGS SUPPORTING EASTERN**  
14 **NEIGHBORHOODS IMPACT FEES AND COMMUNITY IMPROVEMENTS FUND.**

15           (a) **Purpose.** The Board takes legislative notice of the purpose of the Eastern  
16 Neighborhoods Area Plan as articulated in the Eastern Neighborhoods Area Plan of the San  
17 Francisco General Plan. San Francisco's Housing Element establishes the Eastern  
18 Neighborhoods as a target area for development of new housing to meet San Francisco's  
19 identified housing targets. The release of some of the area's formerly industrial lands, no  
20 longer needed to meet current industrial or PDR needs, offer an opportunity to achieve higher  
21 affordability, and meet a greater range of need. The Mission, Showplace Square - Potrero Hill,  
22 Central SoMa, East SoMa, Western SoMa and Central Waterfront Area Plans of the General  
23 Plan (Eastern Neighborhoods Plans) thereby call for creation of new zoning intended  
24 specifically to meet San Francisco's housing needs, through higher affordability requirements  
25 and through greater flexibility in the way those requirements can be met, as described in

1 Section 419. To support this new housing, other land uses, including PDR businesses, retail,  
2 office and other workplace uses will also grow in the Eastern Neighborhoods.

3 This new development will have an extraordinary impact on the Plan Area's already  
4 deficient neighborhood infrastructure. New development will generate needs for a significant  
5 amount of public open space and recreational facilities; transit and transportation, including  
6 streetscape and public realm improvements; community facilities and services, including child  
7 care; and other amenities, as described in the Eastern Neighborhoods Community  
8 Improvements Program, on file with the Clerk of the Board in File No. 081155.

9 A key policy goal of the Eastern Neighborhoods Plans is to provide a significant  
10 amount of new housing affordable to low, moderate and middle income families and  
11 individuals, along with "complete neighborhoods" that provide appropriate amenities for these  
12 new residents. The Plans obligate all new development within the Eastern Neighborhoods to  
13 contribute towards these goals, by providing a contribution towards affordable housing needs  
14 and by paying an Eastern Neighborhoods Impact Fee.

15 \* \* \* \*

16 **SEC. 423.2. DEFINITIONS.**

17 ~~(a)~~—In addition to the definitions set forth in Section 401 of this Article, the following  
18 definitions shall govern interpretation of Section 423.1 *et seq.*

19 (a) *Eastern Neighborhoods Base Height. The Height limit immediately prior to the adoption*  
20 *of the following:*

21 (1) *The Eastern Neighborhoods Plan (Ordinance No. 298-08, on file with the Clerk of*  
22 *the Board of Supervisors in File No. 081153), regardless of subsequent changes in the Height limit, for*  
23 *parcels within the East SoMa Plan Area at the time of plan adoption;*

1                   (2) The Western SoMa Area Plan (Ordinance No. 41-13, on file with the Clerk of the  
2 Board of Supervisors in File No. 130001), regardless of subsequent changes in the Height limit, for  
3 parcels within the Western SoMa Area Plan at the time of plan adoption; or

4                   (3) Ordinance No. 13-14 (on file with the Clerk of the Board of Supervisors in File No.  
5 131161), regardless of subsequent changes in the Height limit, for parcels added to the East SoMa  
6 Plan Area by Ordinance No. 13-14.

7                   **(b) Central SoMa Base Height.**

8                   (1) For all parcels except those described in subsection (2) below, the Height limit  
9 established by the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the Clerk of the Board  
10 of Supervisors in File No. \_\_\_\_\_), regardless of subsequent changes in the Height limit.

11                   (2) Exception for Narrow Sites. Projects on parcels in the CS Bulk District, as defined  
12 in Section 270, with a Height limit greater than 85 feet and with no street or alley frontage greater than  
13 100 feet shall be considered for the purposes of Section 423 et seq. to have a Height limit of 85 feet  
14 regardless of the parcel's actual Height limit.

15                   **(c) Eastern Neighborhoods Fee Tiers.**

16                   (1) **Tier 1.**

17                   (A) All development on sites ~~which~~that received a height increase of eight  
18 feet or less, received no height increase, or received a reduction in height, as measured from  
19 the Eastern Neighborhoods Base Heightpart of the Eastern Neighborhoods Plan (on file with the Clerk  
20 of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan (on file with the  
21 Clerk of the Board of Supervisors in File No. 130001);

22                   (B) The residential portion of all 100% affordable housing projects;

23                   (C) The residential portion of all projects within the Urban Mixed Use  
24 (UMU) district; and

25                   (D) All changes of use within existing structures.

1 (2) **Tier 2.** All additions to existing structures or new construction on other sites  
2 not listed in subsection (1) above ~~which~~ that received a height increase of nine to 28 feet, as  
3 measured from the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file~~  
4 ~~with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan~~  
5 ~~(on file with the Clerk of the Board of Supervisors in File No. 130001);~~

6 ~~For the purposes of this Section, increase in heights in the WMUG District in~~  
7 ~~Assessor's Blocks 3733 and 3752 shall be measured by the base height (as defined in Section 263.11)~~  
8 ~~prior to the effective date of the Western SoMa Plan (Ordinance No. Ord. 42-13);~~

9 (3) **Tier 3.** All additions to existing structures or new construction on other sites  
10 not listed in subsection (1) above ~~which~~ that received a height increase of 29 feet or more, as  
11 measured from the Eastern Neighborhoods Base Height~~part of the Eastern Neighborhoods Plan (on file~~  
12 ~~with the Clerk of the Board of Supervisors in File No. 081154) or the Western SoMa Community Plan~~  
13 ~~(on file with the Clerk of the Board of Supervisors in File No. 130001).~~

14 ~~For purposes of this Section, increase in heights in the MUR District shall be~~  
15 ~~measured by the base height (as defined in Section 263.11) prior to the effective date of the Eastern~~  
16 ~~Neighborhoods (Ordinance No. 298-08).~~

17 (d) Central SoMa Fee Tiers. For all applicable projects, the following Fee Tiers apply:

18 (1) Tier A.

19 (A) All development on sites rezoned from SALI or SLI to either CMUO or  
20 WMUO with a Height limit at or below 45 feet, pursuant to the adoption of the Central SoMa Area  
21 Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

22 (B) All development on all other sites that received a Height increase of 15 feet  
23 to 45 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
24 of Supervisors in File No. \_\_\_\_\_).

25 (2) Tier B.

1                    (A) All development on sites rezoned from SALI or SLI to either CMUO or  
2 WMUO with a Height limit of between 46 and 85 feet, pursuant to the adoption of the Central SoMa  
3 Area Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

4                    (B) All development on all other sites that received a Height increase of 46 feet  
5 to 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the Board  
6 of Supervisors in File No. \_\_\_\_\_).

7                    **(3) Tier C.**

8                    (A) For All development on sites rezoned from SALI or SLI to either CMUO or  
9 WMUO with a Height limit above 85 feet, pursuant to the adoption of the Central SoMa Area Plan (on  
10 file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_).

11                    (B) All development on all other sites that received a Height increase of more  
12 than 85 feet pursuant to the adoption of the Central SoMa Area Plan (on file with the Clerk of the  
13 Board of Supervisors in File No. \_\_\_\_\_).

14                    **SEC. 423.3. APPLICATION OF EASTERN NEIGHBORHOODS INFRASTRUCTURE**  
15 **IMPACT FEE.**

16                    \* \* \* \*

17                    **(d) Option for In-Kind Provision of Community Improvements and Fee Credits.**

18 Project sponsors may propose to directly provide community improvements to the City. In  
19 such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor  
20 and issue a fee waiver for the Eastern Neighborhoods Infrastructure Impact Fee from the  
21 Planning Commission, subject to the following rules and requirements:

22                    **(1) Approval Criteria.** The City shall not enter into an In-Kind Agreement  
23 unless the proposed in-kind improvements meet an identified community need as analyzed in  
24 the Eastern Neighborhoods Community Improvements Program and where they substitute for  
25 improvements that could be provided by the Eastern Neighborhoods Community Improvements

1 *Public Benefits* Fund (as described in Section 423.5). The City may reject in-kind improvements  
2 if they are not consistent with the priorities identified in the Eastern Neighborhoods Area Plans  
3 (Central Waterfront, East SoMa, Western SoMa, Mission, and Showplace Square/Potrero  
4 Hill), by the Interagency Plan Implementation Committee (see Section 36 of the Administrative  
5 Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
6 processes related to Eastern Neighborhoods Citizens community improvements  
7 programming. No physical improvement or provision of space otherwise required by the  
8 Planning Code or any other City Code shall be eligible for consideration as part of this In-Kind  
9 Improvements Agreement.

10 \* \* \* \*

11 (f) **Waiver or Reduction of Fees.** Development projects may be eligible for a waiver  
12 or reduction of impact fees, *pursuant to* Section 406 of this Article. Additionally, *project*  
13 *sponsors with a development project located within an applicable San Francisco Redevelopment*  
14 *Project Area may reduce their required contribution to the Eastern Neighborhoods Public Benefits*  
15 *Fund by half of any total sum that they would otherwise be required to pay under this Section, if the*  
16 *sponsor*

17 *(1) has filed its first application, including an environmental evaluation*  
18 *application or any other Planning Department or Building Department application before the effective*  
19 *date of Section 423.1 et seq. and*

20 *(2) provides the Zoning Administrator with written evidence, supported in*  
21 *writing by the San Francisco Redevelopment Agency, that demonstrates the annual tax increment*  
22 *which could be generated by the proposed project would support a minimum future bonding capacity*  
23 *equal to \$10,000,000 or greater. office projects under 50,000 square feet, other non-residential*  
24 *projects, and residential projects in the Central SoMa Special Use District may reduce their required*  
25 *contribution to the Eastern Neighborhoods Community Improvements Fund as follows: for every gross*

1 square foot of PDR space required by Planning Code Section 202.8, the project may waive payment for  
2 four gross square feet of the Eastern Neighborhoods Infrastructure Impact Fee.

3 \* \* \* \*

4 **SEC. 423.5. THE EASTERN NEIGHBORHOODS COMMUNITY IMPROVEMENTS**  
5 **FUND.**

6 \* \* \* \*

7 (b) **Use of Funds.** The Fund shall be administered by the Board of Supervisors.

8 (1) All monies deposited in the Fund or credited against Fund obligations shall  
9 be used to design, engineer, acquire, improve, and develop public open space and  
10 recreational facilities; transit, streetscape and public realm improvements; and child care  
11 facilities. Funds may be used for childcare facilities that are not publicly owned or publicly-  
12 accessible.

13 (A) Funds collected from all zoning districts in the Eastern  
14 Neighborhoods Program Area, excluding Designated Affordable Housing Zones shall be  
15 allocated to accounts by improvement type according to Table 423.5.

16 (B) Funds collected in Designated Affordable Housing Zones (~~Mission~~  
17 ~~NCT and MUR~~, as defined in Section 401), shall be allocated to accounts by improvement type  
18 as described in Table 423.5A.

19 \* \* \* \*

20 (c) Funds shall be allocated to accounts by improvement type as described below:

21 (1) Funds collected from all zoning districts in the Eastern Neighborhoods  
22 Program Area, excluding Designated Affordable Housing Zones shall be allocated to accounts  
23 by improvement type according to Table 423.5. Funds collected from MUR Zoning Districts  
24 outside of the boundaries of either the East SoMa or Western SoMa Area Plans shall be  
25 allocated to accounts by improvement type according to Table 423.5.

1 (2) Funds collected in Designated Affordable Housing Zones, ~~(Mission NCT and~~  
2 ~~MUR Use Districts within the boundaries of either the East SoMa or Western SoMa Area Plans~~ (as  
3 defined in Section 401), shall be allocated to accounts by improvement type as described in  
4 Table 423.5A. For funds allocated to affordable housing, MOH shall expend the funds as  
5 follows:

6 (A) All funds collected from projects in the Mission NCT shall be  
7 expended on housing programs and projects within the Mission Area Plan boundaries.

8 ~~(B) All funds collected from projects in the MUR Use Districts within the~~  
9 ~~boundaries of either the East SoMa or Western SoMa Area Plans shall be expended on housing~~  
10 ~~programs and projects within the boundaries of 5th to 10th Streets/Howard to Harrison Streets.~~

11 \* \* \* \*

12 ~~SEC. 425. ALTERNATIVE MEANS OF SATISFYING THE OPEN SPACE~~  
13 ~~REQUIREMENT IN THE SOUTH OF MARKET MIXED USE DISTRICTS.~~

14 ~~(The effective date of these provisions shall be either April 6, 1990, the date that it originally~~  
15 ~~became effective, or the date a subsequent modification, if any, became effective.)~~

16 ~~If it is the judgment of the Zoning Administrator that an open space satisfying the requirements~~  
17 ~~and standards of subsections (b) and (c) of Section 135.3 of this Code cannot be created because of~~  
18 ~~constraints of the development site, or because the project cannot provide safe, convenient access to the~~  
19 ~~public, or because the square footage of open space is not sufficient to provide a usable open space, the~~  
20 ~~Zoning Administrator may (i) authorize, as an eligible type of open space, a pedestrian mall or~~  
21 ~~walkway within a public right of way which is improved with paving, landscaping, and street furniture~~  
22 ~~appropriate for creating an attractive area for sitting and walking, or (ii) waive the requirement that~~  
23 ~~open space be provided upon payment to the Open Space Fund of a fee of \$.80 for each square foot of~~  
24 ~~open space otherwise required to be provided. These amounts shall be adjusted annually effective April~~  
25 ~~1st of each calendar year by the percentage of change in the Building Cost Index used by the San~~

1 *Francisco Bureau of Building Inspection. This payment shall be paid in full to the City prior to the*  
2 *issuance of any temporary or other certificate of occupancy for the subject property. Said fee shall be*  
3 *used for the purpose of acquiring, designing, improving and/or maintaining park land, park facilities,*  
4 *and other open space resources, which is expected to be used solely or in substantial part by persons*  
5 *who live, work, shop or otherwise do business in the South of Market Base District, as that District is*  
6 *defined in Section 820 of this Code and identified on Sectional Map 3SU of the Zoning Map of the City*  
7 *and County of San Francisco. Said fee, and any interest accrued by such fee, shall be used for the*  
8 *purpose stated herein unless it is demonstrated that it is no longer needed.*

9           **SEC. 426. ALTERNATIVE MEANS OF SATISFYING THE NON-RESIDENTIAL**  
10 **OPEN SPACE REQUIREMENT IN THE EASTERN NEIGHBORHOODS MIXED USE**  
11 **DISTRICTS.**

12           (The effective date of these provisions shall be either December 19, 2008, the date that  
13 they originally became effective, or the date a subsequent modification, if any, became  
14 effective.)

15           In the Eastern Neighborhoods Mixed Use Districts, except for the CMUO District, the  
16 usable open space requirement of Section 135.3 may be satisfied through payment of a fee of  
17 \$76 for each square foot of usable open space not provided pursuant to that Variance. In the  
18 CMUO District, the usable open space requirement of Section 135.3 and the POPOS requirement of  
19 Section 138 may be satisfied through payment of a fee of \$890 for each square foot of required usable  
20 open space not provided. ~~This~~ These fees shall be adjusted in accordance with Section 423.3 of  
21 this Article. ~~This~~ These fees shall be paid into the Recreation and Open Space subset of the Eastern  
22 Neighborhoods ~~Community Improvements~~ Public-Benefits Fund, as described in Section 423 of  
23 this Article. ~~Said fee shall be used for the purpose of acquiring, designing, and improving park land,~~  
24 ~~park facilities, and other open space resources, which is expected to be used solely or in substantial~~  
25

1 ~~part by persons who live, work, shop or otherwise do business in the Eastern Neighborhoods Mixed~~  
2 ~~Use districts.~~

3 **SEC. 427. PAYMENT IN CASES OF VARIANCE OR EXCEPTION FOR REQUIRED**  
4 **RESIDENTIAL OPEN SPACE.**

5 (a) **Eastern Neighborhoods Mixed Use Districts.** In the Eastern Neighborhoods  
6 Mixed Use Districts, ~~except for the CMUO District, should a Variance from usable open space~~  
7 ~~requirements for residential uses be granted by the Zoning Administrator, any project that obtains a~~  
8 ~~Variance pursuant to Section 305, or an exception be granted for those projects subject pursuant to~~  
9 ~~the Section 329 process, to provide less usable open space than otherwise required by Section 135~~  
10 ~~shall pay a fee of \$327 shall be required for each square foot of usable open space not provided~~  
11 ~~pursuant to that Variance. In the CMUO District, any project that obtains a Variance pursuant to~~  
12 ~~Section 305, an exception pursuant to Section 329, or chooses the in-lieu option pursuant to Section~~  
13 ~~135(d)(5)(B)(ii) shall pay a fee of \$890 for each square foot of required useable open space not~~  
14 ~~provided. ThisThese fees shall be adjusted in accordance with Section 423.3 of this Article.~~  
15 ~~ThisThese fees shall be paid into the Recreation and Open Space subset of the Eastern~~  
16 ~~Neighborhoods Community ImprovementsPublic Benefits Fund, as described in Section 423 of~~  
17 ~~this Article. Said fee shall be used for the purpose of acquiring, designing, and improving park land,~~  
18 ~~park facilities, and other open space resources, which is expected to be used solely or in substantial~~  
19 ~~part by persons who live, work, shop or otherwise do business in the Eastern Neighborhoods Mixed~~  
20 ~~Use Districts.~~

21 \* \* \* \*

22 **SEC. 432. CENTRAL SOMA COMMUNITY SERVICES FACILITIES FEE AND FUND.**

23 Sections 432.1 through 432.4 set forth the requirements and procedures for the Central SoMa  
24 Community Services Facilities Fee and Fund.

25 **SEC. 432.1. PURPOSE AND FINDINGS.**

1           (a) Purpose. New development in Central SoMa will increase the resident and employee  
2 populations, generating new demand for use of community service facilities, such as cultural facilities,  
3 health clinics, services for people with disabilities, and job training centers. New revenues to fund  
4 investments in community services are necessary to maintain the existing level of service. This fee will  
5 generate revenue that will be used to ensure an expansion in community service facilities in Central  
6 SoMa as new development occurs.

7           (b) Findings. In adopting the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
8 Clerk of the Board of Supervisors in File No. \_\_\_\_\_), the Board of Supervisors reviewed the  
9 Central SoMa Community Facilities Nexus Study, prepared by Economic & Planning Systems and  
10 dated March 2016. The Board of Supervisors reaffirms the findings and conclusions of this study as  
11 they relate to the impact of new development in Central SoMa on community services facilities, and  
12 hereby readopts the findings contained in the Central SoMa Community Facilities Nexus Study.

13           **SEC. 432.2. APPLICATION OF FEES.**

14           (a) Applicable Projects. The Central SoMa Community Services Facilities Fee is applicable to  
15 any development project in the Central SoMa Special Use District that:

16                   (1) Is in any Central SoMa Tier, pursuant to Section 423; and

17                   (2) Includes new construction or an addition of space in excess of 800 gross square feet.

18           (b) Fee Calculation. For applicable projects, the Fee is as follows:

19                   (1) For Residential uses, \$1.30 per gross square foot of net additional gross square feet,  
20 net replacement of gross square feet from PDR uses, or net change of use of gross square feet from  
21 PDR uses.

22                   (2) For Non-residential uses,

23                           (A) \$1.75 per gross square foot of net additional gross square feet, net  
24 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
25 uses.

1                    (B) \$0.45 per gross square foot of net replacement of gross square feet from  
2 Residential uses or net change of use of gross square feet from Residential uses.

3                    (c) Option for In-Kind Provision of Community Improvements and Fee Credits. Project  
4 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
5 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
6 Central SoMa Community Services Facilities Impact Fee from the Planning Commission, subject to the  
7 following rules and requirements:

8                    (1) Approval Criteria. The City shall not enter into an In-Kind Agreement unless the  
9 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
10 Community Improvements Program and substitute for improvements that could be provided by the  
11 Central SoMa Community Services Facilities Public Benefits Fund (as described in Section 432.4).  
12 The City may reject in-kind improvements if they are not consistent with the priorities identified in the  
13 Central SoMa Plan, by the Interagency Plan Implementation Committee (see Section 36 of the  
14 Administrative Code), the Eastern Neighborhoods Citizens Advisory Committee, or other prioritization  
15 processes related to Eastern Neighborhoods Citizens community improvements programming. No  
16 physical improvement or provision of space otherwise required by the Planning Code or any other City  
17 Code shall be eligible for consideration as part of this In-Kind Improvements Agreement.

18                    (2) Valuation, Content, Approval Process, and Administrative Costs. The valuation,  
19 content, approval process, and administrative costs shall be undertaken pursuant to the requirements of  
20 Sections 423.3(d)(2) through 423.3(d)(5).

21                    (d) Timing of Fee Payments. The Fee is due and payable to the Development Fee Collection  
22 Unit at DBI at the time of and in no event later than issuance of the first construction document, with  
23 an option for the project sponsor to defer payment to prior to issuance of the first certificate of  
24 occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in  
25 accordance with Section 107A.13.3 of the San Francisco Building Code.

1           (e) Waiver or Reduction of Fees. *Development projects may be eligible for a waiver or*  
2 *reduction of impact fees, pursuant to Section 406.*

3           **SEC. 432.3. IMPOSITION OF CENTRAL SOMA COMMUNITY SERVICES FACILITIES**  
4 **FEE.**

5           (a) Determination of Requirements. *The Department shall determine the applicability of*  
6 *Section 432 et seq. to any development project requiring a first construction document and, if Section*  
7 *432 et seq. is applicable, the Department shall determine the amount of the Central SoMa Community*  
8 *Services Facilities Fees required and shall impose these requirements as a condition of approval for*  
9 *issuance of the first construction document for the development project. The project sponsor shall*  
10 *supply any information necessary to assist the Department in this determination.*

11           (b) Department Notice to Development Fee Collection Unit at DBI. *Prior to the issuance of a*  
12 *building or site permit for a development project subject to the requirements of Section 432 et seq., the*  
13 *Department shall notify the Development Fee Collection Unit at DBI of its final determination of the*  
14 *amount of the Central SoMa Community Services Facilities Fees required, including any reductions*  
15 *calculated for an In-Kind Improvements Agreement, in addition to the other information required by*  
16 *Section 402(b) of this Article.*

17           (c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First  
18 *Certificate of Occupancy.* *The Development Fee Collection Unit at DBI shall provide notice in writing*  
19 *or electronically to the Department prior to issuing the first certificate of occupancy for any*  
20 *development project subject to Section 432 et seq. that has elected to fulfill all or part of its Central*  
21 *SoMa Community Services Facilities Fee requirement with an In-Kind Improvements Agreement. If the*  
22 *Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-*  
23 *Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy*  
24 *until the project complies with the requirements of Section 432 et seq., either through conformance with*  
25 *the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Community*

1 Services Facilities Fee that would otherwise have been required, plus a deferral surcharge as set forth  
2 in Section 107A.13.3.1 of the San Francisco Building Code.

3 (d) Process for Revisions of Determination of Requirements. In the event that the Department  
4 or the Commission takes action affecting any development project subject to Section 432 et seq. and  
5 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
6 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
7 402(c) of this Article shall be followed.

8 **SEC. 432.4. THE CENTRAL SOMA COMMUNITY SERVICES FACILITIES FUND.**

9 (a) There is hereby established a separate fund set aside for a special purpose entitled the  
10 Central SoMa Community Services Facilities Fund ("Fund"). All monies collected by the Development  
11 Fee Collection Unit at DBI pursuant to Section 432.3(b) shall be deposited in a special fund  
12 maintained by the Controller. The receipts in the Fund are to be used solely to fund public  
13 infrastructure subject to the conditions of this Section.

14 (b) Expenditures from the Fund shall be administered by the Mayor's Office of Housing and  
15 Community Development, or its successor. The Mayor's Office of Housing and Community  
16 Development or its successor shall have the authority to prescribe rules and regulations governing the  
17 Fund.

18 (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
19 community services facilities, including cultural/arts facilities, social welfare facilities, and community  
20 health facilities, in the Central SoMa Special Use District as established in the Central SoMa Plan and  
21 the Central SoMa Plan Implementation Program Document and supported by the findings of the  
22 Central SoMa Community Facilities Nexus Study.

23 (2) Funds may be used for administration and accounting of fund assets, for additional  
24 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
25 Central SoMa Community Services Facilities Impact Fee against legal challenge, including the legal

1 costs and attorney's fees incurred in the defense. Administration of this fund includes time and  
2 materials associated with reporting requirements, facilitating any necessary or required public  
3 meetings aside from Planning Commission hearings, and maintenance of the fund. Monies from the  
4 Fund may be used by the Planning Commission to commission economic analyses for the purpose of  
5 revising the fee, and/or to complete an updated nexus study to demonstrate the relationship between  
6 development and the need for public facilities and services if this is deemed necessary. Monies used for  
7 the purposes consistent with this subsection (2) shall not exceed five percent of the total fees collected.  
8 All interest earned on this account shall be credited to the Central SoMa Community Services Facilities  
9 Fund.

10 (3) The Mayor's Office of Housing and Community Development shall report annually  
11 to the Board of Supervisors on the current status of the fund, the amounts approved for disbursement,  
12 and the number and types of housing units or households assisted.

13 (4) All funds are justified and supported by the Central SoMa Community Facilities  
14 Nexus Study, adopted as part of the Central SoMa Plan (Ordinance No. \_\_\_\_\_, on file with the  
15 Clerk of the Board of Supervisors in File No. \_\_\_\_\_). Implementation of the Fee and Fund are  
16 monitored according to the Eastern Neighborhoods Plan Monitoring Program required by the  
17 Administrative Code Section 10E.

18 **SEC. 433. CENTRAL SOMA INFRASTRUCTURE IMPACT FEE AND FUND.**

19 Sections 433.1 through 433.4 set forth the requirements and procedures for the Central SoMa  
20 Infrastructure Impact Fee and Fund.

21 **SEC. 433.1. PURPOSE AND FINDINGS.**

22 (a) Purpose. New development in the Central SoMa Plan Area will increase the resident and  
23 employee populations, generating new demand for use of community-serving infrastructure such as  
24 transit, complete streets, and recreation and open space. New revenues to fund investments in this  
25 infrastructure are necessary to maintain the existing level of service. This fee will generate revenue that

1 will be used to ensure an expansion in community-serving infrastructure in Central SoMa as new  
2 development occurs.

3 (b) Findings. The Board of Supervisors reviewed the San Francisco Citywide Nexus Analysis  
4 prepared by AECOM dated March 2014 ("Nexus Analysis"), the San Francisco Infrastructure Level of  
5 Service Analysis prepared by AECOM dated March 2014, and the Transportation Sustainability Fee  
6 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
7 150149 and 150790, and, pursuant to Section 401A, adopts the findings and conclusions of those  
8 studies and the general and specific findings in that Section, specifically including the Recreation and  
9 Open Space Findings, Pedestrian and Streetscape Findings, Bicycle Infrastructure Findings, and  
10 Transit Findings, and incorporates those by reference herein to support the imposition of the fees under  
11 this Section.

12 **SEC. 433.2. APPLICATION OF FEES.**

13 (a) Applicable Projects. The Central SoMa Infrastructure Impact Fee is applicable to any  
14 development project in the Central SoMa Special Use District that:

15 (1) Is in any Central SoMa Tier, pursuant to Section 423; and

16 (2) Includes new construction or an addition of space in excess of 800 gross square feet.

17 (b) Fee Calculation. For applicable projects, the Fee is as follows:

18 (1) For Residential uses in Central SoMa Fee Tier B, \$20.00 per gross square foot of  
19 net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of  
20 use of gross square feet from PDR uses.

21 (2) For Non-residential uses in Central SoMa Fee Tiers A and B that are seeking an  
22 Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code  
23 Section 321, \$21.50 per gross square foot of net additional gross square feet, net replacement of gross  
24 square feet from PDR uses, or net change of use of gross square feet from PDR uses.

1                   (3) For Non-residential uses in Central SoMa Fee Tiers A and B that are not seeking an  
2 Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code  
3 Section 321:

4                   (A) \$41.50 per gross square foot of net additional gross square feet, net  
5 replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR  
6 uses;

7                   (B) \$21.50 per gross square foot of net replacement of gross square feet from  
8 Residential uses or net change of use of gross square feet from Residential uses.

9                   (4) For Non-residential uses in Central SoMa Fee Tier C that are not seeking an Office  
10 Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code Section  
11 321, \$20.00 per gross square foot of net additional gross square feet, net replacement of gross square  
12 feet from PDR uses, or net change of use of gross square feet from PDR uses.

13                   (c) Option for In-Kind Provision of Community Improvements and Fee Credits. Project  
14 sponsors may propose to directly provide community improvements to the City. In such a case, the City  
15 may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the  
16 Central SoMa Infrastructure Impact Fee from the Planning Commission, subject to the following rules  
17 and requirements:

18                   (1) Approval Criteria. The City shall not enter into an In-Kind Agreement unless the  
19 proposed in-kind improvements meet an identified community need as analyzed in the Central SoMa  
20 Community Improvements Program and substitute for improvements that could be provided by the  
21 Central SoMa Infrastructure Public Benefits Fund (as described in Section 433.4). The City may reject  
22 in-kind improvements if they are not consistent with the priorities identified in the Central SoMa Plan,  
23 by the Interagency Plan Implementation Committee (see Section 36 of the Administrative Code), the  
24 Eastern Neighborhoods Citizens Advisory Committee, or other prioritization processes related to  
25 Eastern Neighborhoods Citizens community improvements programming. No physical improvement or

1 provision of space otherwise required by the Planning Code or any other City Code shall be eligible for  
2 consideration as part of this In-Kind Improvements Agreement.

3 (2) Valuation, Content, Approval Process, and Administrative Costs. The valuation,  
4 content, approval process, and administrative costs shall be undertaken pursuant to the requirements of  
5 Sections 423.3(d)(2) through 423.3(d)(5).

6 (d) Timing of Fee Payments. The Fee is due and payable to the Development Fee Collection  
7 Unit at DBI at the time of and in no event later than issuance of the first construction document, with  
8 an option for the project sponsor to defer payment to prior to issuance of the first certificate of  
9 occupancy upon agreeing to pay a deferral surcharge that would be paid into the appropriate fund in  
10 accordance with Section 107A.13.3 of the San Francisco Building Code.

11 (e) Waiver or Reduction of Fees. Development projects may be eligible for a waiver or  
12 reduction of impact fees, pursuant to Section 406.

13 **SEC. 433.3. IMPOSITION OF CENTRAL SOMA INFRASTRUCTURE IMPACT FEE.**

14 (a) Determination of Requirements. The Department shall determine the applicability of  
15 Section 433.2 et seq. to any development project requiring a first construction document and, if Section  
16 433.2 et seq. is applicable, the Department shall determine the amount of the Central SoMa  
17 Infrastructure Impact Fees required and shall impose these requirements as a condition of approval for  
18 issuance of the first construction document for the development project. The project sponsor shall  
19 supply any information necessary to assist the Department in this determination.

20 (b) Department Notice to Development Fee Collection Unit at DBI. Prior to the issuance of a  
21 building or site permit for a development project subject to the requirements of Sections 433 et seq., the  
22 Department shall notify the Development Fee Collection Unit at DBI of its final determination of the  
23 amount of the Central SoMa Infrastructure Impact Fees required, including any reductions calculated  
24 for an In-Kind Improvements Agreement, in addition to the other information required by Section  
25 402(b) of this Article.

1           (c) Development Fee Collection Unit Notice to Department Prior to Issuance of the First  
2 Certificate of Occupancy. The Development Fee Collection Unit at DBI shall provide notice in writing  
3 or electronically to the Department prior to issuing the first certificate of occupancy for any  
4 development project subject to Section 433 et seq. that has elected to fulfill all or part of its Central  
5 SoMa Infrastructure Impact Fee requirement with an In-Kind Improvements Agreement. If the  
6 Department notifies the Unit at such time that the sponsor has not satisfied any of the terms of the In-  
7 Kind Improvements Agreement, the Director of DBI shall deny any and all certificates of occupancy  
8 until the project complies with the requirements of Section 433 et seq., either through conformance with  
9 the In-Kind Improvements Agreement or payment of the remainder of the Central SoMa Infrastructure  
10 Impact Fees that would otherwise have been required, plus a deferral surcharge as set forth in Section  
11 107A.13.3.1 of the San Francisco Building Code.

12           (d) Process for Revisions of Determination of Requirements. In the event that the Department  
13 or the Commission takes action affecting any development project subject to Section 433 et seq. and  
14 such action is subsequently modified, superseded, vacated, or reversed by the Department or the  
15 Commission, Board of Appeals, the Board of Supervisors, or by court action, the procedures of Section  
16 402(c) of this Article shall be followed.

17           **SEC. 433.4. THE CENTRAL SOMA INFRASTRUCTURE IMPACT FUND.**

18           (a) There is hereby established a separate fund set aside for a special purpose entitled the  
19 Central SoMa Infrastructure Impact Fund ("Fund"). All monies collected by the Development Fee  
20 Collection Unit at DBI pursuant to Section 433.3(b) shall be deposited in a special fund maintained by  
21 the Controller. The receipts in the Fund to be used solely to fund Public Benefits subject to the  
22 conditions of this Section.

23           (b) Expenditures from the Fund shall be recommended by the Interagency Plan Implementation  
24 Committee for allocation and administration by the Board of Supervisors.

1                   (1) All monies deposited in the Fund shall be used to design, engineer, and develop  
2 community public transit as established in the Central SoMa Plan and the Central SoMa Plan  
3 Implementation Program Document.

4                   (2) Funds may be used for administration and accounting of fund assets, for additional  
5 studies as detailed in the Central SoMa Plan Implementation Program Document, and to defend the  
6 Central SoMa Infrastructure Impact Fee against legal challenge, including the legal costs and  
7 attorney's fees incurred in the defense. Administration of this fund includes time and materials  
8 associated with reporting requirements, facilitating any necessary or required public meetings aside  
9 from Planning Commission hearings, and maintenance of the fund. Monies from the Fund may be used  
10 by the Planning Commission to commission economic analyses for the purpose of revising the fee,  
11 and/or to complete an updated nexus study to demonstrate the relationship between development and  
12 the need for public facilities and services if this is deemed necessary. Monies used for the purposes  
13 consistent with this subsection (2) shall not exceed five percent of the total fees collected. All interest  
14 earned on this account shall be credited to the Central SoMa Infrastructure Impact Fund.

15                   (3) All funds are justified and supported by the San Francisco Citywide Nexus Analysis  
16 prepared by AECOM dated March 2014 ("Nexus Analysis"), and the Transportation Sustainability Fee  
17 Nexus Study (TSF Nexus Study), dated May, 2015, on file with the Clerk of the Board in Files Nos.  
18 150149 and 150790. Implementation of the Fee and Fund are monitored according to the Eastern  
19 Neighborhoods Plan Monitoring Program required by Section 10E of the Administrative Code.

20                   **SEC. 429. ARTWORKS, OPTIONS TO MEET PUBLIC ART FEE REQUIREMENT,**  
21 **RECOGNITION OF ARCHITECT AND ARTISTS, AND REQUIREMENTS.**

22                   (The effective date of these requirements shall be either September 17, 1985, the date  
23 that they originally became effective, or the date a subsequent modification, if any, became  
24 effective.)

25                   \* \* \* \*

1           **SEC. 429.2. APPLICATION.**

2           This section shall apply to:

3           (a) all projects that involve construction of a new building or addition of floor area in  
4 excess of 25,000 square feet to an existing building in a C-3 District; and

5           (b) all non-residential projects that involve construction of a new building or addition of  
6 floor area in excess of 25,000 square feet and that have submitted their first complete  
7 Development Application on or after January 1, 2013 on the following parcels:

8                   (1) all parcels in RH-DTR, TB-DTR, SB-DTR, ~~SLI, SLR, SSO, C M~~, UMU, WMUG,  
9 WMUO and SALI Districts;

10                   (2) properties that are zoned MUG, CMUO, or MUO, ~~or MUR~~ and that are north  
11 of Division/Duboce/13th Streets; and

12                   (3) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and  
13 7295 (Stonestown Galleria Mall).

14           For the purposes of this Section, a "Development Application" shall mean any  
15 application for a building permit, site permit, environmental review, Preliminary Project  
16 Assessment (PPA), Conditional Use, or Variance.

17           \* \* \* \*

18           **SEC. 603. EXEMPTED SIGNS.**

19           Nothing in this Article 6 shall apply to any of the following signs:

20           \* \* \* \*

21           (c) Two General Advertising Signs each not exceeding 24 square feet in area on either  
22 a transit shelter or associated advertising kiosk furnished by contract with the Municipal  
23 Transportation Agency or predecessor agency for the Municipal Railway in RTO, RTO-M, RM-  
24 2, RM-3, RM-4, RC, NC, C, M, PDR, Eastern Neighborhoods Mixed Use Districts, ~~and South of~~  
25 ~~Market Mixed Use Districts~~, and in those P Districts where such Signs would not adversely

1 affect the character, harmony, or visual integrity of the district as determined by the Planning  
2 Commission; eight General Advertising Signs each not exceeding 24 square feet in area on  
3 transit shelters located on publicly owned property on a high level Municipal Railway boarding  
4 platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs  
5 solely face the C-2 District; up to three double-sided General Advertising Signs each not  
6 exceeding 24 square feet in area on or adjacent to transit shelters on publicly owned high  
7 level Municipal Railway boarding platforms along The Embarcadero south of the Ferry  
8 Building, up to six double-sided panels at 2nd and King Streets, and up to four double-sided  
9 panels at 4th and King Streets; up to two double-sided panels not exceeding 24 square feet in  
10 area on each low-level boarding platform at the following E-Line stops: Folsom Street and The  
11 Embarcadero, Brannan Street and The Embarcadero, 2nd and King Streets, and 4th and King  
12 Streets; and a total of 71 double-sided General Advertising Signs each not exceeding 24  
13 square feet in area on or adjacent to transit shelters on 28 publicly owned high level Municipal  
14 Railway boarding platforms serving the Third Street Light Rail Line. Each advertising sign on a  
15 low-level or high-level boarding platform shall be designed and sited in such a manner as to  
16 minimize obstruction of public views from pedestrian walkways and/or public open space.

17 Notwithstanding the above, no Sign shall be placed on any transit shelter or associated  
18 advertising kiosk located on any sidewalk which shares a common boundary with any  
19 property under the jurisdiction of the Recreation and Park Commission, with the exception of  
20 Justin Herman Plaza; on any sidewalk on Zoo Road; on Skyline Boulevard between Sloat  
21 Boulevard and John Muir Drive; on John Muir Drive between Skyline Boulevard and Lake  
22 Merced Boulevard; or on Lake Merced Boulevard on the side of Harding Park Municipal Golf  
23 Course, or on any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced  
24 Boulevard; on any sidewalk on Legion of Honor Drive; or in the Civic Center Special Sign  
25 Districts as established in Section 608.3 of this Code.

1 The provisions of this subsection (c) shall be subject to the authority of the Port  
2 Commission under Sections 4.114 and B3.581 of the City Charter and under State law.

3 \* \* \* \*

4 **SEC. 608.1. NEAR R DISTRICTS.**

5 No general advertising sign, and no other sign exceeding 100 square feet in area, shall  
6 be located in an NC, C, M, PDR, or Eastern Neighborhoods Mixed Use District ~~or South of~~  
7 ~~Market Mixed Use District~~ within 100 feet of any R District in such a manner as to be primarily  
8 viewed from residentially zoned property or from any street or alley within an R District; any  
9 sign of which the face is located parallel to a street property line and lies for its entire width  
10 opposite an NC, C, M, PDR, or MUR, ~~or South of Market SLR~~ District shall be deemed prima  
11 facie not to be primarily so viewed. No sign of any size within 100 feet of any R District shall  
12 project beyond the street property line or building setback line of any street or alley leading off  
13 the main commercial frontage into the R District.

14 \* \* \* \*

15 **SEC. 802.1. MIXED USE DISTRICTS.**

16 The following districts are established for the purpose of implementing the Residence  
17 Element, the Commerce and Industry Element, the Downtown Plan, the Chinatown Plan, the  
18 Rincon Hill Plan, the South of Market Plan, the East SoMa Plan, the Mission Plan, the  
19 Showplace Square/Potrero Hill Plan, ~~and~~ the Central Waterfront Plan, the Western SoMa Area  
20 Plan, and the Central SoMa Plan, all of which are parts of the General Plan. Description and  
21 Purpose Statements outline the main functions of each Mixed Use District in this Article,  
22 supplementing the statements of purpose contained in Section 101 of this Code.

1 Description and purpose statements applicable to each district are set forth in  
 2 Sections 810 through ~~843~~848 of this Code. The boundaries of the various Mixed Use Districts  
 3 are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions  
 4 of that Section. The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
* * * *	
<i>RSD – Residential/Service District</i>	§ 815
<i>SLR – Service/Light Industrial/Residential District</i>	§ 816
<i>SLI – Service/Light Industrial District</i>	§ 817
<i>SSO – Service/Secondary Office District</i>	§ 818
<i>CMUO - Central SoMa Mixed-Use Office District</i>	§ 848
* * * *	

14 \* \* \* \*

15 **SEC. 802.4. EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

16 Throughout the Planning Code, the term "Eastern Neighborhoods Mixed Use Districts"  
 17 refers to the following districts: Residential Enclave District (RED), Residential Enclave- Mixed  
 18 District (RED-MX), Mixed Use-General (MUG), Western SoMa Mixed Use-General (WMUG),  
 19 Mixed Use-Office (MUO), *Central SoMa Mixed-Use Office (CMUO)*, Western SoMa Mixed Use-  
 20 Office (WMUO), Mixed Use- Residential (MUR), South Park District (SPD), Service/Arts/Light  
 21 Industrial (SALI), and Urban Mixed Use (UMU).

22 **~~SEC. 802.5. SOUTH OF MARKET MIXED USE DISTRICTS.~~**

1            *Throughout the Planning Code, the term "South of Market Mixed Use Districts" refers to the*  
2 *following districts: Residential/Service District (RSD), Service/Light Industrial (SLI), Service/Light*  
3 *Industrial/Residential (SLR), and Service/Secondary Office (SSO).*

4            \* \* \* \*

5            **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**  
6 **DISTRICTS ~~AND SOUTH OF MARKET MIXED USE DISTRICTS.~~**

7            (a) **Use Categories.** A use is the specified purpose for which a property or building is  
8 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Eastern  
9 Neighborhood Mixed Use District *and South of Market Mixed Use District* is generally set forth,  
10 summarized or cross-referenced in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of  
11 this Code for each district class.

12            (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts *and South of*  
13 *Market Mixed Use Districts* are either permitted, conditional, accessory, temporary or are not  
14 permitted.

15            (1) **Permitted Uses.** If there are two or more uses in a structure, any use not  
16 classified below under Section 803.3(b)(1)(C) of this Code as Accessory will be considered  
17 separately as an independent permitted, Conditional, temporary or not permitted use.

18            (A) **Principal Uses.** Principal uses are permitted as of right in an  
19 Eastern Neighborhood Mixed Use District *and South of Market Mixed Use District*, when so  
20 indicated in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code for the district.  
21 Additional requirements and conditions may be placed on particular uses as provided  
22 pursuant to Section 803.5 through 803.9 and other applicable provisions of this Code.

23            (B) **Conditional Uses.** Conditional uses are permitted in an Eastern  
24 Neighborhood Mixed Use District *and South of Market Mixed Use District*, when authorized by  
25 the Planning Commission; whether a use is conditional in a given district is generally indicated

1 in Sections 813 through ~~818814~~ and 840 through ~~847848~~ of this Code. Conditional Uses are  
2 subject to the applicable provisions set forth in Sections 178, 179, ~~263.11~~, 303, 316, and 803.5  
3 through 803.9 of this Code.

4 \* \* \* \*

5 (C) **Accessory Uses.** Subject to the limitations set forth below and in  
6 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory  
7 Uses for Uses Other Than Dwellings in R Districts), 204.4 (Dwelling Units Accessory to Other  
8 Uses), and 204.5(Parking and Loading as Accessory Uses) of this Code, an accessory use is  
9 a related minor use which is either necessary to the operation or enjoyment of a lawful  
10 Principal Use or Conditional Use, or is appropriate, incidental and subordinate to any such  
11 use, and shall be permitted as an Accessory Use in an Eastern Neighborhoods Mixed Use  
12 District ~~and South of Market Mixed Use District~~. In order to accommodate a Principal Use which  
13 is carried out by one business in multiple locations within the same general area, such  
14 Accessory Use need not be located in the same structure or lot as its Principal Use provided  
15 that (1) the Accessory Use is located within 1,000 feet of the Principal Use; and (2) the  
16 multiple locations existed on April 6, 1990. Accessory Uses to non-office uses (as defined in  
17 Section 890.70) may occupy space which is non-contiguous or on a different Story as the  
18 Principal Use so long as the Accessory Use is located in the same building as the Principal  
19 Use and complies with all other restrictions applicable to such Accessory Uses. Any use  
20 which does not qualify as an Accessory Use shall be classified as a Principal Use.

21 No use will be considered accessory to a Principal Use which involves or requires any  
22 of the following:

23 (i) ~~The~~ use of more than one-third of the total Occupied Floor  
24 Area which is occupied by both the accessory use and principal use to which it is accessory,  
25

1 combined, except in the case of accessory off-street parking or loading which shall be subject  
2 to the provisions of Sections 151, 156 and 303 of this Code;

3 (ii) A hotel, motel, inn, hostel, adult entertainment, massage  
4 establishment, large fast food restaurant, or movie theater use in a RED, RED-MX, SPD, ~~RSD,~~  
5 ~~SLR, SLI, SSO,~~ DTR, MUG, WMUG, MUR, MUO, CMUO, WMUO, SALI or UMU District;

6 (iii) Any take-out food use, except for a take-out food use which  
7 occupies 100 square feet or less (including the area devoted to food preparation and service  
8 and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery,  
9 retail grocery or specialty food store.

10 (iv) Any sign not conforming to the limitations of Section  
11 607.2(f)(3).

12 (v) Medical Cannabis Dispensaries as defined in 890.133.

13 (vi) Any nighttime entertainment use, as defined in Section 102;  
14 provided, however, that a Limited Live Performance Permit as set forth in Police Code Section  
15 1060et seq. is allowed in any District except for an RED, RED-MX, ~~RSD, SLR,~~ MUR, or MUG  
16 District.

17 (vii) Cannabis Retail that does not meet the limitations set forth in  
18 204.3(a)(3).

19 (D) **Temporary Uses.** Temporary uses not otherwise permitted are  
20 permitted in Eastern Neighborhoods Mixed Use Districts ~~and South of Market Mixed Use Districts~~  
21 to the extent authorized by Sections 205 through 205.3 of this Code.

22 \* \* \* \*

23 **SEC. 803.4. USES PROHIBITED IN SOUTH OF MARKET AND EASTERN**  
24 **NEIGHBORHOODS MIXED USE DISTRICTS.**

1           (a) ~~Uses which are not specifically listed in this Article or Article 6 are not permitted in South~~  
2 ~~of Market Mixed Use Districts unless they qualify as a noneonforming use pursuant to Sections 180~~  
3 ~~through 186.1 of this Code or are determined by the Zoning Administrator to be permitted uses in~~  
4 ~~accordance with Section 307(a) of this Code. Uses not permitted in any South of Market District~~  
5 ~~include, but are not limited to, the following: Adult entertainment, bookstore or theater; amusement~~  
6 ~~game arcade or similar enterprise (except as permitted in the Service/Light Industrial District);~~  
7 ~~shooting gallery; general advertising signs, except in the South of Market General Advertising Special~~  
8 ~~Sign District; animal kennel, riding academy or livery stable; automobile, truck, van, recreational~~  
9 ~~vehicle/trailer or camper sales, lease or rental; auto tow of inoperable vehicles; auto wrecking~~  
10 ~~operation; drive-up facility; hotel (except as permitted as a conditional use as provided in Planning~~  
11 ~~Code Section 818, Service/Secondary Office District), motel, hostel, inn, or bed and breakfast~~  
12 ~~establishment; heavy industry subject to Section 226(e) through (w) of this Code; junkyard; landing~~  
13 ~~field for aircraft; massage establishment subject to Section 218.1 of this Code; except in the~~  
14 ~~Residential/Service Mixed Use District when provided in conjunction with full service spa services;~~  
15 ~~mortuary; movie theater and sports stadium or arena.~~

16           (b) ~~No use, even though listed as a permitted use or otherwise allowed, shall be~~  
17 ~~permitted in an South of Market District or Eastern Neighborhood Mixed Use District whichthat,~~  
18 ~~by reason of its nature or manner of operation, creates conditions that are hazardous,~~  
19 ~~noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas,~~  
20 ~~vibration, glare, refuse, water-carried waste, or excessive noise.~~

21           \* \* \* \*

22           **SEC. 803.5. GOOD NEIGHBOR POLICIES GOVERNING USES IN MIXED USE**  
23 **DISTRICTS.**

24           (a) **Eating and Drinking Uses in Mixed Use Districts.** Within Mixed Use Districts,  
25 the Operating Conditions of Section 202.2(a) shall apply to all Eating and Drinking Uses.

1 (b) **Good Neighbor Policies for Nighttime Entertainment Activities in Eastern**  
2 **Neighborhoods Mixed Use Districts, ~~South of Market Mixed Use Districts~~ and Downtown**  
3 **Residential Districts.** Within Eastern Neighborhoods Mixed Use Districts, ~~South of Market~~  
4 ~~Mixed Use Districts,~~ and Downtown Residential Districts where nighttime entertainment  
5 activities, as defined by Section 102.17 of this Code, are permitted as a principal or  
6 conditional use shall not be allowed except on conditions which, in the judgment of the Zoning  
7 Administrator or City Planning Commission, as applicable, are reasonably calculated to insure  
8 that the quiet, safety and cleanliness of the premises and vicinity are maintained. Such  
9 conditions shall include, but not be limited to, the following:

10 \* \* \* \*

11 (c) **Good Neighbor Policies for Programs Serving Indigent Transient and**  
12 **Homeless Populations Within the Eastern Neighborhoods Mixed Use Districts ~~and South~~**  
13 **~~of Market Mixed Use Districts.~~** Within the Eastern Neighborhoods Mixed Use Districts ~~and South~~  
14 ~~of Market Mixed Use Districts~~ where social services are allowed as a Conditional Use pursuant  
15 to Sections 813.21 through 843.21 (Social Services), some or all of the following conditions  
16 shall, when appropriate for specific cases, be placed upon any applicable City permits for the  
17 proposed establishment:

18 \* \* \* \*

19 **~~SEC. 803.8. HOUSING IN MIXED USE DISTRICTS.~~**

20 ~~(a) Low Income Affordable Housing Within the Service/Light Industrial District. Dwelling~~  
21 ~~units and SRO units may be authorized in the SLI District as a conditional use pursuant to Sections~~  
22 ~~303, 316, 817.14, and 817.16 of this Code provided that such dwellings units shall be rented, leased or~~  
23 ~~sold at rates or prices affordable to a household whose income is no greater than 80 percent of the~~  
24 ~~median income for households in San Francisco ("lower income household"), as determined by Title 25~~  
25 ~~of the California Code of Regulations Section 6932 and implemented by the Mayor's Office of Housing.~~

1           ~~(1) "Affordable to a household" shall mean a purchase price that a lower income~~  
2 ~~household can afford to pay based on an annual payment for all housing costs of 33 percent of the~~  
3 ~~combined household annual net income, a 10 percent down payment, and available financing, or a rent~~  
4 ~~that a household can afford to pay, based on an annual payment for all housing costs of 30 percent of~~  
5 ~~the combined annual net income.~~

6           ~~(2) The size of the dwelling unit shall determine the size of the household in order to~~  
7 ~~calculate purchase price or rent affordable to a household, as follows:~~

8                     ~~(A) For a one-bedroom unit, a household of two persons;~~

9                     ~~(B) For a two-bedroom unit, a household of three persons;~~

10                    ~~(C) For a three-bedroom unit, a household of four persons;~~

11                    ~~(D) For a four-bedroom unit, a household of five persons.~~

12           ~~(3) No conditional use permit will be approved pursuant to this Subsection 803.8(b)~~  
13 ~~unless the applicant and City have agreed upon enforcement mechanisms for the provisions of this~~  
14 ~~Subsection which are acceptable to the City Attorney. Such enforcement mechanisms may include, but~~  
15 ~~not be limited to, a right of first refusal in favor of the City, or a promissory note and deed of trust.~~

16           ~~(4) The owner(s) of dwelling units authorized pursuant to this Subsection shall submit~~  
17 ~~an annual enforcement report to the City, along with a fee whose amount shall be determined~~  
18 ~~periodically by the Planning Commission to pay for the cost of enforcement of this Subsection. The fee~~  
19 ~~shall not exceed the amount of such costs. The annual report shall provide information regarding rents,~~  
20 ~~mortgage payments, sales price and other housing costs, annual household income, size of household in~~  
21 ~~each dwelling unit, and any other information the City may require to fulfill the intent of this~~  
22 ~~Subsection.~~

23           ~~**(b) Housing Requirement in the Residential/Service District.**~~

24           ~~(1) **Amount Required.** Nonresidential uses subject to Sections 815.26, 815.28, 815.30,~~  
25 ~~815.31 through 815.47, and 815.59 through 815.65, of this Code shall be permitted in new construction~~

1 in the Residential/Service District only if the ratio between the amount of occupied floor area for  
2 residential use to the amount of occupied floor area of the above referenced nonresidential use is three  
3 to one or greater.

4 ~~(2) Means of Satisfying the Housing Requirement.~~

5 ~~(A) The residential space required pursuant to this Subsection may be satisfied~~  
6 ~~by payment of a one-time in-lieu fee equal to \$30 per square foot of residential space required by this~~  
7 ~~Subsection and not provided on-site payable to the City's Affordable Housing Fund administered by the~~  
8 ~~Mayor's Office of Housing; or~~

9 ~~(B) The residential space requirement may be satisfied by providing the~~  
10 ~~required residential space elsewhere within the South of Market Mixed Use District where housing is~~  
11 ~~permitted or conditional and is approved as a conditional use.~~

12 ~~(c) Housing Requirement in the Mixed Use Residential (MUR) District. In new~~  
13 ~~construction in the MUR District, three square feet of gross floor area for residential use is required~~  
14 ~~for every one gross square foot of permitted nonresidential use, subject to Section 841 of this Code.~~

15 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

16 ~~(a) Preservation of Historic Buildings Within the South of Market Mixed Use Districts. Within~~  
17 ~~the South of Market Mixed Use Districts, any use which is permitted as a principal or conditional use~~  
18 ~~within the SSO District, excluding nighttime entertainment use, may be permitted as a conditional use~~  
19 ~~in (a) a landmark building located outside a designated historic district, (b) a contributory building~~  
20 ~~which is proposed for conversion to office use of an aggregate gross square footage of 25,000 or more~~  
21 ~~per building and which is located outside the SSO District yet within a designated historic district, or~~  
22 ~~(c) a building designated as significant or contributory pursuant to Article 11 of this Code and located~~  
23 ~~within the Extended Preservation District. For all such buildings the following conditions shall apply:~~  
24 ~~(1) the provisions of Sections 316 through 318 of this Code must be met; (2) in addition to the~~  
25 ~~conditional use criteria set out in Sections 303(e)(6) and 316 through 316.8, it must be determined that~~

1 ~~allowing the use will enhance the feasibility of preserving the landmark, significant or contributory~~  
2 ~~building; and (3) the landmark, significant or contributory building will be made to conform with the~~  
3 ~~San Francisco Building Code standards for seismic loads and forces which are in effect at the time of~~  
4 ~~the application for conversion of use.~~

5 ~~A contributory building which is in a designated historic district outside the SSO District may~~  
6 ~~be converted to any use which is a principal use within the SSO District provided that: (1) such use~~  
7 ~~does not exceed an aggregate square footage of 25,000 per building; and (2) prior to the issuance of~~  
8 ~~any necessary permits the Zoning Administrator (a) determines that allowing the use will enhance the~~  
9 ~~feasibility of preserving the contributory building; and (b) the contributory building will be made to~~  
10 ~~conform with the San Francisco Building Code standards for seismic loads and forces which are in~~  
11 ~~effect at the time of the application for conversion of use.~~ Housing Requirement in the Mixed Use-  
12 Residential (MUR) District. In new construction in the MUR District, three square feet of Gross Floor  
13 Area for Residential Use is required for every one gross square foot of permitted Non-Residential Use,  
14 subject to Section 841.

15 (b) **Preservation of Historic Buildings within Certain Eastern Neighborhoods**  
16 **Mixed Use Districts.** The following controls are intended to support the economic viability of  
17 buildings of historic importance within Eastern Neighborhoods.

18 (1) This subsection applies only to buildings in SPD, MUG, MUO, CMUO, or  
19 MUR Districts that are designated landmark buildings or contributory buildings within a  
20 designated historic district ~~per~~pursuant to Article 10 of the Planning Code, or buildings listed on  
21 or determined eligible for the California Register of Historical Resources by the State Office of  
22 Historic Preservation.

23 (A) All uses are principally permitted, provided that:

24 (i) The project does not contain any nighttime entertainment use.  
25

1 (ii) Prior to the issuance of any necessary permits, the Zoning  
2 Administrator, with the advice of the Historic Preservation Commission, determines that  
3 allowing the use will enhance the feasibility of preserving the building.

4 (iii) Residential uses meet the affordability requirements of the  
5 Residential Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.

6 (B) The Historic Preservation Commission shall review the proposed  
7 project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001))  
8 and any applicable provisions of the Planning Code.

9 \* \* \* \*

10 (d) ~~Automated Bank Teller Machines Within South of Market Districts. All automated bank~~  
11 ~~teller machines (ATMs), whether freestanding structures or walk-up facilities associated with retail~~  
12 ~~banking operations, shall have adequate lighting, waste collection facilities and parking resources.~~

13 (e) ~~Open Air Sales.~~ Flea markets, farmers markets, crafts fairs and all other open air  
14 sales of new or used merchandise except vehicles, within ~~South of Market Mixed Use and~~  
15 Eastern Neighborhoods Mixed Use Districts, where permitted, shall be subject to the following  
16 requirements: (1) the sale of goods and the presence of booths or other accessory  
17 appurtenances shall be limited to weekend and/or holiday daytime hours; (2) sufficient  
18 numbers of publicly-accessible toilets and trash receptacles shall be provided on-site and  
19 adequately maintained; and (3) the site and vicinity shall be maintained free of trash and  
20 debris.

21 (f) ~~Legal and Government Office Uses in the Vicinity of the Hall of Justice.~~

22 Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of  
23 Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the  
24 Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and  
25 other criminal justice activities and services directly related to the criminal justice functions of

1 the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special  
2 Restriction placed on the property limiting office activities to uses permitted by this  
3 ~~§~~subsection.

4 ~~(g) Work Space of Design Professionals. The work space of design professionals, as defined in~~  
5 ~~Section 890.28 of this Code, shall be permitted as a principal use within the SLR, RSD and SLI~~  
6 ~~Districts provided that, as a condition of issuance of any necessary permits, the owner(s) of the~~  
7 ~~building shall agree to comply with the following provisions:~~

8 ~~(1) The occupied floor area devoted to this use per building is limited to the third story~~  
9 ~~or above;~~

10 ~~(2) The gross floor area devoted to this use per building does not exceed 3,000 square~~  
11 ~~feet per design professional establishment;~~

12 ~~(3) The space within the building subject to this provision has not been in residential~~  
13 ~~use within a legal dwelling unit at any time within a five year period prior to application for conversion~~  
14 ~~under this Subsection; and~~

15 ~~(4) The owner(s) of the building comply with the following enforcement and monitoring~~  
16 ~~procedures;~~

17 ~~(i) The owner(s) of any building with work space devoted to design professional~~  
18 ~~use as authorized pursuant to this Subsection shall submit an annual enforcement report to the~~  
19 ~~Department of City Planning with a fee in an amount to be determined periodically by the City~~  
20 ~~Planning Commission to pay for the cost of enforcement of this Subsection. The fee shall not exceed the~~  
21 ~~amount of such costs. The report shall provide information regarding occupants of such space, the~~  
22 ~~amount of square footage of the space used by each design professional establishment, amount of~~  
23 ~~vacant space, compliance with all relevant City codes, and any other information the Zoning~~  
24 ~~Administrator may require to fulfill the intent of this Subsection;~~



1 (a) The first column in the Zoning Control Table, titled "No." provides a category  
2 number for each zoning control category.

3 (b) The second column in the table, titled "Zoning Control Category," lists zoning  
4 control categories for the district in question.

5 (c) The third column, titled "§ References," contains numbers of other sections in the  
6 Planning Code and other City Codes, in which additional relevant provisions are contained.

7 (d) In the fourth column, the controls applicable to the various Mixed Use Districts are  
8 indicated either directly or by reference to other Code Sections which contain the controls.

9 The following symbols are used in this table:

10 P - Permitted as a principal use.

11 C - Permitted as a conditional use, subject to the provisions set forth in this Code.

12 - A blank space on the tables in Sections 810 through 812 indicates that the use  
13 or feature is not permitted within the Chinatown Mixed Use Districts. Unless a  
14 use or feature is permitted or required in the Chinatown Mixed Use Districts as  
15 set forth in the Zoning Control Tables or in those sections referenced in Section  
16 899 of this Code, such use or feature is prohibited, unless determined by the  
17 Zoning Administrator to be a permitted use.

18 NP - Not Permitted. *Section 803.4 lists certain uses not permitted in any South of Market*  
19 *District. NP in the Article 8 control column of Tables 813 through 818 also indicates*  
20 *that the use or feature is not permitted in the applicable South of Market District.*

21 # - See specific provisions listed by section and zoning category number at the end  
22 of the table.

23 1st - 1st story and below, where applicable.

24 2nd - 2nd story, where applicable.

25 3rd+ - 3rd story and above, where applicable.

1 \* \* \* \*

2 **SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.**

3 Residential Enclave Districts (RED) encompass many of the clusters of low-scale,  
4 medium density, predominantly residential neighborhoods located along the narrow side  
5 streets of the South of Market area. Within these predominantly residential enclaves lie a  
6 number of vacant parcels, parking lots and other properties in open storage use. These  
7 properties are undeveloped or underdeveloped and are viewed as opportunity sites for new,  
8 moderate-income, in-fill housing.

9 \* \* \* \*

10 **Table 813**

11 **RED - RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Residential Enclave Controls
* * * *			
<b>USES</b>			
* * * *			
<b>Other Uses</b>			
* * * *			
813.66	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	NP
* * * *			

20 \* \* \* \*

21 **~~SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.~~**

22 *The Residential/Service Mixed Use District (RSD) runs along Harrison St. between 4th St. and*  
23 *5th St. The RSD serves as a housing opportunity area within the South of Market Mixed Use Districts.*  
24 *The district controls are intended to facilitate the development of high-density, mid rise housing.*  
25

1 including residential hotels and live/work units, while also encouraging the expansion of retail,  
 2 business service and commercial and cultural arts activities. Accessory Dwelling Units are permitted  
 3 within the district pursuant to subsection 207(c)(4) of this Code.

4 Residential hotels are subject to flexible standards for parking, rear yard/open space and  
 5 density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along  
 6 major thoroughfares is encouraged.

7 General office, hotels, nighttime entertainment, adult entertainment, massage establishment,  
 8 movie theaters and heavy industrial uses are not permitted, except that massages services are  
 9 authorized as a conditional use in the Residential/Service Mixed Use District when provided in  
 10 conjunction with full service spa services.

11 **Table 815**

12 **~~RSD—RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE~~**

No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
815.01	Height		Map, generally ranges from 40 to 85 feet See Sectional Zoning Map 1
815.02	Bulk	§ 270	See Sectional Zoning Map 1
815.03	Residential Density Limit	§§ 124(b), 207.5, 208	1:200 for dwellings in projects below 40 ft., above 40 ft. density to be determined as part of Conditional Use process; 1 bedroom for each 70 sq. ft. of lot area for group housing
815.04	Non-Residential Density Limit	§§ 102, 123,	Generally, 1.8 to 1 floor area ratio

1		124, 127	subject to § 803.5(j)
2	815.05	Usable Open Space for Dwelling Units and Group Housing	§ 135
3			36 sq. ft. per unit if private, 48 sq. ft. if common
4	815.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2
5			36 sq. ft. per unit
6	815.07	Usable Open Space for Other Uses	§ 135.3
7			Varies by use
8	815.09	Outdoor Activity Area	§ 890.71
9			P
10	815.10	Walk-Up Facility, except Automated Bank Teller Machine	§ 890.140
11			P
12	815.11	Automated Bank Teller Machine	§ 803.5(d)
13			P
14	815.12	Residential Conversion or Merger	§ 317
15			C for Removal of one or more Residential Units or Unauthorized Units.
16	815.13	Residential Demolition	§ 317
17			C for Removal of one or more Residential Units or Unauthorized Units.
18			
19	<b>Residential Use</b>		
20	815.14	Dwelling Units	§ 102.7
21			P
22	815.15	Group Housing	§ 890.88(b)
23			C
24	815.16	SRO Units	§ 890.88(e)
25			P
	815.16B	Homeless Shelters	§§ 102,
			C

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		890.88(d)	
<b><i>Institutions</i></b>			
815.17	<i>Hospital, Medical Centers</i>	§ 890.44	NP
815.18	<i>Residential Care</i>	§ 890.50(e)	C
815.19	<i>Educational Services</i>	§ 890.50(e)	P
815.20	<i>Religious Facility</i>	§ 890.50(d)	C
815.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	C
815.22	<i>Child Care</i>	§ 102	P
815.23	<i>Medical Cannabis Dispensary</i>	§ 890.133	P #
<b><i>Vehicle Parking</i></b>			
815.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	P
815.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	C, pursuant to § 803.8(e)
815.27	<i>Automobile Parking Lot, Community Commercial</i>	§ 890.9	P
815.28	<i>Automobile Parking Garage, Community Commercial</i>	§ 890.10	C, pursuant to § 803.8(e)
815.29	<i>Automobile Parking Lot, Public</i>	§ 890.11	P
815.30	<i>Automobile Parking Garage,</i>	§ 890.12	C, pursuant to § 803.8(e)

1		<i>Public</i>		
2	<b><i>Retail Sales and Services</i></b>			
3	815.31	<i>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited Restaurants, Restaurants, Cannabis Retail, and Personal Services</i>	<del>§§ 102, 890.104</del>	<i>P, pursuant to § 803.8(e)</i>
4				
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9	815.33	<i>Fringe Financial Service</i>	<del>§§ 249.35, 890.113</del>	<i>P #</i>
10				
11	815.34	<i>Tobacco Paraphernalia Establishments</i>	<del>§ 890.123</del>	<i>C</i>
12				
13				
14	815.34A	<i>Massage Establishment</i>	<del>§ 890.60</del> <i>Art. 29 Health Code</i>	<i>C #</i>
15				
16				
17	<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			
18	815.37	<i>Nighttime Entertainment</i>	<del>§§ 102.17, 181(f), 803.5(b)</del>	<i>NP</i>
19				
20				
21	815.38	<i>Meeting Hall, not falling within Category 815.21</i>	<del>§ 221(e)</del>	<i>C, pursuant to § 803.8(e)</i>
22				
23	815.39	<i>Recreation Building, not falling within Category 815.21</i>	<del>§ 221(e)</del>	<i>C, pursuant to § 803.8(e)</i>
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815.40	<i>Pool Hall, Card Club, not falling within Category 815.21</i>	§§ 221(f), 803.4	<i>P, pursuant to § 803.8(e)</i>
815.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	§§ 221(d), 890.64	<i>P, pursuant to § 803.8(e)</i>
<b>Home and Business Service</b>			
815.42	<i>Trade Shop</i>	§ 890.124	<i>P, pursuant to § 803.8(e)</i>
815.43	<i>Catering Services</i>	§ 890.25	<i>P, pursuant to § 803.8(e)</i>
815.45	<i>Business Goods and Equipment Repair Service</i>	§ 890.23	<i>P, pursuant to § 803.8(e)</i>
815.46	<i>Arts Activities, other than Theaters</i>	§ 102.2	<i>P, pursuant to § 803.8(e)</i>
815.47	<i>Business Services</i>	§ 890.111	<i>P, pursuant to § 803.8(e)</i>
<b>Office</b>			
815.48	<i>Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts</i>	§ 803.9(a)	<i>C</i>
815.49	<i>Work Space of Design Professionals</i>	§§ 803.9(g), 890.28	<i>P, subject to § 803.9(g)</i>
815.50	<i>All Other Office Uses</i>	§ 890.70	<i>NP</i>
<b>Live/Work Units</b>			
815.51	<i>Live/Work Units where the work activity is an Arts Activity</i>	§§ 102.2, 102.13, 209.9(f) and	<i>P</i>

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		<del>(g), 233</del>	
815.52	<del>Live/Work Units where all the work activity is otherwise permitted as a Principal Use</del>	<del>§§ 102.13, 233</del>	<del>P</del>
815.53	<del>Live/Work Units where the work activity is otherwise permitted as a Conditional Use</del>	<del>§ 233</del>	<del>C</del>
815.54	<del>Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts</del>	<del>§ 803.9(a)</del>	<del>C</del>
815.55	<del>All other Live/Work Units</del>		<del>NP</del>
<b>Motor Vehicle Services</b>			
815.57	<del>Vehicle Storage – Open Lot</del>	<del>§ 890.131</del>	<del>NP</del>
815.58	<del>Vehicle Storage – Enclosed Lot or Structure</del>	<del>§ 890.132</del>	<del>P</del>
815.59	<del>Motor Vehicle Service Station, Automotive Wash</del>	<del>§§ 890.18, 890.20</del>	<del>P, pursuant to § 803.8(e)</del>
815.60	<del>Motor Vehicle Repair</del>	<del>§ 890.15</del>	<del>P, pursuant to § 803.8(e)</del>
815.61	<del>Motor Vehicle Tow Service</del>	<del>§ 890.19</del>	<del>C, § 803.8(e)</del>
815.62	<del>Non-Auto Vehicle Sales or Rental</del>	<del>§ 890.69</del>	<del>P, § 803.8(e)</del>
815.63	<del>Public Transportation Facilities</del>	<del>§ 890.80</del>	<del>C, pursuant to § 803.8(e)</del>
<b>Industrial</b>			

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815.64	<i>Wholesale Sales</i>	§ 890.54(b)	P, pursuant to § 803.8(e)
815.65	<i>Light Manufacturing</i>	§ 890.54(a)	P, pursuant to § 803.8(e)
815.66	<i>Storage</i>	§ 890.54(e)	P
815.67	<i>All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment</i>	§ 225	P
<b>Other Uses</b>			
815.68	<i>Animal Services</i>	§ 224	NP
815.69	<i>Open Air Sales</i>	§§ 803.9(e), 890.38	P
815.70	<i>Ambulance Service</i>	§ 890.2	NP
815.71	<i>Open Recreation</i>	§§ 209.5(a), 209.5(b)	P
815.72	<i>Public Use, except Public Transportation Facility</i>	§ 890.80	C
815.74A	<i>Industrial Agriculture</i>	§ 102	NP
815.74B	<i>Neighborhood Agriculture</i>	§ 102	P
815.74C	<i>Large Scale Urban Agriculture</i>	§ 102	C
815.75	<i>Mortuary Establishment</i>	§ 227(e)	NP
815.76	<i>General Advertising Sign</i>	§ 607.2(b) & (e)	NP

1 2 3	815.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility
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SPECIFIC PROVISIONS FOR RSD DISTRICTS		
Article Code Section	Other Code Section	Zoning Controls
9 10 11 12 13 14 15	§ 815 § 815.03	<p>ACCESSORY DWELLING UNITS</p> <p><i>Boundaries:</i> Within the boundaries of the Residential/Service Mixed Use District.</p> <p><i>Controls:</i> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</p>
16 17 18 19 20 21 22	§ 815.23 § 890.133	<p>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an RSD District.</p>
23 24 25	§ 815.33	<p>§ 249.35</p> <p>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</p>

<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p>	<p>§ 890.60</p> <p>Art. 29</p> <p>§ 815.34A</p> <p>Health Code</p>	<p><i>MASSAGE ESTABLISHMENT</i></p> <p><i>Controls. Massage shall generally be subject to Conditional Use authorization. Only those businesses that can demonstrate to the satisfaction of the Planning Commission that massage services are provided in conjunction with full-service spa services are authorized to provide massage services.</i></p> <p><i>Certain exceptions to the Conditional Use authorization for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(e), the criteria described in Section 303(n) and 890.60(b).</i></p>
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***SEC. 816. SLR SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE***

***DISTRICT:***

*The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, live/work use, general commercial and neighborhood serving retail and personal service activities while protecting existing housing and encouraging the development of housing and live/work space at a scale and density compatible with the existing neighborhood.*

*Housing and live/work units are encouraged over ground floor commercial/service/light industrial activity. New residential or mixed use developments are encouraged to provide as much mixed-income rental housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to nonresidential use by requiring conditional use review.*

1 *Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this*  
 2 *Code.*

3 *General office, hotels, nighttime entertainment, movie theaters, adult entertainment and heavy*  
 4 *industrial uses are not permitted.*

5 **Table 816**  
 6 **SLR SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT**  
 7 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	<i>Service/Light Industrial/ Residential Mixed Use District Controls</i>
816.01	<i>Height Limit Designation</i>	<i>See Zoning Map</i>	<i>As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 40 to 65 feet</i>
816.02	<i>Bulk Limit Designation</i>	<i>See Zoning Map, § 270</i>	<i>As shown on Sectional Maps 1 and 7 of the Zoning Map</i>
816.03	<i>Residential Density Limit</i>	<i>§§ 124, 207.5, 208</i>	<i>1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing</i>
816.04	<i>Non-Residential Density Limit</i>	<i>§§ 102, 123, 124, 127</i>	<i>Generally, 2.5 to 1 floor area ratio</i>
816.05	<i>Usable Open Space for Dwelling Units and Group Housing</i>	<i>§ 135</i>	<i>60 sq. ft. per unit if private, 80 sq. ft. if common</i>
816.06	<i>Usable Open Space for Live/Work Units in Newly</i>	<i>§ 135.2</i>	<i>36 sq. ft. per unit</i>

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	<i>Constructed Buildings or Additions</i>		
816.07	<i>Usable Open Space for Other Uses</i>	§ 135.3	<i>Varies by use</i>
816.09	<i>Outdoor Activity Area</i>	890.71	P
816.10	<i>Walk-up Facility, including Automated Bank Teller Machine</i>	§§ 803.9(d), 890.140	P
816.12	<i>Residential Conversion or Merger</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units</i>
816.13	<i>Residential Demolition</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units</i>
<b><i>Residential Use</i></b>			
816.14	<i>Dwelling Units</i>	§ 102.7	P
816.15	<i>Group Housing</i>	§ 890.88(b)	C
816.16	<i>SRO Units</i>	§ 890.88(e)	P
816.16B	<i>Homeless Shelters</i>	§§ 102, 890.88(d)	C
<b><i>Institutions</i></b>			
816.17	<i>Hospital, Medical Centers</i>	§ 890.44	NP
816.18	<i>Residential Care</i>	§ 890.50(e)	C
816.19	<i>Educational Services</i>	§ 890.50(e)	P
816.20	<i>Religious Facility</i>	§ 890.50(d)	P

1		<i>Assembly and Social Service,</i>	§ 890.50(a)	
2	816.21	<i>except Open Recreation and</i>		€
3		<i>Horticulture</i>		
4	816.22	<i>Child Care</i>	§ 102	P
5		<i>Medical Cannabis</i>	§ 890.133	
6	816.23	<i>Dispensary</i>		P #
7				
8	<b><i>Vehicle Parking</i></b>			
9	816.25	<i>Automobile Parking Lot,</i>	§ 890.7	P
10		<i>Community Residential</i>		
11	816.26	<i>Automobile Parking Garage,</i>	§ 890.8	P
12		<i>Community Residential</i>		
13	816.27	<i>Automobile Parking Lot,</i>	§ 890.9	P
14		<i>Community Commercial</i>		
15	816.28	<i>Automobile Parking Garage,</i>	§ 890.10	P
16		<i>Community Commercial</i>		
17	816.29	<i>Automobile Parking Lot,</i>	§ 890.11	P
18		<i>Public</i>		
19	816.30	<i>Automobile Parking Garage,</i>	§ 890.12	€
20		<i>Public</i>		
21				
22	<b><i>Retail Sales and Services</i></b>			
23	816.31	<i>All Retail Sales and Services</i>	§§ 102, 890.104	
24		<i>which are not Office Uses or</i>		P
25		<i>prohibited by § 803.4,</i>		

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	<i>including Bars, Limited Restaurants, Restaurants, Cannabis Retail, and Personal Services</i>		
816.33	<i>Fringe Financial Service</i>	<del>§§ 249.35, 890.113</del>	<i>P #</i>
816.34	<i>Tobacco Paraphernalia Establishments</i>	§ 890.123	<i>C</i>
<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			
816.36	<i>Arts Activity, other than Theater</i>	§ 102.2	<i>P</i>
816.37	<i>Nighttime Entertainment</i>	<del>§§ 102.17, 181(f), 803.5(b)</del>	<i>NP</i>
816.38	<i>Meeting Hall, not falling within Category 816.21</i>	§ 221(e)	<i>C</i>
816.39	<i>Recreation Building, not falling within Category 816.21</i>	§ 221(e)	<i>C</i>
816.40	<i>Pool Hall, Card Club, not falling within Category 816.21</i>	<del>§§ 221(f), 803.4</del>	<i>P</i>
816.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	<del>§§ 221(d), 890.64</del>	<i>P</i>
<b><i>Home and Business Service</i></b>			

1	816.42	Trade Shop	§ 890.124	P
2	816.43	Catering Service	§ 890.25	P
3	816.45	Business Goods and	§ 890.23	P
4		Equipment Repair Service		
5	816.47	Business Service	§ 890.111	P
6	<b>Office</b>			
7				
8	816.48	Office Uses in Landmark	§ 803.9(a)	C
9		Buildings or Contributory		
10		Buildings in Historic Districts		
11	816.49	Work Space of Design	§§ 803.9(g), 890.28	P, subject to § 803.9(g)
12		Professionals		
13	816.50	All Other Office Uses	§ 890.70	NP
14	<b>Live/Work Units</b>			
15				
16	816.51	Live/Work Units where the	§§ 102.2, 102.13, 209.9(f) and (g), 233	P
17		work activity is an Arts		
18		Activity		
19	816.52	Live/Work Units where all the	§§ 102.13, 233	P
20		work activity is otherwise		
21		permitted as a Principal Use		
22	816.53	Live/Work Units where the	§ 233	C
23		work activity is otherwise		
24		permitted as a Conditional		
25		Use		

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	<i>Live/Work Units in Landmark</i>	<i>§ 803.9(a)</i>	
816.54	<i>Buildings or Contributory Buildings in Historic Districts</i>		C
816.55	<i>All Other Live/Work Units</i>		NP
<b>Motor Vehicle Services</b>			
816.57	<i>Vehicle Storage — Open Lot</i>	<i>§ 890.131</i>	NP
816.58	<i>Vehicle Storage — Enclosed Lot or Structure</i>	<i>§ 890.132</i>	P
816.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	<i>§§ 890.18, 890.20</i>	P
816.60	<i>Motor Vehicle Repair</i>	<i>§ 890.15</i>	P
816.61	<i>Automobile Tow Service</i>	<i>§ 890.19</i>	C
816.62	<i>Non Auto Vehicle Sales or Rental</i>	<i>§ 890.69</i>	P
816.63	<i>Public Transportation Facilities</i>	<i>§ 890.80</i>	P
<b>Industrial</b>			
816.64	<i>Wholesale Sales</i>	<i>§ 890.54(b)</i>	P
816.65	<i>Light Manufacturing</i>	<i>§ 890.54(a)</i>	P
816.66	<i>Storage</i>	<i>§ 890.54(e)</i>	P
816.67	<i>All Other Wholesaling, Storage, Distribution and</i>	<i>§ 225</i>	P

1		<i>Open Air Handling of</i>		
2		<i>Materials and Equipment</i>		
3	<b><i>Other Uses</i></b>			
4	816.68	<i>Animal Services</i>	§ 224	NP
5				
6	816.69	<i>Open Air Sales</i>	§§ 803.9(e), 890.38	P
7				
8	816.70	<i>Ambulance Service</i>	§ 890.2	NP
9				
10	816.71	<i>Open Recreation</i>	§§ 209.5(a), 209.5(b)	P
11				
12	816.72	<i>Public Use, except Public Transportation Facility</i>	§ 890.80	C
13				
14	816.74A	<i>Industrial Agriculture</i>	§ 102	NP
15				
16	816.74B	<i>Neighborhood Agriculture</i>	§ 102	P
17				
18	816.74C	<i>Large Scale Urban Agriculture</i>	§ 102	C
19				
20	816.75	<i>Mortuary Establishment</i>	§ 227(e)	NP
21				
22	816.76	<i>General Advertising Sign</i>	§ 607.2(b) & (e)	P in South of Market General Advertising Special Sign District, Otherwise NP
23				
24	816.99	<i>Wireless Telecommunications Services Facility</i>	§ 102	C; P if the facility is a Micro WTS Facility

<b><i>SPECIFIC PROVISIONS FOR SLR DISTRICTS</i></b>		
<b><i>Article Code</i></b>	<b><i>Other Code</i></b>	<b><i>Zoning Controls</i></b>

Section	Section	
§ 816 § 816.03	§ 207 (e)(4)	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the SLR Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>
§ 816.23 § 890.133		<p><i>—Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLR District.</i></p>
§ 816.33	§ 249.35 § 890.113	<p><i>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).</i></p>

***SEC. 817. SLI — SERVICE/LIGHT INDUSTRIAL DISTRICT.***

*The Service/Light Industrial (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts uses, light industrial activities and small design professional office firms. Existing group housing and dwelling units are protected from demolition or conversion to nonresidential use and development of group*

1 housing and low-income affordable dwelling units are permitted as a conditional use. General office,  
 2 hotels, movie theaters, nighttime entertainment and adult entertainment uses are not permitted.  
 3 Accessory Dwelling Units are permitted within the district pursuant to subsection 207(e)(4) of this  
 4 Code.

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 6 **Table 817**

7 **SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Light Industrial District Controls
817.01	Height		As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 30 to 65 feet; See Zoning Sectional Maps 1 and 7
817.02	Bulk	§ 270	See Zoning Sectional Maps 1 and 7
817.03	Residential Density Limit	§ 208	1:200 for dwelling units #; 1 bedroom for each 70-sq-ft. of lot area for group housing
817.04	Non-Residential Density Limit	§§ 102, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
817.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit

1	817.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
2				
3	817.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
4	817.09	Outdoor Activity Area	§ 890.71	P
5				
6	817.10	Walk-Up Facility, including Automated Bank Teller Machine	§§ 803.9(d), 890.140	P
7				
8	817.12	Residential Conversion or Merger	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
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11	817.13	Residential Demolition	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.
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14	<b>Residential Use</b>			
15	817.14	Dwelling Units	§§ 102.7, 803.8(b)	C, if low income pursuant to § 803.8(b); otherwise NP
16				
17	817.15	Group Housing	§ 890.88(b)	C
18				
19	817.16	SRO Units	§§ 803.8(b), 890.88(c)	C, if low income pursuant to § 803.8(b); otherwise NP
20				
21	817.16B	Homeless Shelters	§§ 102, 890.88(d)	C
22				
23	<b>Institutions</b>			
24	817.17	Hospital, Medical Centers	§ 890.44	NP
25	817.18	Residential Care	§ 890.50(e)	C

1	817.19	<i>Educational Services</i>	§ 890.50(e)	P
2	817.20	<i>Religious Facility</i>	§ 890.50(d)	P
3	817.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	C
4				
5	817.22	<i>Child Care</i>	§ 102	P
6	817.23	<i>Medical Cannabis Dispensary</i>	§ 890.133	P #
7				
8	<b><i>Vehicle Parking</i></b>			
9	817.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	P
10				
11	817.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	P
12				
13	817.27	<i>Automobile Parking Lot, Community Commercial</i>	§ 890.9	P
14				
15	817.28	<i>Automobile Parking Garage, Community Commercial</i>	§ 890.10	P
16				
17	817.29	<i>Automobile Parking Lot, Public</i>	§ 890.11	P
18	817.30	<i>Automobile Parking Garage, Public</i>	§ 890.12	C
19				
20	<b><i>Retail Sales and Services</i></b>			
21	817.31	<i>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited Restaurants, Cannabis Retail, Restaurants, and Personal Services</i>	§§ 102, 890.104	P
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<p>817.32 <i>Financial Services</i></p>		<p>§ 890.110</p>	<p><i>P if gross floor area is up to 4,000 sq. ft. C if gross floor area is equal to or exceeds 4,000 sq. ft. and only then if the location is:</i></p> <ul style="list-style-type: none"> <li><del>(a) within a height district of 65 ft. or greater,</del></li> <li><del>(b) on the ground story or below, and</del></li> <li><del>(c) was not used within the 12 months prior to the filing of any planning or building application as</del> <ul style="list-style-type: none"> <li><del>(1) a residential use as defined in § 817.14 through § 817.16,</del></li> <li><del>(2) a neighborhood-serving retail use as defined in § 817.31, or</del></li> <li><del>(3) an industrial use as defined in §§ 817.64, 817.65;</del></li> </ul> </li> </ul> <p><i>otherwise NP</i></p>
<p>817.33 <i>Fringe Financial Service</i></p>		<p>§§ 249.35, 890.113</p>	<p>P #</p>

1	817.34	Tobacco Paraphernalia Establishments	§ 890.123	C
2	<b>Assembly, Recreation, Arts and Entertainment</b>			
3				
4	817.37	Nighttime Entertainment	§§ 102.17, 803.5(b)	NP
5	817.38	Meeting Hall	§ 221(e)	C
6	817.39	Recreation Building	§ 221(e)	C
8	817.40	Pool Hall, Card Club, not falling within Category 817.21	§§ 221(f), 803.4	P
10	817.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
12	817.42	Amusement Game Arcade	§ 890.4	P
13	<b>Home and Business Service</b>			
14	817.42	Trade Shop	§ 890.124	P
15	817.43	Catering Service	§ 890.25	P
17	817.45	Business Goods and Equipment Repair Service	§ 890.23	P
18	817.46	Arts Activities, other than Theaters	§ 102.2	P
19	817.47	Business Services	§ 890.111	P
20	<b>Office</b>			
21				
22	817.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9(a)	C
23				
24	817.49	Work Space of Design Professionals	§§ 803.9(g), 890.28	P, subject to § 803.9(g)
25				

1	817.50	Office Uses Related to the Hall of Justice	§§ 803.9(f), 822	P in Special Use District,
2	817.51	All Other Office Uses	§ 890.70	pursuant to § 803.9(f)
3	<b>Live/Work Units</b>			
4	817.51	Live/Work Units where the work activity is an Arts Activity	§§ 102.2, 102.13, 209.9(f) and (g), 233	P
5	817.52	Live/Work Units where all the work activity is otherwise permitted as a Principal Use	§§ 102.13, 233	P
6	817.53	Live/Work Units where the work activity is otherwise permitted as a Conditional Use	§ 233	€
7	817.54	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9(a)	€
8	817.55	All Other Live/Work Units		NP
9	<b>Automotive Services</b>			
10	817.57	Vehicle Storage—Open Lot	§ 890.131	P
11	817.58	Vehicle Storage—Enclosed Lot or Structure	§ 890.132	P
12	817.59	Motor Vehicle Service Station, Automotive Wash	§§ 890.18, 890.20	P
13	817.60	Motor Vehicle Repair	§ 890.15	P
14	817.61	Motor Vehicle Tow Service	§ 890.19	€
15	817.62	Non-Auto Vehicle Sale or Rental	§ 890.69	P
16	817.63	Public Transportation Facilities	§ 890.80	P

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<b>Industrial</b>			
817.64	Wholesale Sales	§ 890.54(b)	P
817.65	Light Manufacturing	§ 890.54(a)	P
817.66	Storage	§ 890.54(c)	P
817.67	All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment	§ 225	P
<b>Other Uses</b>			
817.68	Animal Services	§ 224	P
817.69	Open Air Sales	§§ 803.9(e), 890.38	P
817.70	Ambulance Service	§ 890.2	P
817.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
817.72	Public Use, except Public Transportation Facility	§ 890.80	P
817.74A	Industrial Agriculture	§ 102	P
817.74B	Neighborhood Agriculture	§ 102	P
817.74C	Large Scale Urban Agriculture	§ 102	C
817.75	Mortuary Establishment	§ 227(e)	NP
817.76	General Advertising Sign	§ 607.2	NP
817.77	Internet Services Exchange	§ 209.6(e)	C

1	817.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro-WTS Facility
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**SPECIFIC PROVISIONS FOR SLI DISTRICTS**

Article Code Section	Other Code Section	Zoning Controls
§ 817 § 817.03	§ 207 (e)(4)	<p><b>ACCESSORY DWELLING UNITS</b></p> <p><b>Boundaries:</b> Within the boundaries of the SLI Mixed Use District.</p> <p><b>Controls:</b> An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</p>
§ 817.23 § 890.133		<p>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLI District.</p>
§ 817.33	§ 249.35 § 817.32 § 890.113	<p>Fringe Financial Services are P subject to the controls set forth in Section 817.32 for Financial Services and the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).</p>

**SEC. 818. SSO SERVICE/SECONDARY OFFICE DISTRICT.**

The Service/Secondary Office District (SSO) is designed to accommodate small scale light industrial, home and business services, arts activities, live/work units, and small scale, professional office space and large floor plate "back office" space for sales and clerical work forces. Nighttime entertainment is permitted as a conditional use. Dwelling units and group housing are permitted as conditional uses. Demolition or conversion of existing group housing or dwelling units requires conditional use authorization. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(e)(4) of this Code.

Office, general commercial, most retail, service and light industrial uses are principal permitted uses. Large hotel, movie theater, adult entertainment and heavy industrial uses are not permitted.

Small hotels of 75 rooms or less are permitted in this District only as a conditional use. Any such conditional use authorization requires a conditional use finding that disallows project proposals that displace existing Production, Distribution and Repair (PDR) uses.

**Table 818**

**SSO SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Secondary Office District Controls
818.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranging from 40 to 130 feet
818.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
818.03	Residential Density	§ 124(b), 207.5, 208	1:200 for dwellings #; 1 bedroom for each 70 sq. ft. of lot

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			<i>area for group housing</i>
818.04	<i>Non-Residential Density Limit</i>	§§ 102, 123, 124, 127	<i>3.0 to 1 floor area ratio in 40 or 50 foot height districts; 4.0 to 1 in 65 or 80 foot height districts, and 4.5 to 1 in 130 foot height districts</i>
818.05	<i>Usable Open Space for Dwelling Units and Group Housing</i>	§§ 135	<i>36 sq. ft. per unit</i>
818.06	<i>Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions</i>	§ 135.2	<i>36 sq. ft. per unit</i>
818.07	<i>Usable Open Space for Other Uses</i>	§ 135.3	<i>Varies by use</i>
818.09	<i>Outdoor Activity Area</i>	§ 890.71	<i>P</i>
818.10	<i>Walk-up Facility, including Automated Bank Teller Machine</i>	§§ 803.9(d), 890.140	<i>P</i>
818.12	<i>Residential Conversion or Merger</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>
818.13	<i>Residential Demolition</i>	§ 317	<i>C for Removal of one or more</i>

			<i>Residential Units or Unauthorized Units.</i>
<b>Residential Use</b>			
818.14	<i>Dwelling Units</i>	§ 102.7	C
818.15	<i>Group Housing</i>	§ 890.88(b)	C
818.16	<i>SRO Units</i>	§ 890.88(e)	P
818.16B	<i>Homeless Shelters</i>	§§ 102, 890.88(d)	C
<b>Institutions</b>			
818.17	<i>Hospital, Medical Centers</i>	§ 890.44	P
818.18	<i>Residential Care</i>	§ 890.50(e)	C
818.19	<i>Educational Services</i>	§ 890.50(e)	P
818.20	<i>Religious Facility</i>	§ 890.50(d)	P
818.21	<i>Assembly and Social Service, except Open Recreation and Horticulture</i>	§ 890.50(a)	C
818.22	<i>Child Care</i>	§ 102	P
818.23	<i>Medical Cannabis Dispensary</i>	§ 890.133	P #
<b>Vehicle Parking</b>			
818.25	<i>Automobile Parking Lot, Community Residential</i>	§ 890.7	P
818.26	<i>Automobile Parking Garage, Community Residential</i>	§ 890.8	P

1	818.27	<del>Automobile Parking Lot, Community Commercial</del>	<del>§ 890.9</del>	<del>P</del>
2				
3	818.28	<del>Automobile Parking Garage, Community Commercial</del>	<del>§ 890.10</del>	<del>P</del>
4				
5	818.29	<del>Automobile Parking Lot, Public</del>	<del>§ 890.11</del>	<del>P</del>
6				
7	818.30	<del>Automobile Parking Garage, Public</del>	<del>§ 890.12</del>	<del>C</del>
8				
9	<b><i>Retail Sales and Services</i></b>			
10				
11	818.31	<del>All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited- Restaurants, Restaurants, Cannabis Retail, and Personal Services</del>	<del>§§ 102, 890.104</del>	<del>P</del>
12				
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17				
18	818.33	<del>Fringe Financial Service</del>	<del>§§ 249.35, 890.113</del>	<del>P #</del>
19				
20	818.34	<del>Tobacco Paraphernalia Establishments</del>	<del>§ 890.123</del>	<del>C</del>
21				
22	<b><i>Assembly, Recreation, Arts and Entertainment</i></b>			
23	818.37	<del>Nighttime Entertainment</del>	<del>§§ 102.17, 803.5(b)</del>	<del>C</del>
24	818.38	<del>Meeting Hall, not falling within Category 818.21</del>	<del>§ 221(e)</del>	<del>P</del>
25				

1	818.39	<i>Recreation Building, not falling within Category 818.21</i>	§ 221(e)	P
2				
3	818.40	<i>Pool Hall, Card Club, not falling within Category 818.21</i>	§§ 221(f), 803.4	P
4				
5	818.41	<i>Theater, falling within § 221(d), except Movie Theater</i>	§§ 221(d), 890.64	P
6				
7	<b>Home and Business Service</b>			
8				
9	818.42	<i>Trade Shop</i>	§ 890.124	P
10	818.43	<i>Catering Service</i>	§ 890.25	P
11	818.45	<i>Business Goods and Equipment Repair Service</i>	§ 890.23	P
12				
13	818.46	<i>Arts Activities, other than Theaters</i>	§ 102.2	P
14				
15	818.47	<i>Business Services</i>	§ 890.111	P
16				
17	<b>Office</b>			
18	818.48	<i>All Office Uses including Work Space of Design Professionals</i>	§ 890.70	P
19				
20	<b>Live/Work Units</b>			
21	818.54	<i>Live/Work Units where the work activity is an Arts Activity</i>	§§ 102.2, 102.13, 209.9(f), (g), 233	P
22				
23	818.55	<i>Live/Work Units where all the work activity is otherwise</i>	§§ 102.13, 233	P
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	<i>permitted</i>		
<b>Automobile Services</b>			
818.57	<i>Vehicle Storage—Open Lot</i>	§ 890.131	NP
818.58	<i>Vehicle Storage—Enclosed Lot or Structure</i>	§ 890.132	P
818.59	<i>Motor Vehicle Service Station, Automotive Wash</i>	§§ 890.18, 890.20	P
818.60	<i>Motor Vehicle Repair</i>	§ 890.15	P
818.61	<i>Motor Vehicle Tow Service</i>	§ 890.19	C
818.62	<i>Non-Auto Vehicle Sale or Rental</i>	§ 890.69	P
818.63	<i>Public Transportation Facilities</i>	§ 890.80	P
<b>Industrial</b>			
818.64	<i>Wholesale Sales</i>	§ 890.54(b)	P
818.65	<i>Light Manufacturing</i>	§ 890.54(a)	P
818.66	<i>Storage</i>	§ 890.54(c)	P
818.67	<i>All Other Wholesaling, Storage Distribution and Open Air-Handling of Materials and Equipment</i>	§ 225	P
<b>Other Uses</b>			

1	818.68	Animal Services	§ 224	P
2	818.69	Open Air Sales	§§ 803.9(e), 890.38	P
3	818.70	Ambulance Service	§ 890.2	P
4				
5	818.71	Open Recreation	§§ 209.5(a), 209.5(b)	P
6				
7	818.72	Public Use, except Public Transportation Facility	§ 890.80	P
8				
9	818.74A	Industrial Agriculture	§ 102	P
10	818.74B	Neighborhood Agriculture	§ 102	P
11				
12	818.74C	Large Scale Urban Agriculture	§ 102	C
13	818.75	Mortuary Establishment	§ 227(e)	NP
14	818.76	General Advertising Sign	§ 607.2(b) & (c)	NP
15				
16	818.77	Internet Services Exchange	§ 209.6(e)	C
17				
18	818.78	Hotel, Tourist if 75 rooms or less	§ 890.46	C
19				
20	818.99	Wireless Telecommunications Services Facility	§ 102	C; P if the facility is a Micro WTS Facility

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<b>SPECIFIC PROVISIONS FOR SSO DISTRICTS</b>		
<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
<i>Section</i>	<i>Section</i>	

<p>1</p> <p>2</p> <p>3 § 818</p> <p>4 § 818.03</p> <p>5</p> <p>6</p>	<p>§ 207(e)(4)</p>	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the SLI Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>
<p>7</p> <p>8</p> <p>9</p> <p>10 § 818.23</p> <p>11 § 890.133</p> <p>12</p> <p>13</p>		<p><i>Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SSO District.</i></p>
<p>14</p> <p>15 § 818.33</p> <p>16</p> <p>17</p>	<p>§ 249.35</p> <p>§ 890.113</p>	<p><i>Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35 (e)(3).</i></p>

18 \* \* \* \*

19 **SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.**

20 (a) **Description.** Downtown Residential (DTR) Districts are transit-oriented, high-

21 density mixed-use residential neighborhoods in and around downtown. These areas are

22 generally transitioning from a variety of commercial and industrial to residential uses. The

23 intent of this district is to enable a mix of new day and nighttime activities, with an emphasis

24 on encouraging new housing within walking distance or a short transit-ride of downtown,

25

1 supported by a mix of retail, and neighborhood services to meet the needs of residents and  
2 the larger downtown community.

3 High-density residential uses, including residential towers in select locations, are  
4 allowed and encouraged within the limits set by height and bulk controls. Given the district's  
5 proximity to downtown, a range of commercial uses is permitted on the lower stories, with  
6 active pedestrian-oriented retail, service, and entertainment uses on the ground floor. Along  
7 special streets, pedestrian-oriented uses are required on the first floor. Ground floor entries to  
8 individual dwelling units are encouraged on streets that will become primarily residential.

9 There is generally no pattern of mid-block open space or of rear yards. While lot  
10 coverage is limited for all levels with residential uses, traditional rear yard open spaces are not  
11 required except in the limited instances where there is an existing pattern of them. Specific  
12 height and bulk controls establish appropriate heights for both towers and mid-rise  
13 development, and ensure adequate spacing between towers and preserve light and air to  
14 streets and open spaces. Setbacks are required where necessary to buffer ground floor  
15 residential uses or to ensure sunlight access to streets and open spaces. To support the  
16 intensification of land uses in these districts, detailed traffic, streetscape and open space  
17 improvements will take place over time.

18 Downtown Residential Districts include all of the individual DTR districts governed this  
19 Code except the Transbay Downtown Residential District (TB-DTR), as set forth in Section  
20 828, is governed by the Transbay Redevelopment Plan and its Development Controls and  
21 Design Guidelines.

22 \* \* \* \*

23 (c) **Use.** A use is the specified purpose for which a property or building is used,  
24 occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted,  
25 conditional, accessory, temporary or are not permitted. If there are two or more uses in a

1 structure, any use not classified in Section 825(c)(1)(C) below as accessory will be considered  
2 separately as an independent permitted, conditional, temporary or not permitted use.

3 (1) **Permitted Uses.**

4 (A) **Principal Uses.** All uses are permitted as principal uses as of right  
5 in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not  
6 Permitted in this Section 825 of this Code or any other Section governing an individual DTR  
7 District. Additional requirements and conditions may be placed on particular uses as provided  
8 pursuant to Section 803.5 and other applicable provisions of this Code.

9 (B) **Conditional Uses.** Conditional uses are permitted in a Downtown  
10 Residential District, when authorized by the Planning Commission; whether a use is  
11 conditional in a given district is indicated in the Section of this Code governing the individual  
12 DTR District. Conditional uses are subject to the applicable provisions set forth in Sections  
13 178, 179, ~~263.11~~, 303, 316, and 803.5 of this Code.

14 \* \* \* \*

15 **SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.**

16 The Mixed Use-General (MUG) District is largely comprised of the low-scale,  
17 production, distribution, and repair uses mixed with housing and small-scale retail. The MUG  
18 is designed to maintain and facilitate the growth and expansion of small-scale light industrial,  
19 wholesale distribution, arts production and performance/exhibition activities, general  
20 commercial and neighborhood-serving retail and personal service activities while protecting  
21 existing housing and encouraging the development of housing at a scale and density  
22 compatible with the existing neighborhood.

23 Housing is encouraged over ground floor commercial and production, distribution, and  
24 repair uses. New residential or mixed use developments are encouraged to provide as much  
25 mixed-income family housing as possible. Existing group housing and dwelling units would be

1 protected from demolition or conversion to nonresidential use by requiring conditional use  
 2 review. Accessory Dwelling Units are permitted within the district pursuant to subsection  
 3 207(c)(4) of this Code.

4 Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy  
 5 industrial uses are not permitted. Office is restricted to the upper floors of multiple story  
 6 buildings.

Table 840			
MUG – MIXED USE – GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use – General District Controls
<b>Building and Siting Standards</b>			
* * * *			
840.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
840.45	All Retail Sales and Services <del>which</del> <u>that</u> are not listed below	§§ 121.6, 803.9(ig), 890.104, 890.116	P up to 25,000 gross sq.ft. per lot; above 25,000 gross sq. ft. permitted only if the ratio of other permitted uses to retail is at least 3:1.
* * * *			
<b>Office</b>			
* * * *			
840.65A	Services, Professional;	§§ 890.108,	Subject to vertical control of Sec.

1		Services Financial;	890.110,	803.9( <del>hf</del> ). P on the ground floor
2		Services Medical	890.114	when primarily open to the
3				general public on a client-oriented
4				basis.
5	840.66	All Other Office Uses	§§ 803.9( <del>hf</del> ),	Subject to vertical control of Sec.
6			890.70, 890.118	803.9( <del>hf</del> )
7	* * * *			
8	<b>Other Uses</b>			
9	* * * *			
10	840.96	Open Air Sales	§§ 803.9( <del>ed</del> ),	P
11			890.38	
12	* * * *			
13	804.98	Walk-up Facility,	§§ <del>803.9(b)</del> ,	P
14		including Automated	890.140	
15		Bank Teller Machine		
16	* * * *			

17 \* \* \* \*

18 **SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.**

19 The Mixed Use-Residential District (MUR) *serves as a buffer between the higher density,*  
20 *predominantly commercial area of Yerba Buena Center to the east and the lower scale, mixed use*  
21 *service/industrial and housing area west of Sixth Street.*

22 *The MUR serves as a major housing opportunity area within the eastern portion of the South of*  
23 *Market. The district controls are is intended to facilitate the development of high-density, mid-*  
24 *rise housing, including family-sized housing and residential hotels. The district is also*  
25 *designed to encourage the expansion of retail, business service and commercial and cultural*

1 arts activities. Accessory Dwelling Units are permitted within the district pursuant to  
 2 subsection 207(c)(4) of this Code.

3 Continuous ground floor commercial frontage with pedestrian-oriented retail activities  
 4 along major thoroughfares is encouraged. Hotels, nighttime entertainment, adult  
 5 entertainment and heavy industrial uses are not permitted. Office is limited by residential-to-  
 6 non residential ratio in new construction.

Table 841			
MUR - MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use-Residential District Controls
<b>Building and Siting Standards</b>			
841.01	Height Limit	See Zoning Map, §§ 260-261.1, 263.20	As shown on Sectional Maps <u>81 and 7</u> of the Zoning Map Height sculpting required on narrow streets, § 261.1 Non-habitable vertical projections permitted, § 263.20
841.02	Bulk Limit	See Zoning Map. §§ 270, 270.1, 270.2	As shown on Sectional Maps <u>81 and 7</u> of the Zoning Map Horizontal mass reduction required, § 270.1 Mid-block alleys required, § 270.2
* * * *			
841.09	Residential to non-residential ratio	§ 803.8(d)9(a)	3 sq.ft. of residential for every 1 sq.ft. of other permitted use.
* * * *			

1 <b>Other Uses</b>			
2 * * * *			
3 841.96	Open Air Sales	§ 803.9( <i>ed</i> ), 890.38	P
5 * * * *			
6 841.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, <i>803.9(b)</i> ,	P
10 * * * *			

11 \* \* \* \*

12 **SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.**

13 The Mixed Use-Office (MUO) *runs predominantly along the 2nd Street corridor in the South*  
14 *of Market area. The MUO* is designed to encourage office uses and housing, as well as small-  
15 scale light industrial and arts activities. Nighttime entertainment and small tourist hotels are  
16 permitted as a conditional use. Large tourist hotels are permitted as a conditional use in  
17 certain height districts. Dwelling units and group housing are permitted, while demolition or  
18 conversion of existing dwelling units or group housing requires conditional use authorization.  
19 Family-sized housing is encouraged. Accessory Dwelling Units are permitted within the district  
20 pursuant to subsection 207(c)(4) of this Code.

21 Office, general commercial, most retail, production, distribution, and repair uses are  
22 also principal permitted uses. Adult entertainment and heavy industrial uses are not permitted.

24 **Table 842**  
25 **MUO- MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Mixed Use Office District Controls
<b>Building and Siting Standards</b>			
* * * *			
842.06	Parking and Loading Access: Prohibition	§ 155(r)	<i>None. 4th Street between Bryant and Townsend Streets</i>
* * * *			
842.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
842.45	All Retail Sales and Services <del>which</del> <i>that</i> are not listed below	§§ 890.104, 890.116, 803.9(ig), 121.6	P
* * * *			
<b>Other Uses</b>			
* * * *			
842.96	Open Air Sales	§§ 803.9(ed), 890.38	P
* * * *			
842.98	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, 803.9(b)	P
* * * *			

1 \* \* \* \*

2 **SEC. 843. UMU – URBAN MIXED USE DISTRICT.**

3 The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while  
4 maintaining the characteristics of this formerly industrially-zoned area. It is also intended to  
5 serve as a buffer between residential districts and PDR districts in the Eastern  
6 Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair  
7 uses such as light manufacturing, home and business services, arts activities, warehouse,  
8 and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime  
9 entertainment. Housing is also permitted, but is subject to higher affordability requirements.  
10 Family-sized dwelling units are encouraged. Within the UMU, office uses are restricted to the  
11 upper floors of multiple story buildings. In considering any new land use not contemplated in  
12 this District, the Zoning Administrator shall take into account the intent of this District as  
13 expressed in this Section and in the General Plan. Accessory Dwelling Units are permitted  
14 within the district pursuant to subsection 207(c)(4) of this Code.

15

16 **Table 843**

17 **UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Urban Mixed Use District Controls
<b>Building and Siting Standards</b>			
* * * *			
843.09	Residential to non- residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			

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1	843.45	All Retail Sales and	§§ 890.104,	P up to 25,000 gross sq.ft. per lot; above
2		Services <del>which</del> <u>that</u> are	890.116,	25,000 gross sq.ft. per lot permitted only
3		not listed below	803.9( <i>ig</i> ),	if the ratio of other permitted uses to
4			121.6	retail is at least 3:1. P up to 3,999 gross
5				sq.ft. per use; C over 4,000 gross sq.ft.
6				per use.
7	* * * *			
8	843.51	Gyms	§§ 218(d),	P up to 3,999 gross sq. ft. per use; C
9			803.9( <i>ig</i> )	over 4,000 gross sq. ft. per use. Not
10				subject to 3:1 ratio, per Sec. 803.9( <i>ig</i> )
11	* * * *			
12	<b>Office</b>			
13	* * * *			
14	843.65A	Services, Professional;	§§ 890.108,	Subject to vertical control of Sec.
15		Services Financial;	890.110,	803.9( <i>hf</i> ). P on the ground floor when
16		Services Medical	890.114	primarily open to the general public on a
17				client-oriented basis.
18	843.66	All <del>o</del> <u>o</u> ther Office Uses	§§	Subject to vertical control of Sec.
19			803.9( <i>hf</i> ),	803.9( <i>hf</i> )
20			890.70,	
21			890.118	
22	* * * *			
23	<b>Other Uses</b>			
24	* * * *			
25	843.96	Open Air Sales	§§	P

1		803.9( <i>ed</i> ),	
2		890.38	
3	* * * *		
4	843.98	Walk-up Facility,	§§ 890.140, P
5		including Automated	<del>803.9(b),</del>
6		Bank Teller Machine	
7	* * * *		

\* \* \* \*

**SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.**

The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale, production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood.

\* \* \* \*

<b>Table 844</b>			
<b>WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>WSoMa Mixed Use-General District Controls</b>
* * * *			
<b>Other Uses</b>			
844.96	Open Air Sales	§§ 803.9( <i>ed</i> ), 890.38	P up to 10,000 gsf per lot. NP above.

* * * *			
844.98	Walk-up Facility, including Automated Bank Teller Machine	§§ <del>803.9(b)</del> ; 890.140	P
* * * *			

\* \* \* \*

**SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.**

The WSoMa Mixed Use-Office (WMUO) runs predominantly along the Townsend Street corridor between 4th Street and 7th Street and on 11th Street, from Harrison Street to the north side of Folsom Street. The WMUO is designed to encourage office uses along with small-scale light industrial and arts activities. Nighttime entertainment is permitted, although limited by buffers around RED and RED-MX districts.

\* \* \* \*

Table 845			
WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	WSOMA Mixed Use-Office District Controls
<b>BUILDING AND SITING STANDARDS</b>			
* * * *			
845.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * *			
<b>Retail Sales and Services</b>			
845.45	All Retail Sales and Services <i>which</i> <del>that</del> are not	§§ 121.6, 803.9(ig),	P up to 10,000 gsf per lot; C up to 25,000 gsf;

1		listed below	890.104	NP above
2	* * * *			
3	<b>Other Uses</b>			
4	* * * *			
5	845.96	Open Air Sales	§§ 803.9( <i>ed</i> ),	P
6			890.38	
7	* * * *			
8	845.98	Walk-up Facility, including	<del>§§ 803.9(<i>b</i>),</del>	P
9		Automated Bank Teller	890.140	
10		Machine		
11	* * * *			

\* \* \* \*

**SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.**

The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings with production, distribution, and repair uses. The district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light industrial activities, with an emphasis on preserving and expanding arts activities. Nighttime Entertainment is permitted although limited by buffers around RED and RED-MX districts. Residential Uses, Offices, Hotels, and Adult Entertainment uses are not permitted. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

<b>Table 846</b>			
<b>SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>SALI District Controls</b>

<b>BUILDING AND SITING STANDARDS</b>			
* * * * *			
846.09	Residential to non-residential ratio	§ 803.8(e)9(a)	None
* * * * *			
<b>Office</b>			
* * * * *			
846.65b	Office Uses Related to the Hall of Justice	§§ 803.9(fe), 822	P in Special Use District, pursuant to § 803.9(fe)
* * * * *			
<b>Other Uses</b>			
* * * * *			
846.96	Open Air Sales	§§ 803.9(ed), 890.38	P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above
* * * * *			
846.98	Walk-up Facility, including Automated Bank Teller Machine	<del>§§ 803.9(b),</del> 890.140	P
* * * * *			

\* \* \* \* \*

**SEC. 847. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

Residential Enclave-Mixed Districts (RED-MX) encompass some of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the Western SoMa area. Many parcels in these residential enclaves are

1 underdeveloped and represent opportunities for new residential and low-intensity commercial  
 2 uses.

3 \* \* \* \*

4 Table 847			
5 RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE			
6 No.	Zoning Category	§ References	Residential Enclave-Mixed 7 Controls
8 * * * *			
9 Other Uses			
10 847.66	Open Air Sales	§§ 803.9(ed), 11 890.38	P up to 1,250 gsf per lot; C above; 12 NP above 1 FAR
13 * * * *			

14 \* \* \* \*

15 **SEC. 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT.**

16 The Central SoMa Mixed Use-Office (CMUO) extends predominantly between 2nd Street and  
 17 6th Street in the South of Market area. The CMUO is designed to encourage a mix of residential and  
 18 non-residential uses, including office, retail, light industrial, arts activities, nighttime entertainment,  
 19 and tourist hotels.

20 **Table 848. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL**

21 **TABLE**

23 <u>Central SoMa Mixed Use-Office District Controls</u>		
24 <u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
25 <b><u>BUILDING STANDARDS</u></b>		

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<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250— 252, 260, 261.1, 263.20, 263.30, 270, 270.1, 270.2, 271. See also Height and Bulk District Maps	<u>Varies. See Height and Bulk Map Sheets HT01 and HT07. Height sculpting required and additional bulk limits pursuant to §270; Non-habitable vertical projections permitted pursuant to §263.20; additional height permissible pursuant to §263.30; horizontal mass reduction required pursuant to §270.1; and Mid-block alleys required pursuant to §270.2.</u>
<u>5 Foot Height Bonus for Ground Floor Commercial</u>	§ 263.20	<u>NP</u>
<u>Setbacks</u>	§§ 132.4, 134, 136, 144, 145.1	<u>Generally required. Along 4th Street south of Bryant Street, required by a minimum depth of five feet, from sidewalk grade up to a minimum height of 25 feet.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§ 138.1	<u>Required</u>
<u>Street Frontage Requirements</u>	§ 145.1	<u>Required</u>

1	<u>Street Frontage, Ground Floor</u>	<u>§ 145.4</u>	<u>2nd Street, on the west side, between</u>
2	<u>Commercial</u>		<u>Dow Place and Townsend Street; 3rd</u>
3			<u>Street, between Folsom Street and</u>
4			<u>Townsend Street; 4th Street, between</u>
5			<u>Folsom and Townsend Streets; Folsom</u>
6			<u>Street, between 4th and 6th Streets;</u>
7			<u>Brannan Street, between 3rd Street and</u>
8			<u>4th Street; Townsend Street, on the north</u>
9			<u>side, between 2nd Street and 4th Street.</u>
10	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>3rd Street between Folsom and</u>
11			<u>Townsend Streets; 4th Street between</u>
12			<u>Folsom and Townsend Streets; Folsom</u>
13			<u>Street from 4th Street to 5th Street;</u>
14			<u>Brannan Street from 2nd Street to 6th</u>
15			<u>Street; and Townsend Street from 2nd</u>
16			<u>Street to 6th Street.</u>
17	<u>Driveway Loading and Operations Plan</u>	<u>§ 155(u)</u>	<u>Required for projects of 100,000 sq. ft. or</u>
18			<u>more.</u>
19	<u>Miscellaneous</u>		
20	<u>Lot Size (Per Development)</u>	<u>§ 102, 303</u>	<u>N/A</u>
21	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>NP</u>
22	<u>Large Project Authorization</u>	<u>§ 329</u>	<u>Required for new construction greater</u>
23			<u>than 85 feet in height; additions to an</u>
24			<u>existing building with a height of 85 feet</u>
25			<u>or less resulting in a total building height</u>

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		<u>greater than 85 feet; or the net addition or new construction of more than 50,000 gross square feet.</u>
<u>Awning and Canopy</u>	<u>§ 136.1</u>	<u>P</u>
<u>Marquee</u>	<u>§ 136.1</u>	<u>NP</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.2, 608, 609</u>	<u>As permitted by § 607.2.</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element; Central SoMa Plan.</u>	<u>Subject to the Urban Design Guidelines and Central SoMa Guide to Urban Design.</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS &amp; USES</u></b>		
<u>Development Standards</u>		

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<u>Usable Open Space [Per Dwelling Unit and Group Housing]</u>	<u>§§ 135, 136, 427</u>	<u>80 sq. ft. per unit; 54 sq. ft. per unit if publicly accessible; buildings taller than 160 feet may also pay in-lieu fee.</u>
<u>Off-Street Parking</u>	<u>§§ 151, 161, 166</u>	<u>Car parking not required. Limits set forth in §151.1. Bicycle Parking required pursuant to §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more pursuant to §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>At least 40% of all dwelling units shall contain two or more bedrooms, 30% of all dwelling units shall contain three or more bedrooms, or 35% of all dwelling units shall contain two or more bedrooms with at least 10% containing three or more bedrooms.</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>

1 2 3 4 5 6 7 8 9	<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 207</u>	<u>No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.</u>
10 11 12 13 14 15 16	<u>Accessory Dwelling Units</u>	<u>§§ 102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial spaces.</u>
17 18 19	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code, Chapter 20, Article XIII.</u>
20	<u>Loss of Dwelling Units</u>		
21 22 23	<u>Residential Conversion, Demolition, or Merger</u>	<u>§ 317</u>	<u>C</u>
24 25	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>

**NON-RESIDENTIAL STANDARDS & USES**

**Development Standards**

<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>No FAR Limit.</u>
<u>Use Size</u>	<u>§ 102</u>	<u>Restrictions on some Retail Sales and Service Uses.(1)</u>
<u>Off-Street Parking.</u>	<u>§§ 145.1, 150, 151.1, 153-156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in § 151.1. Bicycle parking required pursuant to § 155.2. Car share spaces required when a project has 25 or more parking spaces pursuant to § 166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152.1, 153 - 155, 161, 204.5</u>	<u>Pursuant to § 152.1.</u>
<u>Useable Open Space</u>	<u>§§ 135.3, 426</u>	<u>Required; amount varies based on use; may pay in-lieu fee.</u>

**Commercial Use Characteristics**

<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§ 102, 303, 303.1</u>	<u>NP for Restaurants, Limited Restaurants, and Bars. C for all other Formula Retail Uses.</u>
<u>Hours of Operation</u>	<u>§ 102</u>	<u>No Restrictions</u>
<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>

1	<u>Open Air Sales</u>	<u>§ 102</u>	<u>P</u>
2	<u>Outdoor Activity Area</u>	<u>§ 102</u>	<u>P</u>
3	<u>Walk-up Facility</u>	<u>§ 102</u>	<u>P</u>
4	<u>Agricultural Use Category</u>		
5	<u>Agricultural Uses*</u>	<u>§§ 102,</u>	<u>P</u>
6		<u>202.2(c)</u>	
7	<u>Agriculture, Large Scale Urban</u>	<u>§§ 102,</u>	<u>C</u>
8		<u>202.2(c)</u>	
9	<u>Automotive Use Category</u>		
10	<u>Automotive Uses*</u>	<u>§ 102</u>	<u>P</u>
11	<u>Parking Garage, Private</u>	<u>§ 102</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	<u>§ 102</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	<u>§§ 102, 142,</u>	<u>NP</u>
14		<u>156</u>	
15	<u>Parking Lot, Public</u>	<u>§§ 102, 142,</u>	<u>NP</u>
16		<u>156</u>	
17	<u>Service, Motor Vehicle Tow</u>	<u>§ 102</u>	<u>C</u>
18	<u>Services, Ambulance</u>	<u>§ 102</u>	<u>C</u>
19	<u>Vehicle Storage Garage</u>	<u>§ 102</u>	<u>C</u>
20	<u>Vehicle Storage Lot</u>	<u>§ 102</u>	<u>NP</u>
21	<u>Entertainment and Recreation Use Category</u>		
22	<u>Entertainment and Recreation Uses*</u>	<u>§ 102</u>	<u>P</u>
23	<u>Entertainment, Nighttime</u>	<u>§ 102</u>	<u>P(4)</u>
24	<u>Entertainment, Outdoor</u>	<u>§ 102</u>	<u>NP</u>
25			

1	<u>Open Recreation Area</u>	<u>§ 102</u>	<u>NP</u>
2	<u>Sports Stadium</u>	<u>§ 102</u>	<u>NP</u>
3	<b><u>Industrial Use Category</u></b>		
4	<b><u>Industrial Uses*</u></b>	<u>§§ 102,</u>	<u>NP</u>
5		<u>202.2(d)</u>	
6	<u>Food, Fiber and Beverage Processing 1</u>	<u>§§ 102,</u>	<u>P</u>
7		<u>202.2(d)</u>	
8	<u>Manufacturing, Light</u>	<u>§§ 102,</u>	<u>P</u>
9		<u>202.2(d)</u>	
10	<b><u>Institutional Use Category</u></b>		
11	<b><u>Institutional Uses*</u></b>	<u>§ 102</u>	<u>P</u>
12	<u>Hospital</u>	<u>§ 102</u>	<u>C</u>
13	<u>Medical Cannabis Dispensary</u>	<u>§§ 102,</u>	<u>P</u>
14		<u>202.2(e)</u>	
15	<b><u>Sales and Service Use Category</u></b>		
16	<b><u>Retail Sales and Service Uses*</u></b>	<u>§ 102</u>	<u>P(1)</u>
17	<u>Adult Business</u>	<u>§ 102</u>	<u>NP</u>
18	<u>Animal Hospital</u>	<u>§ 102</u>	<u>P</u>
19	<u>Bar</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
20		<u>202.2(a)</u>	
21	<u>Hotel</u>	<u>§ 102</u>	<u>C(2)</u>
22	<u>Kennel</u>	<u>§ 102</u>	<u>P</u>
23	<u>Massage Establishment</u>	<u>§ 102</u>	<u>NP</u>
24	<u>Mortuary</u>	<u>§ 102</u>	<u>NP</u>
25			

1	<u>Motel</u>	<u>§§ 102,</u>	<u>NP</u>
2		<u>202.2(a)</u>	
3	<u>Restaurant</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
4		<u>202.2(a)</u>	
5	<u>Restaurant, Limited</u>	<u>§§ 102,</u>	<u>P(1)(3)</u>
6		<u>202.2(a)</u>	
7	<u>Storage, Self</u>	<u>§ 102</u>	<u>NP</u>
8	<u>Trade Shop</u>	<u>§ 102</u>	<u>P</u>
9	<u>Non-Retail Sales and Service</u>	<u>§ 102</u>	<u>P</u>
10	<u>Utility and Infrastructure Use Category</u>		
11	<u>Utility and Infrastructure*</u>	<u>§ 102</u>	<u>P</u>
12	<u>Internet Service Exchange</u>	<u>§ 102</u>	<u>C</u>
13	<u>Power Plant</u>	<u>§ 102</u>	<u>NP</u>
14	<u>Public Utilities Yard</u>	<u>§ 102</u>	<u>NP</u>
15	<u>Wireless Telecommunications Services</u>	<u>§ 102</u>	<u>C(5)</u>
16	<u>Facility</u>		

17 \* Not Listed Below

18 (1) P up to 25,000 gross sq. ft. per lot; above 25,000 gross sq. ft. per lot permitted only if the ratio of  
19 other permitted uses to retail is at least 3:1.

20 (2) Not subject to ratio requirements of (1) above, pursuant to § 803.9(g).

21 (3) Formula Retail NP.

22 (4) P in the area bounded by bounded by 4th Street, 6th Street, Bryant Street, and Townsend Street;  
23 C elsewhere.

24 (5) C if a Macro WTS Facility; P if a Micro WTS Facility.

25 \* \* \* \*

1           **SEC. 890.37. ENTERTAINMENT, OTHER.**

2           In the Chinatown Mixed Use Districts, a retail use, other than adult entertainment, as  
3 defined in Section 890.36 of this Code, which provides live entertainment, including dramatic  
4 and musical performances, and/or provides amplified taped music for dancing on the  
5 premises, including but not limited to Places of Entertainment and Limited Live Performance  
6 Locales, as defined in Section 1060 of the Police Code. Other entertainment also includes a  
7 bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational  
8 activity, but it excludes amusement game arcades, as defined in Section 890.4 of this Code  
9 and regulated in Section 1036 of the Police Code. ~~For South of Market Districts, see Section~~  
10 ~~102.17.~~

11           \* \* \* \*

12           **SEC. 890.116. SERVICE, PERSONAL.**

13           A retail use which provides grooming services to the individual, including salons,  
14 cosmetic services, tattoo parlors, and health spas, excluding ~~massage establishments subject to~~  
15 ~~Section 218.1 of this Code located within South of Market Districts, or~~ instructional services not  
16 certified by the State Educational Agency, such as art, dance, exercise, martial arts, and  
17 music classes, ~~except that in the South of Market Districts, arts activities falling within Section 102.2~~  
18 ~~shall not be considered personal services.~~

19           \* \* \* \*

20           **SEC. 890.124. TRADE SHOP.**

21           A retail service use which provides custom-crafted goods and/or services for sale  
22 directly to the consumer, reserving some storefront space for display and retail service; if  
23 conducted within an enclosed building having no openings other than fixed windows or exits  
24 required by law located within 50 feet of any R District. A trade shop includes, but is not  
25 limited to:

1 \* \* \* \*

2 (g) ~~Within the South of Market Districts, arts activities falling within Section 102.2 shall not be~~  
3 ~~considered trade shops.~~

4 ~~(h)~~ Within ~~South of Market and~~ Eastern Neighborhoods Mixed Use Districts, this use  
5 shall include the offices of building, plumbing, electrical, painting, masonry, roofing, furnace or  
6 pest control contractors and storage of incidental equipment and supplies used by them, if  
7 located entirely within an enclosed building having no openings other than fixed windows or  
8 exits required by law within 50 feet of an R District. No processing of building materials, such  
9 as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking,  
10 loading and unloading of all vehicles used by the contractor shall be located entirely within the  
11 building containing the use.

12 (ih) Within the Chinatown Mixed Use Districts, it does not include any shop which  
13 uses a single machine of more than five horsepower capacity, or a shop in which the  
14 mechanical equipment, together with related floor space used primarily by the operators of  
15 such equipment, occupies in the aggregate more than 1/3 of the total Gross Floor Area of  
16 the use. A trade shop is distinct from light manufacturing, as defined in Section 890.54(a) of  
17 this Code.

18  
19 Section 5. Effective Date. This ordinance shall become effective 30 days after  
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
22 of Supervisors overrides the Mayor's veto of the ordinance.

23  
24 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
3 additions, and Board amendment deletions in accordance with the "Note" that appears under  
4 the official title of the ordinance.

5

6

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

9 By:

10 VICTORIA WONG  
Deputy City Attorney

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**EXHIBIT III.6 -  
PLANNING CODE  
AND ADMINISTRATIVE  
CODE - ISSUES FOR  
CONSIDERATION**



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Code and Administrative Code – Issues for Consideration

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan Planning Code and Administrative Code Amendments  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
 (415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

This document includes a list of issues for Planning Commission consideration related to the Central SoMa Planning Code and Administrative Code Ordinance. These issues were brought to the attention of the legislative sponsors and/or Planning Department staff since introduction of the Ordinance on February 27<sup>th</sup> but were not included in the substitute legislation introduced on April 10<sup>th</sup>.

Section	Request
128.1(c)	Correct drafting error in order the terms "Development Lot" and "Transfer Lot"
132.4(b)	Exclude guardrails and parapets from measurement of tower separation
132.4(d)(1)(B)(iv)	Increase allowed ground floor architectural modulation from 5 feet to 10 feet
132.4(d)(3)(B)	Ensure that it is clear that Key Development Sites can receive full exceptions from tower separation requirements
132.4(d)(3)(D)	Provide a quantitative standard and/or move into design guidelines the requirement that separate portions of the same site built above 85 feet in height must have "visual distinction"
135(d)(5)(B)(ii)	Reduce the open space requirements for tower projects to 36 square feet per unit and clarify that providing POPOS counts towards this requirement
135	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135
135.3	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3
135.3	Remove requirement for PDR and institutional uses to provide open space
136.1(d)(1)	Allow projects in CMUO to have exceptions for decorative features over streets and alleys akin to C-3
138(a)(2)	Eliminate the requirement for retail uses and community services to provide POPOS
Table 138	Remove incentive for POPOS to provide neighborhood amenities
138(d)(2)	Remove language and/or be more specific regarding language that says POPOS must be "maximally" green
138(d)(2)	Remove Planning Commission discretion over location of POPOS

Section	Request
138(d)(2)	Increase clarity that projects that get an exception to the open space standards wouldn't be required to pay the in-lieu fee so long as the required amount of open space is met
138(d)(2)	Correct reference to approval process to subsection (f), not (e), and reference to subsection (e) to subsection (d)(2)
145(b)(31)	Add that POPOS can be considered an active use
145(c)(4)	Require 14' floor-to-floor height for all non-residential uses, and not 17' for PDR uses
145(c)(4)	Require higher ground floor ceiling heights only in first 60 feet of depth from rights-of-way, and not at all to alleys.
151.1	Require office parking lots to provide hourly public parking
Table 151.1	Set office parking limits in terms of Gross Floor Area instead of Occupied Floor Area
155(r)(2)(JJ)	Correct reference to point to 329(e)(3)(B)
169.3(e)(4)	Do not eliminate grandfathering clause for compliance with Transportation Demand Management requirements
249.78	Do not allow large office (>50k sqft) in area currently zoned SALI except for Key Sites listed in Section 329
249.78(c)(1)	List hotel as an "active use" per 145.1
249.78(c)(1)	Allow "active uses" to be at a depth of less than 25 feet – particularly for micro-retail
249.78(c)(1)(D)	Do not require a high level of transparency and fenestration for PDR uses
249.78(c)(4)	Allow micro-retail to have formula retail uses with a Conditional Use permit
249.78(c)(5)	Clarify PDR requirements, including what constitutes the lot and whether the trigger is the size of the entire development or just the office component
249.78(c)(5)(B)	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include neighborhood retail, nonprofit community services, city-owned public facilities, and Legacy Businesses
249.78(c)(5)(D)	Maintain the CU requirement for all projects requiring replacement PDR per Section 202.8 (Prop X)
249.78(d)	Allow 10% of units to not meet exposure requirements as of right, rather than requiring an exception through 329(d).
249.78(d)(3)	Require buildings to provide living walls
249.78(e)(3)	Eliminate from purposes of calculating required TDR areas such as POPOS and space dedicated to the City for public open space and recreational amenities and affordable housing
263	Clarify that some projects can receive Special Height Exceptions through the procedures of Section 329 and/or by meeting quantitative standards listed instead of requiring a Condition Use per Section 303
263.32(a)(1)	Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception
263.32(c)(1)	Set maximum development capacity at each site to the amount listed in the Key Development Sites Guidelines rather than the formula provided
263.32(c)(3)	Clarify that sites that utilize this Special Height Exception to exceed 160 feet are

Section	Request
	still subject to controls in Section 270 for mid-rise projects and not towers
270(h)(1)	Don't include in calculations of skyplane architectural features listed in 260(b)
Table 270(h)	For mid-block passages, correct the reference from 261.1(d)(3) to (d)(4)
Table 270(h)	For Perry Street, make the Base Height "none"
270(h)(4)	Allow exceptions for setbacks for mid-block passages on Block 3776 Lot 455
303.1(f)(10)	Make formula retail restaurants and bars allowable with a Conditional Use permit instead of not permitted
321	Give Prop M priority to projects that commit to (a) rent their new PDR space at 50% of market and (b) give priority for it to displaced PDR businesses and/or arts, neighborhood retail, community services, public facilities, and Legacy Businesses
329(d)	Include the potential for exceptions for wind that are cross-referenced in 249.78(d)(7)
329(d)(1)-(11)	Clarify that Key Sites may utilize the exceptions granted in these subsections
329(d)(12) or 329(e)(3)(B)	<p>Allow all sites in Central SoMa to avail themselves of the allowances of a Planned Unit Development (329(d)(12) and/or allow Key Development Sites to have additional flexibility in 329(e)(3)(B) regarding the ability to have:</p> <ul style="list-style-type: none"> <li>• Per 135, waiver from residential open space requirements</li> <li>• Per 138, waiver from POPOS</li> <li>• Per 138, up to 35% of their POPOS provided under cantilevered parts of buildings as long as there is still proper light, air, and public access</li> <li>• Per 138, allow lower ceiling heights for indoor POPOS</li> <li>• Per 145.1, exceptions for active use requirements, ground floor height, transparency, and fenestration</li> <li>• Per 151.1, additional parking for wholesale and distribution uses,</li> <li>• Per 152.1, 154, and 155, exceptions for freight loading</li> <li>• Per 249.78(c)(4), exceptions for micro retail requirement and accessibility</li> <li>• Per 249.78(d)(4), exceptions for residential lot coverage</li> <li>• Per 249.78(d)(5), exceptions from lot merger restrictions</li> <li>• Per 249.78(d)(7), exceptions from wind standards</li> <li>• Per 260(b)(1)(E) and (L), exceptions from rooftop screening controls to allow rooftop amenities</li> </ul>
329(e)(2)	Include parcels 3786035 (646 4 <sup>th</sup> ) and 3786322 (505 Brannan) as Key Sites
329(e)(3)(A)	Include as qualified amenities: donation of land for affordable housing, construction or contribution towards construction of a public safety building, and financial contribution to the rehabilitation a certified historic structure.
329(e)(3)(B)	<p>Limit certain exceptions to specific Key Development Sites, including:</p> <ul style="list-style-type: none"> <li>• Limiting the exception in to the requirement that POPOS need to be outdoors and open to the sky (per Section 138) to the site listed in 329(e)(2)(D)</li> <li>• Limiting the exception to allowing a curb cut on a protected street (per Section 155(r) to site listed in 329(e)(2)(H)</li> <li>• Limiting the exception for commercial-orientation of large sites (per Section 249.78(c)(6) to the site listed in 329(e)(2)(D)</li> <li>• Limiting the exception to PDR requirements (per 249.78(c)(5) to the site</li> </ul>

Section	Request
	listed in 329(e)(2)(G)
406	Include language facilitating waiver of fees for the new Central SoMa Park in this legislation
411A	Include exemption from the \$5/gsf increase in the Transportation Sustainability Fee (TSF) proposed in separate, un-related legislation
411A(d)(3)	Do not eliminate grandfathering clause for payment of the Transit Impact Development Fee (TIDF) instead of the Transportation Sustainability Fee (TSF)
415.6	For sites with height limits greater than 200 feet, increase the on-site inclusionary housing requirement to 24% for rental units and 26% for ownership units.
418.7(a)	Add that funding for the SoMa Stabilization Fee can also come from the Central SoMa Community Facilities District
423.3(f)	Remove the EN Fee waiver for residential and small non-residential projects required to provide PDR space
432.2(b)	Set the Community Services Facilities fee to the maximum legal amount allowed
433(b)(3)	Reduce the amount of the Central SoMa fee for projects not seeking an office allocation of 50,000 square feet or more
848	Add a reference to the rear yard lot coverage requirements of 249.78(c)(4)
TBD	Include a requirement that all residential development more than 25 units and all commercial development over 50,000 sq ft should provide a Community Good Jobs Employment Plan for public review and comment prior to consideration of project approval.
Admin Code 10E.2(d)	Divide the Eastern Neighborhoods Citizens Advisory Committee into two bodies – one covering the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one covering the other three Plan Areas (Central Waterfront, Showplace Square/Potrero Hill, and the Mission).



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 20186 HEARING DATE MAY 10, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Central SoMa Plan – Zoning Map Amendments  
*Record No.:* 2011.1356EMTZU [Board File No 180185]  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

RESOLUTION APPROVING AMENDMENTS TO THE SAN FRANCISCO ZONING MAP OF THE PLANNING CODE TO GIVE EFFECT TO THE CENTRAL SOUTH OF MARKET AREA PLAN, AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE, FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on February 27, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced an ordinance for Zoning Map Amendments pursuant to the Central South of Market Plan (“Central SoMa Plan”).

WHEREAS, pursuant to Planning Code Section 302(b), on February 27, 2018, the San Francisco Board of Supervisors initiated the aforementioned Zoning Map Amendments.

WHEREAS, on April 10, 2018, Mayor Mark Farrell and Supervisor Jane Kim introduced a substitute ordinance for Zoning Map Amendments pursuant to the Central South of Market Plan (“Central SoMa Plan”).

WHEREAS, pursuant to Planning Code Section 302(b), on April 10, 2018, the San Francisco Board of Supervisors initiated the aforementioned Zoning Map Amendments.

WHEREAS, this Resolution adopting and recommending that the Board of Supervisors approve the Zoning Map Amendments is a companion to other legislative approvals relating to the Central SoMa Plan, including recommendations that the Board of Supervisors approve General Plan Amendments, Planning Code and Administrative Code Amendments, and an Implementation Program.

WHEREAS, The Zoning Map Amendments, together with proposed General Plan Amendments, Planning Code and Administrative Code Amendments, and the Implementation Program document, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Planning Commission incorporates by reference the general findings

and overview concerning the Central SoMa Plan as set forth in Planning Commission Resolution No. 20184 governing General Plan Amendments.

WHEREAS, as a means to implement the goals of the General Plan that are specific to the Central SoMa Plan, the Department is proposing Zoning Map Amendments that would generally reclassify areas currently zoned M-1, MUO, RED, SLI, SSO, WSMUG, and one parcel zoned P to the new Central SoMa Mixed Use Office zoning district (CMUO); most of the areas zoned SALI to CMUO, and areas zoned MUR to CMUO and MUG. Areas currently zoned C-3-O, NCT-SoMa, SPD, and the remainder of the P and SALI zoned areas would remain unchanged. These amendments would also add a new Central SoMa Special Use District to the Plan Area and remove the Western SoMa Special Use District from a subset of the Plan Area, and amend certain height limits and bulk districts. These changes correspond to conforming amendments to Sectional Maps ZN01, ZN08, HT01, HT08, SU01, and SU08 of the Zoning Maps of the City and County of San Francisco. A draft ordinance, substantially in the form attached hereto as Exhibit IV.3, approved as to form by the City Attorney's office, reflects these Zoning Map Amendments. A memorandum summarizing revisions made to the Zoning Map Amendments since consideration by the Planning Commission on March 1, 2018 is attached hereto as Exhibit IV.4.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan ("Final EIR") and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Resolution No. 20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case No. 2011. 1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the Zoning Map Amendments.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting and recommending that the Board of Supervisors approve the Zoning Map Amendments.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed Zoning Map Amendments for the following reasons:

1. The Zoning Map Amendments will help implement the Central SoMa Plan, which will accommodate development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the Plan Area's industrially-protective zoning and increasing height limits on many of the Plan Area's parcels.

2. The Zoning Map Amendments will help implement the Central SoMa Plan, which will maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households, and by requiring that these new units be built in SoMa.
3. The Zoning Map Amendments will help implement the Central SoMa Plan, which will facilitate an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area.
4. The Zoning Map Amendments will help implement the Central SoMa Plan, which will provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
5. The Zoning Map Amendments will help implement the Central SoMa Plan, which will offer parks and recreational opportunities by funding the improvement of parks and recreation centers in the area and requiring large, non-residential projects to provide publicly-accessible open space.
6. The Zoning Map Amendments will help implement the Central SoMa Plan, which will create an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas emitting energy sources. A proposal to include a Mello-Roos Community Facilities District ("CFD") in the Central SoMa Plan is also under consideration. This CFD would provide funding for environmental sustainability and resilience strategies to improve air quality, provide biodiversity, and help manage stormwater. The CFD would also help to create an environmentally sustainable and resilient neighborhood.
7. The Zoning Map Amendments will help implement the Central SoMa Plan, which will preserve and celebrate the neighborhood's cultural heritage by helping to fund the rehabilitation and maintenance of historic buildings. The CFD under consideration for addition to the Central SoMa Plan would provide funding to help preserve the Old Mint and for cultural and social programming for the neighborhood's existing residents and organizations. The CFD would also help to preserve and celebrate the neighborhood's cultural heritage.
8. The Zoning Map Amendments will help implement the Central SoMa Plan, which will ensure that new buildings enhance the character of the neighborhood and the City by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

**AND BE IT FURTHER RESOLVED**, that the Commission adopts and incorporates by reference as though fully set forth herein the CEQA Findings set forth in Commission Resolution No. 20183.

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the Mitigation Monitoring and Reporting Program, the requirements of which are made conditions of this approval.

AND BE IT FURTHER RESOLVED, that the Commission finds that the Zoning Map Amendments are in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Commission finds that the Zoning Map Amendments are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Commission approves the Zoning Map Amendments as reflected in an ordinance approved as to form by the City Attorney attached hereto as Exhibit IV.3, and incorporated herein by reference, and recommends their approval by the Board of Supervisors.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 10, 2018.



Jonas P. Ioniti  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018

**EXHIBIT IV.3 -  
ZONING MAP AMENDMENTS  
DRAFT ORDINANCE**

1 [Zoning Map – Central SoMa Plan]

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

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

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

18 Section 1. Environmental and Planning Code Findings.

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

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

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

10 (c) At the same hearing during which the Planning Commission certified the Final EIR,  
11 the Planning Commission adopted findings under CEQA regarding the Project's  
12 environmental impacts, the disposition of mitigation measures, and project alternatives, as  
13 well as a statement of overriding considerations (CEQA Findings) and adopted a mitigation  
14 monitoring reporting program (MMRP), by Resolution \_\_\_\_\_.

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

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

25

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

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

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

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

1 (a) The San Francisco Planning Code is hereby amended by amending Zoning Use  
 2 District Map ZN01 of the Zoning Map of the City and County of San Francisco, as follows:  
 3

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

1	3752	001-003, 008-010, 051-054, 070, 076,	MUR	CMUO
2		078-081, 083, 107, 109-126, 130-153,		
3		156-392, 394-473, 501-502, 521-589		
4		011, 011A, 014-015, 017-018, 026-028,	WMUG	CMUO
5		032-033, 036, 095, 590-617		
6	3753	001, 003-005, 006A, 007-010, 022, 024-	MUR	MUG
7		029, 033-034, 037, 041-042, 048-049,		
8		056-063, 070-072, 075-079, 081-085,		
9		089-090, 093-101, 106, 113-122, 129-		
10		132, 138-139, 141-142, 145-148, 150,		
11		152-165, 169-204, 207-239, 241-304,		
12		311-312, 315-318, 328-344		
13	3762	001, 003, 007-008, 011-012, 014, 016-	SLI	CMUO
14		019, 021, 023-026, 032, 036-037, 040-		
15		041, 043, 046, 048-049, 053-055, 058,		
16		106, 108-109, 112-113, 116-119, 121-		
17		124, 126-146		
18	3763	001, 105	SSO	CMUO
19		006-009, 011-015, 015A, 015B, 015C,	MUO	CMUO
20		032-034, 037, 078-080, 080A, 081,		
21		093-096, 113, 116, 119-124		
22		016-025	SLI	CMUO
23		099-101	M-1	CMUO
24	3775	001-002, 004-005, 008, 012, 015, 087,	MUO	CMUO
25		089, 091-096, 099-101, 104-105, 164-		

1		171, 181-216		
2		016-018, 020-022, 025, 072-073, 075,	SLI	CMUO
3		078-081, 083-086, 122-136, 140-		
4		163		
5	3776	004-005, 007-008, 011, 015, 019-021,	SLI	CMUO
6		024-025, 032, 034, 038-044, 049, 062,		
7		077, 080, 093-094, 098-101, 105-106,		
8		113-115, 117-118, 120-148, 151, 153-		
9		475		
10	3777	001-003, 017, 019-020, 030-	SLI	CMUO
11		034		
12		005, 007, 009, 013, 023-027, 056-070,	RED	CMUO
13		073-174		
14		011, 028-029, 035-037, 042, 044-045,	SALI	CMUO
15		050-051, 054-055		
16		047-049	SALI	WMUO
17		052	P	CMUO
18	3786	027-028, 036-037	WMUO	CMUO
19		035, 038, 321-322	MUO	CMUO
20	3787	001-008, 012-019, 021-024, 026, 028,	SLI	CMUO
21		033, 036-037, 040, 040A, 044, 048-50,		
22		052-139, 144-149, 151-159, 161-164,		
23		166-218, 241-246		
24		031	MUO	CMUO
25	3788	002, 006, 008-009, 009A, 037-039,	MUO	CMUO

1	042-044, 049-073		
2	010, 012-015, 020-024, 024A, 041, 045,	SLI	CMUO
3	074-085, 088-107, 110-113, 131-226		

4

5 (b) The San Francisco Planning Code is hereby amended by amending Zoning Use

6 District Map ZN08 of the Zoning Map of the City and County of San Francisco, as follows:

8 <u>Description of Property</u>		9 <u>Use Districts to</u>	9 <u>Use Districts</u>
9 <u>Assessor's</u>	9 <u>Lot</u>	9 <u>be Superseded</u>	9 <u>Hereby Approved</u>
10 <u>Block</u>			
11 3778	12 001, 001C, 001D, 001E, 001F, 016-		
	13 019, 022-023, 025-026, 032, 046A,	SALI	WMUO
	14 046B, 046C, 046D, 046E, 046F, 046G,		
	15 046H, 051-087		
	001B, 002B, 004-005, 047-048	SALI	CMUO
16 3785	17 002, 002A, 003-004, 004A, 004B, 005,	WMUO	CMUO
	18 022-024, 030-131		
	009, 016-018, 132, 137-313	SALI	CMUO
19 3786	20 014, 14B, 15-016, 018, 19A, 043-102,	WMUO	CMUO
	161-262		
	21 020, 104-160, 263-307	MUO	CMUO

22

23 (c) The San Francisco Planning Code is hereby amended by amending Height and

24 Bulk District Map HT01 of the Zoning Map of the City and County of San Francisco, as

25 follows:

1 **this table double checked and done**

<u>Description of Property</u>		<u>Height and</u>	<u>Height and</u>	<u>Additional</u>
<u>Assessor's</u>	<u>Lot</u>	<u>Bulk Districts</u>	<u>Bulk Districts</u>	<u>Information for</u>
<u>Block</u>		<u>to be</u>	<u>Hereby</u>	<u>Split Lots</u>
		<u>Superseded</u>	<u>Approved</u>	
3732	003	85-X	180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street
	004	45-X/85-X	45-X/180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street, 45 to a depth of 50 feet from Tehama Street
	005, 149	85-X	300-CS	
	099	45-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street
	100	45-X/85-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street
	145A, 146	85-X	180-CS	
3733	014, 148-158	55-X	180-CS	
	017-020, 020A, 021, 024-026, 031, 034,	55-X	85-X	

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	091-092, 145-147			
	028-030	55-X	130-CS	
	093, 105	130-L	180-CS	
3750	003	130-E	200-CS	
	008, 073, 086	85-X	200-CS	
	009	85-X	130-G	
	013	85-X	130-CS	
	090-509	85-X/130-G	130-G	
	515-598	130-E	200-CS	
3751	029, 150	85-X	45-X/85-X	85 feet to a depth of 80 feet from Harrison Street
	053-054	85-X	45-X	
	168	85-X	45-X/85-X	45 feet to a depth of 150 feet from Lapu Lapu Street
	169	85-X	45-X/85-X	45 feet to a depth of 150 feet from Lapu Lapu Street, 45 to a depth of 45 feet from Rizal Street
	173	130-G	OS	
3752	011, 011A	55-X	85-X	

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	012, 014-015, 017-018, 026-028, 032-033, 036	55-X	45-X	
	095	55-X	45-X/85-X	85 feet to a depth of 85 feet from Harrison Street
	590-617	55-X	85-X	
3762	001, 032, 121	85-X	130-CS	
	003	55-X/85-X	130-CS	
	011-012, 014, 016-019, 021, 023-024, 040-041, 043, 046, 048-049, 053-055, 124, 126, 139-146	45-X	85-X	
	025	45-X	130-CS	
	026, 036-037, 118	55-X	130-CS	
	058, 119, 122-123	55-X	85-X	
	106	55-X	130-X-160-CS	
	108-109, 117	55-X	85-X-160-CS	
	112	55-X/85-X	130-X-160- CS/160-CS	160 feet to a depth of 250 feet from 4th Street
	113	45-X	130-X-160-CS	
	116	45-X	85-X-160- CS/130-X-160-	130-160 feet to a depth of 350 feet

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			CS	from 4th Street
3763	001	40-X	350-CS	
	008-009, 017-018, 025, 037	65-X	85-X	
	011-115, 115A, 115B, 115C, 016, 032-034, 119-124	45-X	85-X	
	078-079	45-X	130-CS-350-CS	
	080, 080A, 081	65-X	130-CS-350-CS	
	093-096	65-X	130-CS	
	099-101	40-X	130-CS-350-CS	
	105	40-X	130-CS-200-CS	
	112	45-X	45-X/200-CS/350-CS	200 feet from a depth of 145 feet from Harrison Street to a depth of 175 feet from Harrison Street; 350 to a depth of 145 feet from Harrison Street

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	113	85-X	200-CS/350-CS	350 feet to a depth of 145 feet from Harrison Street
	116	65-X/85-X	130-CS	
3776	008, 011, 015, 019-021, 024, 077, 080, 113-114	65-X	85-X	
	025	85-X	200-CS	
	032, 117	85-X	130-CS	
	034, 038-044, 049, 118	65-X	130-CS	
	151	55-X/65-X	85-X	
	455	55-X/65-X	65-X/85-X	85 feet to a depth of 205 feet from Brannan Street
3777	005, 007, 009, 013, 023-027, 056-070	40-X	45-X	
	011	40/55-X	45-X/65-X	65 feet to a depth of 85 feet from Bryant Street

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

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				way and the linear extension of the southeast edge of the Welsh Street right-of-way
	051	40/55-X	45-X/130-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way
	052	40-X	45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 160 feet to a depth of 345 feet from 5th Street
	073-174	40-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
3786	027-028, 036, 039	65-X	130-CS	

	035, 038, 321-322	85-X	250-CS	
	037	65-X	130-CS/200-CS	200 feet to a depth of 310 feet from 5th Street
3787	026, 028, 050	85-X	400-CS	
	144-149	55-X	65-X	
	161-164	55-X	400-CS	

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

Description of Property		Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved	Additional Information for Split Lots
Assessor's Block Number	Lot			
3778	001, 001C, 001D, 001E, 001F	40/55-X	85-X	
	001B, 002B, 004-005	40/55-X	270-CS	
	016	40/55-X	65-X	
	017-019, 022-023, 025-026, 032, 046A,	40/55-X	55-X	

1		046B, 046C, 046D,			
2		046E, 046F, 046G,			
3		046H, 051-087			
4		047-048	40/55-X	160-CS	
5	3785	002	65-X	160-CS	
6		003	85-X	160-CS	
7		002A, 004	65-X/85-X	85-X	
8		009, 016	40/55-X	65-X/85-X	85 feet to a depth
9					of 137.5 feet from
10					Brannan Street
11		017, 185-232	40/55-X	85-X	
12		018, 135, 137-184,	40/55-X	65-X	
13		233-313			
14		132	40/55-X	160-CS	
15	3786	014	65-X/85-X	300-CS	
16		015-016, 043-082, 104-	85-X	130-CS	
17		160, 263-307			
18		018, 19A, 020, 083-	65-X	130-CS	
19		102, 161-262			
20		014B	65-X/85-X	130-CS	

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

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<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
<u>Assessor's Block</u>	<u>Lot</u>	<u>District Hereby</u>	<u>District Hereby</u>
		<u>Superseded</u>	<u>Approved</u>
3704	025-026, 049-053	N/A	Central SoMa
3725	007, 014-015, 017-021, 025-026, 029, 031, 033, 035, 060-064, 079, 081, 102-103	N/A	Special Use District
3732	003-005, 008-009, 018, 023-026, 028-033, 035, 040, 044-045, 048, 062, 064, 066-068, 074, 076, 078, 080, 087-090, 090A, 091, 094-097, 099-103, 106-108, 110-112, 114, 117, 119, 122-127, 129-130, 137-140, 143, 145A, 146-147, 149-200, 202-239, 261-265, 271-555, 561-759, 763-764	N/A	
3733	014, 017-020, 020A, 021, 024-026, 028-031, 034, 091-092, 145-158	Western SoMa Special Use District	
	093, 105	N/A	
3750	003, 008-009, 013, 050, 054, 073, 078, 081-082, 086, 089-509, 515-598	N/A	
3751	028-029, 033-034, 053-054, 105, 112, 150, 155, 157-158, 161-162, 165, 167-170, 173, 175-409, 411-415, 420-522	N/A	

1	3752	001-003, 008-010, 051-054, 070, 076,	N/A
2		078-081, 083, 107, 109-126, 130-153,	
3		156-392, 394-473, 501-502, 521-589	
4	3752	011, 011A, 012, 014-015, 017-018, 026-	Western SoMa
5		028, 032-033, 036, 095, 590-617	Special Use
6			District
7	3753	001, 003-005, 006A, 007-010, 021-022,	N/A
8		024-029, 033-034, 037, 041-042, 048-	
9		049, 056-063, 070-072, 075-079, 081-	
10		085, 089-090, 093-101, 106, 113-122,	
11		129-132, 138-139, 141-142, 145-148,	
12		150, 152-165, 169-204, 207-239, 241-	
13		304, 311-318, 328-344, 367-375	
14	3760	001-002, 011-014, 016-017, 019-022,	Western SoMa
15		024-026, 026A, 027-028, 035, 055, 059,	Special Use
16		071, 081, 100, 105-108, 111-112, 114,	District
17		116-117, 119-129, 131, 134-141	
18	3761	002, 005C, 006-007, 062-064	Western SoMa
19			Special Use
20			District
21	3762	001, 003-004, 007-008, 011-012, 014,	N/A
22		016-019, 021, 023-026, 032, 036-037,	
23		040-041, 043, 046, 048-049, 053-055,	
24		058, 106, 108-109, 112-113, 116-119,	
25		121-124, 126-146	

1	3763	001, 006-009, 011-015, 015A, 015B,	N/A
2		015C, 016-025, 032-034, 037, 078-080,	
3		080A, 081, 093-096, 099-101, 105, 112-	
4		113, 116, 119-124	
5	3775	001-002, 004-005, 008, 012, 015-018,	N/A
6		020-022, 025, 028-030, 032-033, 036,	
7		038-040, 042, 046, 048-049, 053-055,	
8		057-070, 072-073, 075, 078-081, 083-	
9		087, 089, 091-096, 099-217, 219-224	
10	3776	004-005, 007-008, 011, 015, 019-021,	N/A
11		024-025, 032, 034, 038-044, 049, 062,	
12		077, 080, 093-094, 098-101, 105-106,	
13		113-115, 117-118, 120-148, 151, 153-	
14		475	
15	3777	001-003, 017, 019-020, 030-034	N/A
16	3777	005, 007, 009, 011, 013, 023-029, 035-	Western SoMa
17		037, 042, 044-045, 047-052, 054-070,	Special Use
18		073-174	District
19	3786	027-028, 036-037, 039	Western SoMa
20			Special Use
21			District
22	3786	035, 038, 321-322	N/A
23	3787	001-005, 007-008, 012-019, 021-024,	N/A
24		026, 028, 031, 033, 036-037, 040,	
25		040A, 044, 048-050, 052-139, 144-149,	

1		151-159, 161-164, 166-218, 241-246	
2	3788	002, 006, 008-009, 009A, 010, 012-015, 020-024, 024A, 037-039, 041-045, 049- 085, 088-107, 110-113, 131-226	N/A
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8 (f) The San Francisco Planning Code is hereby amended by amending Special Use  
9 District Map SU08 of the Zoning Map of the City and County of San Francisco, as follows:

11 <u>Description of Property</u>		12 <u>Special Use</u>	13 <u>Special Use</u>
14 Assessor's	15 Lot	16 <u>District Hereby</u>	17 <u>District Hereby</u>
18 Block		19 <u>Superseded</u>	20 <u>Approved</u>
21 3778	22 001, 001B, 001C, 001D, 001E, 001F, 23 002B, 004-005, 016-019, 022-023, 025- 24 026, 032, 046A, 046B, 046C, 046D, 25 046E, 046F, 046G, 046H, 047-048, 051-087	Western SoMa Special Use District	Central SoMa Special Use District
3785	002, 002A, 003-004, 004A, 004B, 005, 009, 016-018, 022-024, 030-132, 135, 137-313	Western SoMa Special Use District	
3786	014, 014B, 015-016, 018, 019A, 043- 102, 161-262,	Western SoMa Special Use District	

3786	020, 104-160, 263-307	N/A	
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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: \_\_\_\_\_  
ATTORNEY'S NAME  
Deputy City Attorney

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**EXHIBIT IV.5 -  
ZONING MAP - ISSUES  
FOR CONSIDERATION**



**SAN FRANCISCO  
PLANNING DEPARTMENT**

**Zoning Map –  
Issues for Consideration**

**HEARING DATE: MAY 10, 2018**

*Project Name:* Central SoMa Plan – Zoning Map Amendments  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZ  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
 (415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

This document includes a list of issues for Planning Commission consideration related to the Central SoMa Zoning Map Ordinance. These issues were brought to the attention of the legislative sponsors and/or Planning Department staff since introduction of the Ordinance on February 27<sup>th</sup> but were not included in the substitute legislation introduced on April 10<sup>th</sup>.

Parcel	Request
Area north of Harrison Street	Change area proposed to be CMUO to MUG or MUR



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 20187

HEARING DATE MAY 10, 2018

*Project Name:* Central SoMa Plan – Implementation Program  
*Record No.:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

RESOLUTION ADOPTING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE THE IMPLEMENTATION PROGRAM TO GIVE EFFECT TO THE CENTRAL SOUTH OF MARKET AREA PLAN AND MAKING VARIOUS FINDINGS, INCLUDING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, this Resolution adopting and recommending that the Board of Supervisors approve the Implementation Program is a companion to other legislative approvals relating to the Central SoMa Plan, including recommendations that the Board of Supervisors approve General Plan Amendments, Planning Code and Administrative Code, and Zoning Map Amendments.

WHEREAS, the Implementation Program, together with proposed General Plan Amendments, Planning Code and Administrative Code Amendments, and Zoning Map Amendments, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Planning Commission incorporates by reference the general findings and overview concerning the Central SoMa Plan as set forth in Planning Commission Resolution No. 20184 governing General Plan Amendments.

WHEREAS, the Implementation Program contains several components, each intended to facilitate the Plan's implementation, including:

- (1) an "Implementation Matrix" document conveying how each of the Plan's policies would be implemented, including implementation measures, mechanisms, timelines, and lead agencies;
- (2) a "Public Benefits Program" document containing the Plan's proposed public benefits package, including a description of the range of infrastructure and services that will serve new growth anticipated under the Plan, a summary of how those benefits will be funded, and a description of how this program will be administered and monitored. The revenue allocations shown in the Public Benefits Program are for projection purposes only and represent proportional allocation to the various public improvements based on the revenues projected at

the time of Plan adoption. Actual revenues will vary from these projections based on many factors, including the amount and timing of new development, which cannot be predicted. The Board of Supervisors, with input from the Interagency Plan Implementation Committee and Eastern Neighborhoods Citizens Advisory Committee (or its successor), shall monitor and allocate revenues according to these proportional allocations based on actual revenues over time and the readiness of the various public improvements for expenditure. No improvement project listed in the Public Benefits Program is guaranteed to receive the absolute amounts shown in the Public Benefits Program. Allocations for all projects will be increased or decreased proportionally based on actual revenues received or revised projections over time;

(3) a "Guide to Urban Design" document containing design guidance that is specific to Central SoMa and complements and supplements the requirements of the Planning Code and citywide Urban Design Guidelines;

(4) a "Key Development Sites Guidelines" document that includes greater direction than available in the Planning Code for the development of the Plan Area's large, underutilized development opportunity sites, in an effort to maximize public benefits and design quality; and a "Key Streets Guidelines" document that includes greater policy direction for each of the major streets in the Plan Area.

WHEREAS, the proposed Implementation Program is attached hereto as Exhibit V.3. A memorandum summarizing revisions made to the proposed Implementation Program since consideration by the Planning Commission on March 1, 2018 is attached hereto as Exhibit V.4.

WHEREAS, on May 10, 2018, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Central SoMa Plan ("Final EIR") and found the Final EIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20182 certified the Final EIR for the Central SoMa Plan as accurate, complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on May 10, 2018, by Resolution No. 20183, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case No. 2011. 1356E, for approval of the Central SoMa Plan.

WHEREAS, on May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the Implementation Program.

WHEREAS, Planning Department staff recommends adoption of this Resolution adopting and recommending that the Board of Supervisors approve the Implementation Program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission adopts and incorporates by reference as though fully set forth herein the CEQA Findings set forth in Commission Resolution No. 20183.

AND BE IT FURTHER RESOLVED, that the Commission adopts and incorporates by reference as though fully set forth herein the Mitigation Monitoring and Reporting Program, the requirements of which are made conditions of this approval.

AND BE IT FURTHER RESOLVED, that the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed Implementation Program as set forth in Planning Commission Resolution No. 20188.

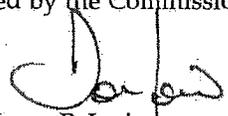
AND BE IT FURTHER RESOLVED, that the Commission finds that the proposed Implementation Program is in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Commission finds that the proposed Implementation Program is in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20184.

AND BE IT FURTHER RESOLVED, that the Planning Commission finds that the proposed Implementation Program, hereto attached as Exhibit V.3, is necessary to implement the Central SoMa Plan and that the implementation strategies expressed in the document are appropriate based on the Goals, Objectives, and Policies of the Plan.

AND BE IT FURTHER RESOLVED, that the Commission recommends that the Board of Supervisors consider the attached Implementation Program as part of its action on legislation related to the Central SoMa Plan.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 10, 2018.

  
Jonas P. Ionin  
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards  
NOES: None  
ABSENT: None  
ADOPTED: May 10, 2018

**EXHIBIT V.3 -  
IMPLEMENTATION PROGRAM**

**EXHIBIT V.3A -  
DRAFT IMPLEMENTATION MATRIX**

## CENTRAL SOMA PLAN IMPLEMENTATION MATRIX

### GOAL #1 - ACCOMMODATE A SUBSTANTIAL AMOUNT OF JOBS AND HOUSING

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
1.1	<b>Ensure there is sufficient land area where space for jobs and housing can be built</b>	1.1.1	Retain zoning that supports capacity for new jobs and housing	1.1.1.1	Maintain existing MUG, SoMA NCT, and South Park zoning. Convert MUO zoning to CMUO zoning.	Ongoing implementation of existing Zoning Map	Complete	Planning
		1.1.2	Limit zoning that restricts capacity for development	1.1.2.1	Change SLI, SALI, WSMUO, and RED zoning to CMUO zoning.	Zoning Map amendment	Upon Plan adoption	Planning
1.2	<b>Ensure that developable land has, collectively, sufficient capacity for jobs and housing</b>	1.2.1	Set height limits on parcels as appropriate to fulfill this Objective	1.2.1.1	Increase height limits from existing to proposed.	Zoning Map amendment	Upon Plan adoption	Planning
		1.2.2	Allow physical controls for height, bulk, setbacks, and open space to determine density	1.2.2.1	Remove Floor Area Ratio (FAR) limits on non-residential buildings.	Planning Code amendment	Upon Plan adoption	Planning

### GOAL #2 - MAINTAIN THE DIVERSITY OF RESIDENTS

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
2.1	<b>Maintain the existing stock of housing</b>	2.1.1	Continue implementing controls that maintain the existing supply of housing	2.1.1.1	Continue implementing unit merger and demolition controls.	Ongoing implementation of the Planning Code	Ongoing	Planning
				2.1.1.2	Continue enforcing restrictions on conversion of units to hotels rooms, including Short Term Rentals.	Ongoing implementation of the Planning and Administrative Codes	Ongoing	Office of Short Term Rentals
					2.1.1.3	Continue implementation strategies to ensure livability of units – particularly Single Room Occupancy housing (SROs).	Ongoing implementation of the Administrative Code	Ongoing
2.2	<b>Maintain the affordability of the existing stock of housing</b>	2.2.1	Continue implementing controls and strategies that help maintain the existing supply of affordable housing	2.2.1.1	Continue enforcing rent control and eviction protection regulations.	Ongoing implementation of the Administrative Code	Ongoing	Rent Board and Mayor's Office of Housing and Community Development (MOHCD)
					2.2.1.2	Continue implementing funding strategies such as the Rental Assistance Demonstration program and rehabilitation loans for affordable buildings.	Ongoing implementation of MOHCD programs	Ongoing

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		2.2.2	Support the conversion of existing housing into permanently affordable housing	2.2.2.1	Continue implementing the City's Small Sites program.	Ongoing implementation of MOHCD programs	Ongoing	MOHCD
				2.2.2.2	Continue to enable new development to satisfy their affordable housing requirements supporting the conversion of existing housing into permanently affordable housing.	Ongoing implementation of the Planning Code	Ongoing	MOHCD
2.3	<b>Ensure that at least 33 percent of new housing is affordable to very low, low, and moderate-income households</b>	2.3.1	Set affordability requirements for new residential development at rates necessary to fulfill this Objective	2.3.1.1	Set the percentage of affordable housing by Central SoMa Public Benefits Tiers in accordance with the City's requirements for below-market rate units, specified in Planning Code Section 415.	Ongoing implementation of the Planning Code	Ongoing	Planning
		2.3.2	Require contribution to affordable housing from commercial uses	2.3.2.1	Continue requiring contribution from commercial developments through the Jobs-Housing Linkage Fee.	Ongoing implementation of the Planning Code	Ongoing	Planning
		2.3.3	Ensure that affordable housing revenue generated in Central SoMa stays in the neighborhood	2.3.3.1	Require affordable housing revenue generated by the Central SoMa Plan to be expended within the boundaries of SoMa (Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).	Planning Code amendment	Upon Plan adoption	Planning
				2.3.3.2	Allow the application of the "land dedication" option for both residential and non-residential development.  <ul style="list-style-type: none"> <li>• For residential development, the land dedication requirement would be equivalent to 45% of the potential Gross Floor Area that could be provided on the principal site.</li> <li>• For non-residential development, the land dedication would be based on an appraisal of land value.</li> </ul> <p>For all sites, the requirements and rules for land dedication projects stipulated in Planning Code Section 419.5(2) would apply.</p>	Planning Code amendment	Upon Plan adoption	Planning
		2.3.4	Allow affordable housing sites to sell any unused development rights	2.3.4.1	Add affordable housing sites to list of sites eligible for the Transfer of Development Rights program (as discussed in Implementation Measure 7.5.2.1).	Planning Code amendment	Upon Plan adoption	Planning
2.4	<b>Support housing for other households that cannot afford market rate housing</b>	2.4.1	Continue implementing strategies that support the development of "gap" housing	2.4.1.1	Apply ongoing strategies for creating middle-income housing, such as funding created through 2015's Proposition A, down payment assistance loan programs, and the middle-income housing requirements imposed by June 2016's Proposition C and subsequent Board actions.	Ongoing application of funds and requirements	Ongoing	MOHCD, Planning
2.5	<b>Support housing for a diversity of household sizes</b>	2.5.1	Continue requiring a diversity of family sized units	2.5.1.1	Require that new development provide at least 40% two-bedroom, 30% three-bedroom units, or 35% two or more bedrooms with at least 10% containing three or more bedrooms.	Planning Code amendment	Upon Plan adoption	Planning
		2.5.2	Continue to incentivize rental units	2.5.2.1	Continue implementing the requirements of Section 415 that include lower requirements for rental projects than for-sale projects.	Ongoing implementation of the Planning Code	Ongoing	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
2.6	<b>Support the schools, child care, and community services that serve local residents</b>	2.6.1	Help fund public schools	2.6.1.1	Continue implementing the Schools Impact Fee.	Ongoing implementation of existing Planning Code requirements	Ongoing	San Francisco Unified School District
				2.6.1.2	Fund provision of supplemental services at Bessie Carmichael School	Ongoing funding from CFD	As funding accrues	SFUSD
		2.6.2	Help facilitate the creation of child care facilities	2.6.2.1	Continue implementing the Child Care Impact Fee and Eastern Neighborhoods Impact Fee.	Ongoing implementation of existing Planning Code requirements	Ongoing	Planning
		2.6.3	Help facilitate the creation of new community services	2.6.3.1	Create a new Community Services Impact Fee (for specific requirements, see the "Requirements for New Development" document). New development will be given the option to provide community facilities directly via an In-Kind Agreement with the City instead of paying the fees.	Planning Code amendment	Upon Plan adoption	Planning

**GOAL #3 - FACILITATE AN ECONOMICALLY DIVERSIFIED AND LIVELY JOBS CENTER**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
3.1	<b>Ensure the Plan Area accommodates significant space for job growth</b>	3.1.1	Require non-residential development on large parcels	3.1.1.1	On parcels larger than 30,000 square feet south of Harrison Street require that two-thirds of new development below 160 feet in height be non-residential.	Planning Code amendment	Upon Plan adoption	Planning
		3.1.2	Limit restrictions on non-residential development	3.1.2.1	Change MUR zoning to be CMUO zoning east of 5 <sup>th</sup> Street, change MUR to MUG Zoning west of 5 <sup>th</sup> Street, change WSMUG zoning to CMUO zoning, and change RED to CMUO zoning south of Harrison Street	Zoning Map amendment	Upon Plan adoption	Planning
		3.1.3	Support living wage jobs across all sectors	3.1.3.1	Continue implementing City job training programs as well as hiring strategies such as Local Hire and First Source,	Ongoing implementation of City programs	Ongoing	Office of Economic and Workforce Development (OEWD)
				3.1.3.2	Seek new strategies to facilitate living wage jobs, such as implementation of a 2017's California Assembly Bill 73 via a Housing Sustainability District in Central SoMa.	Planning Code amendment	Ongoing	Planning, OEWD
3.2	<b>Support the growth of office space</b>	3.2.1	Facilitate the growth of office	3.2.1.1	See Implementation Measure 3.1.1.1.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
3.3	<b>Ensure the removal of protective zoning does not result in a loss of PDR in the Plan Area</b>	3.3.1	Maintain zoning that restricts non-PDR development in certain locations	3.3.1.1	Maintain SALL zoning between 4 <sup>th</sup> and 6 <sup>th</sup> Streets and Harrison and Bryant Streets.	Ongoing implementation of existing Zoning Map	Upon Plan adoption	Planning
		3.3.2	Limit conversion of PDR space in formerly industrial districts	3.3.2.1	Maintain existing PDR replacement requirements contained in Planning Code Section 202.8.	Ongoing implementation of the Planning Code	Upon Plan adoption	Planning
		3.3.3	Require PDR space as part of large commercial development	3.3.3.1	In new office developments of greater than 50,000 square feet, require new PDR, via one of the following options: <ul style="list-style-type: none"> <li>• Build PDR on-site to whichever amount is greater: the amount required by Code Section 202.8 or 40% of the lot area. Exempt from land area for purposes of calculating the FAR any land dedicated to affordable housing or publicly accessible open space fully open to the sky.</li> <li>• Build net new PDR off-site at 1.5 times the on-site requirement. This PDR can be built anywhere in SoMa (Market, Embarcadero, South Van Ness, 13<sup>th</sup> St, Division St, China Basin).</li> <li>• Preserve existing PDR space at 2.0 times the on-site requirement. This PDR can be preserved anywhere in SoMa not zoned SALL after Plan adoption (Market Street, the Embarcadero, Division Street, and South Van Ness Avenue).</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
				3.3.3.2	Explore the potential for development to meet their PDR requirement through an in-lieu fee to the City to be used for the construction of new PDR and preservation/retention of existing PDR space.	Planning Code amendment	Ongoing	OEWD
		3.3.4	Provide incentives to fund, build, and/or protect PDR	3.3.4.1	Require ground floor ceiling heights of 17 feet for PDR uses.	Planning Code amendment	Upon Plan adoption	Planning
				3.3.4.2	Continue technical support and strategic programs and agreements that support the growth of PDR businesses and the development of new PDR space.	Ongoing implementation of City programs	Ongoing	OEWD
				3.3.4.3	Continue implementing the 1% Art Program, including the option for development to participate in the Public Art Trust.	Ongoing implementation of City programs	Ongoing	Arts Commission
3.4	<b>Facilitate a vibrant retail environment that serves the needs of the community</b>	3.4.1	Allow retail throughout the Plan Area	3.4.1.1	Continue allowing retail in all zoning districts.	Ongoing implementation of the existing Planning Code	Ongoing	Planning
		3.4.2	Require ground-floor retail along important streets	3.4.2.1	Maintain retail requirements along 4 <sup>th</sup> Street between Townsend and Bryant.	Ongoing implementation of the existing Planning Code	Ongoing	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				3.4.2.2	Require retail on following streets:  <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> Street on the west side between Dow Place and Townsend Street;</li> <li>• 3<sup>rd</sup> Street between Folsom Street and Townsend Street;</li> <li>• 4<sup>th</sup> Street between Bryant St and Folsom St;</li> <li>• Folsom Street between 4<sup>th</sup> and 6<sup>th</sup></li> <li>• Brannan Street between 4<sup>th</sup> Street and 5<sup>th</sup> Street;</li> <li>• Townsend Street on the north side between 2<sup>nd</sup> Street and 4<sup>th</sup> Street.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
		3.4.3	Support local, affordable, community-serving retail	3.4.3.1	Ban formula restaurants and bars. Require other formula retail uses to attain a Conditional Use Permit throughout the Plan Area.	Planning Code amendment	Upon Plan adoption	Planning
				3.4.3.2	For development on lots greater than 20,000 square feet, require micro retail units (1,000 sqft or less) of one for every 20,000 square feet of lot area (rounding to the nearest unit).	Planning Code amendment	Upon Plan adoption	Planning
				3.4.3.3	Continue banning stand-alone big box retail.	Ongoing implementation of the existing Planning Code	Ongoing	Planning
3.5	<b>Support development of hotels</b>	3.5.1	Allow hotels throughout the growth-oriented parts of the Plan Area	3.5.1.1	Continue permitting small hotels in the WSMUO District. Permit hotels in the MUG and CMUO with a Conditional Use.	Planning Code amendment	Upon Plan adoption	Planning
				3.5.1.2	Support the development of one or more large (>500 room) hotels in the vicinity of the Moscone Convention Center.	City engagement with private developers during entitlement process	Ongoing	OEWD
3.6	<b>Recognize the importance of nightlife uses in creating a complete neighborhood</b>	3.6.1	Allow nightlife where appropriate	3.6.1.1	Continue allowing restaurants and bars throughout the Plan Area, as controlled by district.	Ongoing implementation of the existing Planning Code	Ongoing	Planning
				3.6.1.2	Continue permitting nighttime entertainment uses as-of-right in those areas being converted from SALI to CMUO and WSMUO.	Planning Code amendment	Upon Plan adoption	Planning

**GOAL #4 - PROVIDE SAFE AND CONVENIENT TRANSPORTATION THAT PRIORITIZES WALKING, BICYCLING, AND TRANSIT**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURES	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY	
4.1	<b>Provide people walking a safe, convenient, attractive environment on all the streets in the Plan Area</b>	4.1.1	Ensure streets throughout the Plan Area are designed in accordance with the City's Vision Zero policy.	4.1.1.1	Undertake a comprehensive complete streets plan for all of the major streets in the Plan Area (i.e., 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets). This strategy should incorporate pedestrian, bicycle, and transit improvements designed in accordance with the City's Vision Zero policy. Designs should incorporate on- and off-street loading needs and emergency vehicle access. Dedicate funding towards the planning and construction of recommended improvements through the Transportation Sustainability Fee (TSF), Eastern Neighborhoods Impact (EN) Fee, and/or a Mello-Roos Community Facilities District (CFD).	Designed by the City with community input, adopted by legislation from San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Department of Public Works (DPW), and implemented by a combination of the City and new development (through meeting the Better Streets Plan and/or In-Kind Agreements with the City)	Ongoing, as funding accrues, as prioritized through City and community processes	San Francisco Municipal Transportation Agency (SFMTA), San Francisco Department of Public Works (DPW), Planning	
		4.1.2	Ensure sidewalks on major streets meet Better Streets Plan standards	4.1.2.1	See Implementation Measure 4.1.1.1.				
					4.1.2.2	Require a five-foot setback on all development on 4th Street south of Bryant Street. This setback must occur at the ground floor, and have minimum height of 25 feet.	Planning Code amendment	Upon Plan adoption	Planning
		4.1.3	Prohibit new curb cuts on key major streets and limit them elsewhere	4.1.3.1	Ban curb cuts within the Plan Area on all of Folsom, Brannan, Townsend, 2nd, 3rd, 4th, and 6th Streets, and any blocks of Howard Street that are one-way; require a Conditional Use permit for curb cuts for all other major streets in the Plan Area.	Planning Code amendment	Upon Plan adoption	Planning	
		4.1.4	Provide signalized crosswalks across major streets	4.1.4.1	See Implementation Measure 4.1.1.1.				
		4.1.5	Ensure there are crosswalks at all signalized intersections	4.1.5.1	See Implementation Measure 4.1.1.1.				
		4.1.6	Ensure there are safe intersections at freeway ramps	4.1.6.1	Work with Caltrans to redesign or improve intersections at freeway ramps.	Intergovernmental coordination	Within 5 years of Plan adoption	SFMTA, San Francisco County Transportation Authority (SFCTA)	
		4.1.7	Provide corner sidewalk extensions to enhance pedestrian safety at crosswalks, in keeping with the Better Streets Plan	4.1.7.1	Implement strategies identified through the City's Walk First and Vision Zero programs, as well as additional strategies identified in the complete streets plan discussed in Implementation Measure 4.1.1.1.	Walk First and Vision Zero programs; also Implementation Measure 4.1.1.1.	Ongoing	SFMTA	

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURES	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		4.1.8	Ensure safe and convenient conditions on narrow streets and alleys for people walking	4.1.8.1	Undertake a follow-up Narrow Streets and Alleys Strategy, and implement recommendations adopted by that Strategy, as well as additional strategies identified in the complete streets plan discussed in Implementation Measure 4.1.1.1.	Community planning effort; also Implementation Measure 4.1.1.1.	Start process within two years of Plan Adoption	Planning, DPW
		4.1.9	Ensure there are street trees and street furnishings on sidewalks wherever possible, in keeping with the Better Streets Plan	4.1.9.1	Ongoing implementation of street tree requirements in the Planning Code, as well as additional strategies identified in the complete streets plan discussed in Implementation Measure 4.1.1.1.	See Implementation Measure 4.1.1.1.		
		4.1.10	Expand the pedestrian network wherever possible through creation of new narrow streets, alleys, and mid-block connections	4.1.10.1	Continue implementing the existing requirements for development on large lots.	Application of existing Planning Code requirements, with further guidance in the Central SoMa Key Site Guidelines	Ongoing	Planning
				4.1.10.2	Prioritize the creation of new connections wherever possible through acquisitions and/or easements on private lots (as part of Implementation Measure 4.1.7.1).	Community planning effort	Start process within 12 months of Plan Adoption	Planning
		4.1.11	Use public art, lighting, and other amenities to improve the pedestrian experience beneath elevated freeways	4.1.11.1	See Implementation Measure 4.1.1.1			
				4.1.11.2	Continue working with Caltrans to facilitate these improvements on their property.	Intergovernmental coordination	Ongoing	Office of Economic and Workforce Development (OEWD), Planning
				4.1.11.3	Encourage projects to dedicate their 1% for art requirements to the Arts Trust, and the City to dedicate this funding for art in this area.	City engagement with private developers during entitlement process	Ongoing	Planning, Arts Commission
4.2	<b>Make cycling a safe and convenient transportation option throughout the Plan Area for all ages and abilities</b>	4.2.1	Ensure that the bicycle network is in accordance with the City's Vision Zero policy and Bicycle Strategy.	4.2.1.1	Implement the recommendations of the City's Bicycle Plan designed in accordance with the City's Vision Zero policy.	Implementation of the Bicycle Plan and Vision Zero programs	Ongoing	SFMTA

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURES	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		4.2.2	Minimize gaps in the existing bicycle network by providing bicycle routes through the Plan Area, designed for safety in accordance with the City's Vision Zero policy and Bicycle Strategy.	4.2.2.1	See Implementation Measure 4.1.1.1.	Implementation of the Bicycle Plan and Vision Zero programs	Ongoing, as funding accrues, as prioritized through City and community processes	SFMTA
		4.2.3	Provide additional bicycle infrastructure, such as bicycle parking, to support ridership	4.2.3.1	Continue implementing bicycle parking regulations in buildings.	Application of existing Planning Code requirements	Ongoing	Planning
				4.2.3.2	Support the implementation and expansion of Bay Area Bike Share.	Application of existing SFMTA process	Ongoing	SFMTA
				4.2.3.3	Support the creation of bicycle parking facilities on streets and sidewalks, as appropriate.	Application of existing SFMTA process	Ongoing	SFMTA, Planning
4.3	<b>Ensure that transit serving the Plan Area is adequate, reliable and pleasant</b>	4.3.1	Provide a robust network of lanes that are exclusively for transit	4.3.1.1	Implement transit lanes identified by the Muni Forward Program, as well as additional strategies identified in the complete streets plan discussed in Implementation Measure 4.1.1.1.	Implementation of the Muni Forward Program; also Implementation Measure 4.1.1.1.	Ongoing	SFMTA, DPW
		4.3.2	Support funding maintaining a state of good repair of the existing fleet and infrastructure	4.3.2.1	Dedicate funding towards maintaining a state of good repair of the existing fleet and infrastructure through the Transportation Sustainability Fee (TSF), Eastern Neighborhoods Impact (EN) Fee, a new Central SoMa (CS) Fee, and/or a Mello-Roos Community Facilities District (CFD).	The Transportation Sustainability Fee (TSF) and Eastern Neighborhoods Impact Fee (EN Fee) are existing. The Central SoMa (CS) Fee and Mello-Roos Community Facilities District (CFD) would need to be created upon adoption of the Central SoMa Plan	Ongoing	Planning, SFMTA
		4.3.3	Support funding to implement Muni Forward	4.3.3.1	Dedicate funding towards implementing the Muni Forward program through the TSF, EN Fee, CS Fee, and/or a CFD.	The TSF and EN Fee are existing. The CS Fee and CFD would need to be created upon adoption of the Central SoMa Plan	Ongoing	Planning, SFMTA
		4.3.4	Support funding to meet future needs for both local and regional transit service to the Plan Area	4.3.4.1	Dedicate funding towards the improvement and expansion of transit through the TSF, EN Fee, CS Fee and/or a CFD.	The TSF and EN Fee are existing. The CS Fee and CFD would need to be created upon adoption of the Central SoMa Plan	Ongoing	Planning, SFCTA, SFMTA
		4.3.5	Study adjustment of transit service program to serve the demand from the increase in jobs and housing in the neighborhood	4.3.5.1	Study the need to revise transit service after a substantial amount of the expected development has occurred.	SFMTA study with community input	After 10 years of Plan adoption	SFMTA

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURES	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
4.4	<b>Encourage mode shift away from private automobile usage</b>	4.4.1	Limit the amount of parking in new development	4.4.1.1	<p>Within the CMUO District, reduce the amount of parking allowed as follows:</p> <ul style="list-style-type: none"> <li>• For residential development, set the as-of-right amount at 0.5 spaces per unit, with no potential more.</li> <li>• For all non-residential development, set the maximum amount allowed as follows:</li> <li>• Office: one space for every 3,500 square feet,</li> <li>• Retail: one space for every 1,500 square feet, and</li> <li>• All other uses as currently listed in Planning Code Section 151.1.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
		4.4.2	Utilize Transportation Demand Management strategies to encourage use of alternatives to the private automobile	4.4.2.1	Implement Transportation Demand Management (TDM) measures required by the Planning Code, removing grandfathering provision for projects that could not be built but for the Central SoMa Plan.	Application of existing Planning Code requirements	Ongoing	Planning
4.5	<b>Accommodate regional, through, and delivery traffic where necessary, but mitigate the impacts of such traffic on local livability and circulation</b>	4.5.1	Maintain the ability of certain streets to accommodate through-traffic while ensuring they meet minimum needs for safety and comfort of all road users	4.5.1.1	Design and construct Bryant and Harrison Streets to accommodate more through traffic than other east-west streets in the Plan Area.	Community planning efforts	Ongoing, as funding accrues, as prioritized through City and community processes	SFMTA
		4.5.2	Design buildings to accommodate delivery of people and goods with a minimum of conflict	4.5.2.1	Require sponsors of development projects that provide more than 100,000 square feet to prepare a Driveway and Loading Operations Plan (DLOP), and submit the plan for review and approval by the Planning Department and the SFMTA. The DLOP shall focus on reducing potential conflicts between driveway operations, including loading activities, and pedestrians, bicycles and vehicles, and to maximize reliance of on-site loading spaces to accommodate new loading demand. The DLOP shall include consider, at a minimum, loading dock management, large truck access, garage/loading dock attendants, and refuse collection. The DLOP shall also look at designs to separate loading from sensitive land uses as well as building design strategies to better support off-peak and unattended deliveries.	Planning Code amendment	Upon Plan adoption	Planning, SFMTA

**GOAL #5 - OFFER AN ABUNDANCE OF PARKS AND RECREATIONAL OPPORTUNITIES**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
5.1	<b>Maximize the benefit provided by existing parks and recreational facilities</b>	5.1.1	Support funding for the rehabilitation of Gene Friend Recreation Center	5.1.1.1	Help fund the rehabilitation and/or rebuild of Gene Friend Recreation Center.	Funding from the Eastern Neighborhoods Impact Fee (EN Fee) and/or a Mello-Roos Community Facilities District (CFD) to supplement other funding processes	As funding accrues, as prioritized through City and community processes	Recreation and Parks Department (RPD)
		5.1.2	Support funding for the activation of Victoria Manalo Draves Park	5.1.2.1	Help fund activation of and/ or capital upgrades to Victoria Manalo Draves Park.	Funding from CFD and/ or EN Fee to support ongoing RPD efforts	As funding accrues, as prioritized through City and community processes	RPD
		5.1.3	Explore funding for rehabilitation of Yerba Buena Gardens	5.1.3.1	Identify appropriate ways to fund the rehabilitation of Yerba Buena Gardens, potentially including funding from the Central SoMa Community Facilities District.	Collaborative process facilitated by the City involving stakeholders in the Yerba Buena area	Ongoing	Department of Real Estate
		5.1.4	Explore additional strategies to fund existing parks	5.1.4.1	Ongoingly seek out grants, partnerships, etc.	Ongoing dedicated staff time	Ongoing	RPD
5.2	<b>Create new public parks</b>	5.2.1	Create a new public park in the highest growth portion of the Plan Area	5.2.1.1	Help fund, design, construct, and maintain a new public park on the block bounded by 4th Street, 5th Street, Bryant Street, and Brannan Street.	Funded by EN Fee and CFD, designed through community planning efforts, constructed by City and/or adjacent development	As funding accrues, as prioritized through City and community processes	Planning, RPD
		5.2.2	Create a new linear park along Bluxome Street between 4th Street and 5th Street	5.2.2.1	Help fund, design, construct, and maintain a new public park on Bluxome Street between 4th Street and 5th Street.	Funded from EN Fee, CFD, or off-site POPOS. Designed through community planning efforts. Implemented by the City.	As funding accrues, as prioritized through City and community processes	Planning
		5.2.3	Pursue the creation of a large new park within or near Central SoMa to serve the burgeoning greater SoMa area	5.2.3.1	Dedicate funding towards the creation of a large new park within or near Central SoMa, including site identification and design, and potentially site acquisition and construction pending costs and funding.	Funding from EN Fee or CFD. Designed through community planning efforts. Implemented by the City.	Ongoing, as funding accrues, as prioritized through City and community processes	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
5.3	<b>Create new public recreational opportunities</b>	5.3.1	Increase the amount of public recreation center space, including the creation of a new public recreation center	5.3.1.1	Work with developers of large new projects to explore the potential to locate a new recreational center in their development.	Public/private engagement	Ongoing until completed	Planning
				5.3.1.2	As appropriate, help fund, design, construct, and maintain a public recreation center.	Funding from EN Fee or CFD	Ongoing	RPD
		5.3.2	Develop public recreational facilities under the I-80 freeway	5.3.2.1	Work with Caltrans to lease land at affordable rates for the purpose of building recreational facilities under the freeway.	Intergovernmental process	Upon Plan completion	Planning
				5.3.2.2	As appropriate, help fund, design, construct, and maintain public recreation facilities under the I-80 freeway.	Funding from EN Fee, CFD, or offsite POPOS. Designed through community planning efforts. Implemented by the City.	Ongoing	Planning
5.4	<b>Utilize the street right-of-way for additional green spaces, gathering and recreational opportunities</b>	5.4.1	Where appropriate, promote pedestrian-only or shared-street design concepts for narrow streets, alleys, and mid-block connections	5.4.1.1	Support pedestrian-only or shared streets in new developments required to provide mid-block connections.	Design and review of development projects	Ongoing, as development proposals occur	Planning
		5.4.2	Improve 2nd and Folsom Streets as Green Connections per the City's Green Connections Plan	5.4.2.1	See-Implementation Measure 4.1.1.1.			
5.5	<b>Augment the public open space and recreation network with privately-owned public open spaces (POPOS)</b>	5.5.1	Require new non-residential development and encourage residential development to provide POPOS that address the needs of the community	5.5.1.1	<p>Require new non-residential development (exclusive of PDR and Institutional Uses) of 50,000 square feet or more to provide POPOS at a rate of one square foot for every 50 square feet of gross floor area. Require these POPOS to meet certain design standards, in consultation with staff of the Recreation and Parks Department, and incentivize them to provide community space as follows:</p> <ul style="list-style-type: none"> <li>• On large sites south of Bryant Street, POPOS must be at grade and open to the sky,</li> <li>• On other sites, POPOS requirements may be met outdoors, indoors, or through an in-lieu fee, with preference for outdoor space, and all on-site space provided at-grade up to the first 15% of lot area</li> <li>• POPOS must be on-site or within 900 feet of the development,</li> <li>• POPOS must be open evening and weekends,</li> <li>• POPOS must be lined by active uses, and</li> <li>• Every square foot of the following amenities shall reduce required open space by 33%: a playground, community garden, sport court, and/or dog run.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				5.5.1.2	Continue enabling residential and non-residential development to have a reduced open space requirement where such open space is publicly accessible	Ongoing implementation of the existing Planning Code	Ongoing	Planning
				5.5.1.3	Review and approve design and operations strategy of proposed POPOS.	Design and review of development projects	Ongoing, as development proposals occur	Planning, RPD
5.6	<b>Ensure the neighborhood's parks and recreation offerings function as a network and complement the facilities of the broader SoMa area</b>	5.6.1	Design the parks and recreational opportunities in a systematic manner to serve the community's needs	5.6.1.1	Develop and implement a parks and recreation strategy for the Plan Area and/or larger South of Market area. This strategy should identify the neighborhood needs in the context of both existing and planned facilities and population. It should also identify locations to meet these needs as new parks and recreational facilities are built and/or rehabilitated.	Community planning effort	Within two years of Plan adoption	Planning, RPD

**GOAL #6 - CREATE AN ENVIRONMENTALLY SUSTAINABLE AND RESILIENT NEIGHBORHOOD**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
6.1	<b>Develop a comprehensive strategy for creating an environmentally sustainable and resilient neighborhood</b>	6.1.1	Create an implementing entity within the City	6.1.1.1	Support the formation of an inter-agency "Central SoMa Sustainability Team" (CSST) to implement Central SoMa's comprehensive environmental and resilience strategy. The team will include the Planning Department, San Francisco Department of the Environment (SFE) and the San Francisco Public Utilities Commission (SFPUC), and other City departments. This team would provide a forum for connecting with residents and community groups, businesses and workers, visitors, developers of new buildings, owners and managers of existing buildings, utilities, potential funders, and other key stakeholders.	Work program of the Central SoMa Sustainability Team	Ongoing	Planning
		6.1.2	Provide guidance to private and public entities	6.1.2.1	Produce a Sustainable Neighborhoods Guide to support the Central SoMa Plan, containing the vision, goals, policies, and implementation measures, as well as best-practice examples and technical resources.	Planning Department's Sustainable City team work program	By Plan adoption	Planning
		6.1.3	Ensure that environmental sustainability and resiliency is considered holistically in public investment decisions	6.1.3.1	The CSST will participate in the City's capital planning processes, including the Interagency Plan Implementation Team (IPIC) and the Streets Design Advisory Team (SDAT). In these roles, the CSST will seek efficiencies and cross-cutting strategies that could fulfill multiple goals at once.	Work program of the Central SoMa Sustainability Team	Ongoing	Planning
		6.1.4	Ensure that property owners, developers, and tenants have the opportunity to maximize environmental sustainability and resilience	6.1.4.1	The CSST will participate in the City's design and development review processes, including the Preliminary Project Assessment (PPA) process and the Urban Design Advisory Team (UDAT). The CSST will offer solutions, help reduce barriers, and foster innovation to enable high-performing development.	Work program of the Central SoMa Sustainability Team	Ongoing	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				6.1.4.2	The CSST will undertake all relevant outreach and engagement to property owners to inform them about opportunities and encourage them to increase the environmental sustainability and resilience of their buildings and their occupants.	Work program of the Central SoMa Sustainability Team	Ongoing	San Francisco Department of the Environment (SFE)
		6.1.5	Continue to evolve the requirements and recommendations with changing needs and technologies	6.1.5.1	Monitor environmental conditions and trends, and evolving technologies and other strategies to fulfill the vision and goals of the Central SoMa Plan.	Work program of the Central SoMa Sustainability Team	Ongoing	Planning
6.2	<b>Minimize greenhouse gas emissions</b>	6.2.1	Maximize energy efficiency in the built environment	6.2.1.1	For new and existing buildings, continue implementing the energy efficiency requirements of San Francisco's Green Building Code and the California Building Code Standards ("Title 24").	Ongoing implementation of the San Francisco Green Building Code and California Title 24	Ongoing	Department of Building Inspection (DBI), SFE
				6.2.1.2	Provide information to new development proposals on how to increase energy efficiency beyond current requirements.	Inclusion in the Sustainable Neighborhoods Guide	At PPA and subsequent project review	Planning, SFE
				6.2.1.3	Provide information to existing building owners about energy retrofit programs.	Inclusion in the Sustainable Neighborhoods Guide	At annual benchmarking and 5-year audit requirements	SFE
				6.2.1.4	Explore requiring energy use intensity (EUI) estimates for new development.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	SFE
				6.2.1.5	Support SFPUC's ongoing LED upgrades of its streetlights throughout the District.	Ongoing SFPUC work program	Upon Plan adoption	San Francisco Public Utilities Commission (SFPUC)
				6.2.1.6	Support the replacement and/or conversion of streetlights to LED as part of the Central SoMa complete streets upgrades (See Implementation Measure 4.1.1.1).	See Implementation Measure 4.1.1.	Ongoing, as funding accrues, as prioritized through City and community processes	San Francisco Municipal Transportation Agency (SFMTA), San Francisco Department of Public Works (DPW), Planning
				6.2.1.7	Explore upgrades to street lighting not planned for conversion through either SFPUC's current LED program or the Central SoMa Plan complete streets upgrades.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	DPW, MTA
		6.2.2	Maximize onsite renewable energy generation	6.2.2.1	Implement existing requirements on new development and major alterations for installation and operation of rooftop solar energy generation and/or solar thermal hot water systems.	Ongoing implementation of the existing Environment Code and Green Building Code	Required for development applications received after December 31, 2016	DBI
				6.2.2.2	Expand current solar requirements to all new development up to 160 feet tall, regardless of number of occupied floors.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				6.2.2.3	Explore strategies to increase onsite renewable energy generation and/or solar thermal hot water systems beyond current minimums; including, increased roof-top productivity, building facades, and other innovations.	Work program of the Central SoMa Sustainability Team and inclusion in the Sustainable Neighborhoods Guide	Within two years of Plan adoption	SFE
				6.2.2.4	Provide information to existing building owners about funding opportunities for solar energy generation systems, as well as opportunities to combine living roofs with solar systems to increase performance and co-benefits.	Inclusion in the Sustainable Neighborhoods Guide	At annual benchmarking and 5-year audit requirements	SFE
				6.2.2.5	Design and implement solar projects on key public sites, in coordination with a better roof program.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	SFPUC
		6.2.3	Satisfy 100 percent of electricity demand using greenhouse gas-free power supplies	6.2.3.1	After maximizing efficiency measures and/or on-site renewable energy generation, require all remaining electricity demand in new development (and major renovations) to come from 100% greenhouse gas-free electricity sources.	Planning Code amendment	Upon Plan adoption	Planning
				6.2.3.2	Provide existing buildings with information on green power purchase options.	Inclusion in the Sustainable Neighborhoods Guide	At annual benchmarking and 5-year audit requirements	SFE
		6.2.4	Explore strategies to reduce fossil fuel use in buildings	6.2.4.1	Explore fossil-free energy building standards and requirements for Central SoMa that either eliminate or greatly reduce fossil free use (e.g., natural gas). As feasible, develop zero-carbon (net zero) building guidelines and program.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	SFE
				6.2.4.2	Conduct a district energy infrastructure feasibility study focusing on major development sites.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	Planning, SFE
				6.2.4.3	Continue interagency and private sector initiative to identify appropriate locations and funding for district energy systems, as informed district energy feasibility study.	Work program of the Central SoMa Sustainability Team	Ongoing	Planning, SFE
		6.2.5	Minimize transportation-based greenhouse gas emissions	6.2.5.1	Support the reduction of vehicle miles travelled through dense development patterns, robust transit service, and walkable and bikeable neighborhoods (see Implementation Measures in Goal 1 and Goal 4).	See Implementation Measures in Goal 1 and Goal 4	Ongoing	Planning, SFMTA
				6.2.5.2	Meet citywide requirements for electrical distribution and service capacity standards that support electrical vehicle (EV) charging in off-street parking spaces, in new development and major renovations.	Ongoing implementation of the Green Building Code	Ongoing	SFE
				6.2.5.3	Explore requirement for installing EV plug-in stations at off-street loading docks in new and existing development that eliminates delivery trucks idling emissions.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	SFE
				6.2.5.4	Explore a program to plan and install EV charging stations in publicly accessible parking spaces (on-street and off-street) throughout Central SoMa.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	SFE

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				6.2.5.5	Explore the potential of vacuum systems for refuse materials management on multi-building/district-scale development sites, in part to significantly reduce refuse hauling noise and emissions impacts by minimizing material pick-up locations and frequency.	Work program of the Central SoMa Sustainability Team	Within three years of Plan adoption	SFE
6.3	<b>Minimize water waste</b>	6.3.1	Efficiently use potable water	6.3.1.1	Continue implementing existing City requirements for water efficiency and conservation in new development.	Green Building Code	Ongoing	SFPUC
				6.3.1.2	Continue to explore opportunities to increase water use efficiency and conservation in new and existing development and open spaces.	Inclusion in the Sustainable Neighborhoods Guide	Within two years of Plan adoption	SFPUC
		6.3.2	Increase non-potable water use in buildings	6.3.2.1	Implement the Non-Potable Ordinance: <ul style="list-style-type: none"> <li>• Require non-potable treatment systems in new developments 250k square feet or larger, leveraging all available non-potable water sources (rainwater, graywater: showers and laundry, and foundation drainage) for maximum reuse for irrigation and toilet flushing, and</li> <li>• Continue implementing existing City requirement that all new development 40,000 square feet and larger conduct a Water Balance Study considering non-potable water capture and use.</li> </ul>	Ongoing implementation of the Health Code	Ongoing	SFPUC
				6.3.2.2	Explore opportunities for maximizing non-potable water use in building cooling systems.	Inclusion in the Sustainable Neighborhoods Guide	Within two years of Plan adoption	SFPUC
				6.3.2.3	Encourage and facilitate the development of district, multi-project scale non-potable water systems: <ul style="list-style-type: none"> <li>• Continue to increase awareness and reduce barriers to district-scale systems,</li> <li>• Continue to provide technical guidance to interested project sponsors, and <ul style="list-style-type: none"> <li>▪ Consider augmenting the currently required Water Balance Study to consider potential synergies between properties; i.e., projects 250,000 square feet and greater consider expanding systems to support neighboring projects, and projects of less than 250,000 square consider if adjacent projects are developing non-potable systems to which they might connect.</li> </ul> </li> </ul>	Inclusion in the Sustainable Neighborhoods Guide	Ongoing	SFPUC
		6.3.3	Increase non-potable water use in parks, open spaces, sidewalks, and streets	6.3.3.1	Fund the planning, design, and construction of non-potable water collection, treatment, and storage systems as part of Central SoMa's major public park and open space projects that eliminate their use of potable water for irrigation, while supporting neighborhood flood resilience.	Planned as part of the Central SoMa sea level rise and flood management strategy (see Implementation Measures 6.6.1.1)	Within 10 years of Plan adoption	SFPUC
				6.3.3.2	Fund the planning, design, and construction of sufficient non-potable water filling stations to satisfy all street cleaning needs in the District.	Work program of the Central SoMa Sustainability Team	Within two years of Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY	
6.4	<b>Support biodiversity, access to nature, and a healthy ecosystem</b>	6.4.1	Maximize greening of parks, streets, and other publicly-accessible spaces	6.4.1.1	Continue implementing the Urban Forest Master Plan, Green Connections, and other efforts to maximize street trees, sidewalk gardens, and green public spaces.	Ongoing implementation of the Public Works Codes and the Urban Forest Master Plan	Ongoing	DPW	
				6.4.1.2	As part of a comprehensive freeway corridor transformation strategy, increase greening and provide habitat areas in and around the freeway.	Work program of the Central SoMa Sustainability Team	Concept Plan within one year of Plan Adoption, implementation phased over 10 years	Planning	
					6.4.1.3	Recommend all privately-owned public open spaces (POPOS) to contain greening to the greatest degree possible.	Planning Code amendment	Upon Plan adoption	Planning
			6.4.2	Maximize greening of rooftops and walls	6.4.2.1	Require new development (sites 5,000 square feet and larger, with building heights 160 feet and less) to construct at least 50% of roof area as a living roof, to be designed in a manner that meets applicable non-potable water and stormwater management requirements.	Planning Code Amendment and inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	Planning, SFPUC
					6.4.2.2	Fund the planning, design, and construction of at least one "Better Roofs" demonstration project on a highly visible public building, focused on greening and urban agriculture.	Work program of the Central SoMa Sustainability Team	0-5 years from Plan adoption	Planning
					6.4.2.3	Encourage "living" walls indoors and outdoors, as part of comprehensive greening strategies and projects that also coordinate with applicable stormwater and non-potable water requirements.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	Planning
			6.4.3	Ensure that greening supports habitat and biodiversity	6.4.3.1	For all greening on streets and public open spaces, encourage the use of climate appropriate, habitat supportive, pollution filtering, and non-invasive plants, as well as integrated pest management that meets City standards.	SDAT and DPW review of streets, sidewalks, and open space plans	Ongoing	DPW
					6.4.3.2	For all greening on private roofs and privately-owned public open spaces, require the use of climate appropriate, habitat supportive, pollution filtering, non-invasive plants (as identified in the SF Plant Finder, Bay Friendly Guidelines, or similar tool), and meet the City's Integrated Pest Management Ordinance.	SFPUC review as part of living roof and/or stormwater management approvals	Ongoing	SFPUC
					6.4.3.3	Continue implementing Bird Safe Buildings Standards in new development.	Ongoing implementation of the Planning Code	Ongoing	Planning
					6.4.3.4	Encourage the inclusion of interpretive elements and other public information dissemination on biodiversity, habitat, and nature in POPOS and other publicly accessible open spaces.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	SFE
6.5	<b>Improve air quality</b>	6.5.1	Support a reduction in vehicle miles travelled	6.5.1.1	See Implementation Measures in Goal 4.	See Implementation Measures in Goal 4	See Implementation Measures in Goal 4	See Implementation Measures in Goal 4	

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		6.5.2	Utilize greening to reduce pollution and heat	6.5.2.1	See Implementation Measures associated with Policies 6.4.1 through 6.4.3.	See Implementation Measures associated with Policies 6.4.1 through 6.4.3	See Implementation Measures associated with Policies 6.4.1 through 6.4.3	See Implementation Measures associated with Policies 6.4.1 through 6.4.3
		6.5.3	Improve the air quality around the freeway	6.5.3.1	As part of a comprehensive freeway corridor transformation strategy, develop and implement air quality improvement measures along the freeway corridor, such as of greening, use of air filtration materials technologies, and other innovations.	Work program of the Central SoMa Sustainability Team	Strategy within one year of Plan adoption, ongoing implementation as funding permits	Planning
		6.5.4	Utilize healthier building materials and technologies that improve indoor and outdoor air quality	6.5.4.1	All new development must meet the highest current City standards for Low Emitting Materials in building interiors.	Ongoing implementation of the Green Building Code	Ongoing	SFE
				6.5.4.2	Require enhanced filtration systems for areas of poor air quality, in accordance with Article 38 of the Health Code.	Ongoing implementation of the Health Code	Ongoing	Planning
				6.5.4.3	Provide examples, resources, and standards, such as the use of pollution filtering building skins and other exterior materials that promote healthier outdoor air.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	Planning
				6.5.4.4	Promote the best available control technologies for diesel generators and fire pumps.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	SFE
6.6	<b>Maximize flood resilience</b>	6.6.1	Develop a comprehensive sea level rise and flood management strategy for Central SoMa and adjacent at-risk areas	6.6.1.1	Develop a Central SoMa sea level rise and flood management strategy, including: <ul style="list-style-type: none"> <li>District-wide hydrology study (extreme storm and 100-year flood flows, considering sea level rise impacts),</li> <li>Comprehensive plan of optimally sized, located, and prioritized flood management infrastructure, including potential green infrastructure systems in streets and sidewalks, street grade adjustments, floodways, detention basins, and stormwater systems, and</li> <li>Targeted policies and programs to reduce flood risk.</li> </ul>	Work program of the Central SoMa Sustainability Team	Within one year of Plan adoption	Planning
		6.6.2	Reduce building vulnerability to sea level rise and extreme storms	6.6.2.1	All new development and substantial modifications to existing development should meet the flood resistant building standards of the City's Floodplain Management Ordinance and Building Code, especially as flood hazard maps are updated to reflect precipitation-driven flooding and sea level rise.	Floodplain Management Ordinance and Building Code	Ongoing	City Administrator's Office
				6.6.2.2	Develop and implement flood resistant design guidelines for representative building typologies in Central SoMa that help protect structures while ensuring vibrant/livable sidewalks and streets.	Work program of the Central SoMa Sustainability Team, in collaboration with Sea Level Rise Action Plan implementation	Within one year of Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		6.6.3	Maximize stormwater and flood management using streets, sidewalks, and open spaces	6.6.3.1	Integrate stormwater and flood management tools into all "complete streets" improvements through both functional landscape elements and street design, according to the Central SoMa sea level rise and flood management strategy and associated design guidelines.	Integrated into complete streets design and construction (see Implementation Measure 4.1.1.1)	Ongoing (see Implementation Measure 4.1.1.1)	Planning (see Implementation Measure 4.1.1.1)
				6.6.3.2	Integrate stormwater and flood management tools into existing and new open spaces, according to the Central SoMa sea level rise and flood management strategy and associated design guidelines.	Integrated in park design processes (see Implementation Measures 5.2.1.1 through 5.2.4.1)	Ongoing (see Implementation Measures 5.2.1.1 through 5.2.4.1)	Recreation and Parks Department (RPD)
6.7	<b>Maximize earthquake resilience</b>	6.7.1	Ensure the ability of new and existing buildings to withstand a major seismic event	6.7.1.1	Continue implementing Building Code requirements for seismic safety.	Ongoing implementation of the Building Code	Ongoing	DBI
				6.7.1.2	Provide project sponsors with information on latest citywide resilience efforts, such as Resilient SF, the Solar Storage initiative, etc.	Engagement through the PPA and entitlement process	Ongoing	Planning
		6.7.2	Secure sufficient power and water supplies to withstand a 72-hour emergency	6.7.2.1	Consider developing a Central SoMa program for securing emergency on-site power and water capacity, in new private developments, existing buildings, public sites, neighborhood emergency center, etc.	Work program of the Central SoMa Sustainability Team	Within one year of Plan adoption	DBI
6.8	<b>Help achieve zero solid waste</b>	6.8.1	Maximize recycling and composting of solid waste from all buildings	6.8.1.1	Ensure adequate refuse sorting and storage facilities and operations in all buildings to support achieving a target of zero waste, including: <ul style="list-style-type: none"> <li>Enforce current requirements to provide adequate and equally convenient collection, sorting, and storage space for recyclables, compostables, and trash streams, in order to allow the recovery of 100% of a facility's refuse materials, and</li> <li>Enforce requirements that all multi-family residential and commercial buildings have on-site staff to facilitate source separation and tenant education.</li> </ul>	Ongoing implementation of the Building Code and Environment Code	Ongoing	DBI, SFE
				6.8.1.2	Develop refuse collection and storage design guidelines for Central SoMa's common residential and commercial building typologies.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	SFE
		6.8.2	Maximize recycling and reuse of construction and demolition materials	6.8.2.1	Encourage all new development to pursue onsite source separation that facilitates higher recycling rates for construction and demolition debris.	Inclusion in the Sustainable Neighborhoods Guide	Upon Plan adoption	SFE
		6.8.3	Reduce litter in streetscapes and parks	6.8.3.1	Require 3-stream sorting and/or collection systems in privately managed open spaces (POPOS).	Planning Code amendment	Upon Plan adoption	SFE
				6.8.3.2	Explore development of a Central SoMa Litter Waste Abatement Strategy, including public education, facilities, and signage.	Work program of the Central SoMa Sustainability Team	Within three years of Plan adoption	Planning
				6.8.3.3	Help fund neighborhood cleaning efforts.	Ongoing funding from CFD	As funding accrues	DPW

**GOAL #7 - PRESERVE AND CELEBRATE THE NEIGHBORHOOD'S CULTURAL HERITAGE**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
7.1	<b>Ensure that the history of the neighborhood is adequately documented</b>	7.1.1	Complete and adopt the historic context statement	7.1.1.1	Not applicable – already adopted.	Motion #0277 of the Historic Preservation Commission	Completed March 2016	Planning
		7.1.2	Complete and adopt the historic resources survey	7.1.2.1	Not applicable – already adopted.	Motion #0277 of the Historic Preservation Commission	Completed March 2016	Planning
7.2	<b>Support the preservation, recognition, and wellbeing of the neighborhood's cultural heritage resources</b>	7.2.1	Facilitate the creation and implementation of a SoMa Pilipinas Cultural Heritage Strategy	7.2.1.1	Staff community process of developing the SoMa Pilipinas Cultural Heritage Strategy.	Ongoing community process culminating in presentations to the Planning Commission, Historic Preservation Commission, and Board of Supervisors	Expected Fall of 2016	Planning
				7.2.1.2	Provide annual funding for social and cultural programming to the broader SoMa community, including the Filipino community.	Funding from CFD	Upon accrual of funds from the CFD	MOHCD
		7.2.2	Facilitate the creation and implementation of other social or cultural heritage strategies, such as for the LGBTQ community	7.2.2.1	Support efforts to implement the recommendations of the LGBTQ Historic Context Statement.	Ongoing community and City conversation	Ongoing	Planning
				7.2.2.2	As appropriate, undertake community process of developing a cultural heritage strategy for groups important to the living history of Central SoMa.	Ongoing community and City conversation	Ongoing	Planning
				7.2.2.3	Provide annual funding for social and cultural programming to the broader SoMa community, including the LGBTQ community.	Funding from CFD	Upon accrual of funds from the CFD	MOHCD
7.3	<b>Ensure the neighborhood's tangible and intangible industrial and arts legacy is not lost</b>	7.3.1	Implement strategies that maintain PDR jobs in the neighborhood	7.3.1.1	See implementation measures related to Objective 3.3.	Planning Code amendment	Upon Plan Adoption	Planning
		7.3.2	Support the preservation of buildings and features that reflect the industrial and arts legacy of the neighborhood	7.3.2.1	See implementation measures related to Objectives 7.4, 7.5, and 7.6.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
7.4	<b>Prevent demolition of or insensitive alterations to cultural heritage resources in the built environment</b>	7.4.1	Protect Landmark-worthy cultural heritage properties through designation to Article 10 of the Planning Code	7.4.1.1	Maintain and safeguard properties already designated to Articles 10 and 11 of the Planning Code within the Plan Area.	Ongoing implementation of existing Planning Code requirements	Ongoing	Planning
				7.4.1.2	Designate properties and districts to Article 10 of the Planning Code	Planning Code amendment	Upon Plan adoption and ongoing until complete, with the sequence of additions based on prioritization of the Historic Preservation Commission	Planning
		7.4.2	Protect "Significant" and "Contributory" cultural heritage properties through designation to Article 11 of the Planning Code	7.4.2.1	Expand Article 11 of the Planning Code to include Central SoMa.	Planning Code amendment	Upon Plan adoption	Planning
				7.4.2.2	Reclassify properties and districts to Article 11 of the Planning Code.	Planning Code amendment	Upon Plan adoption	Planning
7.5	<b>Support mechanisms for the rehabilitation and maintenance of cultural heritage properties</b>	7.5.1	Support funding for the rehabilitation of the Old Mint	7.5.1.1	Dedicate funding through a Community Facilities District to support the restoration of the Old Mint.	Requirement of the Community Facilities District	Ongoing, as funding accrues	Planning
		7.5.2	Enable "Significant" and "Contributing" buildings underbuilt per applicable zoning to sell Transferable Development Rights	7.5.2.1	Revise the Transfer of Development Rights (TDR) program to extend to Central SoMa.	Planning Code amendment	Upon Plan adoption	Planning
		7.5.3	Require large new development projects to purchase Transferable Development Rights	7.5.3.1	Require projects to buy TDR (for specific requirements, see the "Requirements for New Development" document). TDR must be purchased from buildings within Central SoMa or public buildings.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		7.5.4	Support additions over wholesale demolition to preserve cultural heritage properties	7.5.4.1	For historic buildings not included in Article 10 or 11, require buildings to explore additions as an alternative to demolition. Only support demolition upon demonstrative proof of the infeasibility of additions. Projects informed through the City's Urban Design Guidelines and the Historic Design Guidelines documents.	Planning Code amendment	Upon Plan adoption	Planning
		7.5.5	Encourage the use of existing strategies and incentives that facilitate the preservation and rehabilitation of designated cultural heritage properties	7.5.5.1	Continue implementing existing programs where appropriate. Such programs include the Mills Act, Federal Rehabilitation Tax Incentives, façade easements, Planning Code exemptions and the use of the California Historic Building Code.	Ongoing promotion and technical support provided by Planning Department's Preservation Planning team.	Ongoing	Planning, Department of Building Inspection (DBI)
7.6	<b>Support retention of fine-grained developed pattern and character-enhancing buildings</b>	7.6.1	Restrict the consolidation of small- and medium-sized lots with character-enhancing buildings	7.6.1.1	Ban the consolidation of lots containing buildings with historic or neighborhood-character buildings (California Historic Resources Status Codes 1, 2, 3, 4, 5, and 6L) where the frontage that could be merged is under 200 feet in length (excepting the frontage along the north side of Perry Street and on small blocks where there is a non-character building on the corner).	Planning Code amendment	Upon Plan adoption	Planning
		7.6.2	Incentivize retention of character-enhancing buildings	7.6.2.1	See Implementation Measure 7.6.1.1			

**GOAL #8 - ENSURE THAT NEW BUILDINGS ENHANCE THE CHARACTER OF THE NEIGHBORHOOD AND THE CITY**

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
8.1	<b>Ensure that the ground floors of buildings contribute to the activation, safety, and dynamism of the neighborhood</b>	8.1.1	Require that ground floors actively engage the street	8.1.1.1	Continue implementing the existing requirements that buildings be lined with active uses. Revise the definition of "active" to remove offices and to allow PDR on the ground floor if it meets the transparency and fenestration requirements of non-PDR-uses. Expand the definition of frontages to POPOS and mid-block connections.	Planning Code amendment	Upon Plan adoption	Planning
				8.1.1.2	Comply with the City's Urban Design Guidelines (pending adoption) with regards to design of ground floors.	Design review of individual projects	Ongoing	Planning
				8.1.1.3	Require ground floor ceiling heights of 17 feet for non-residential uses.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		8.1.2	Design building frontages and public open spaces with furnishings and amenities to engage a mixed-use neighborhood	8.1.2.1	Review and support building designs where fixtures, furnishings, art, utilities, and programming at the ground floor or adjacent open space invite and support more active and consistent use of public areas including alleys, open spaces, and sidewalks.	Design review of individual projects	Ongoing	Planning
		8.1.3	Ensure buildings are built up to the sidewalk edge	8.1.3.1	Require that new buildings to be built along the street-facing property line up to the top of the podium, which can be between 65 and 85 feet, with an exception for residential buildings with walk-up units (which should have setbacks in accordance with the Ground Floor Residential Guidelines).	Planning Code amendment	Upon Plan adoption	Planning
		8.1.4	Minimize parking and loading entrances	8.1.4.1	Implement the curb cut controls from Policy 4.1.2.	Planning Code amendment	Upon Plan adoption	Planning
8.2	<b>Ensure that the overall development pattern is complementary to the skyline</b>	8.2.1	Set height limits, bulk controls, and architectural guidelines mindful of important views	8.2.1.1	Set height limits and bulk controls to be complementary to the overall city skyline pattern.	Zoning Map amendment	Upon Plan adoption	Planning
				8.2.1.2	Utilize design and architecture techniques to Central SoMa's tallest buildings to demarcate the 4 <sup>th</sup> and Townsend intersection and to be able to distinguish the area on the skyline.	Design review of individual projects	Ongoing	Planning
8.3	<b>Reinforce the character of Central SoMa as a mid-rise district with tangible "urban rooms"</b>	8.3.1	Set height limits to enable mid-rise development	8.3.1.1	Set height limits along the major streets to facilitate podiums of 65 to 85 feet.	Zoning Map amendment	Upon Plan adoption	Planning
		8.3.2	Require new buildings to reinforce the "urban room"	8.3.2.1	See Implementation Measure 8.1.3.1.	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		8.3.3	Require buildings whose height exceeds the width of the major streets to step back at the upper stories	8.3.3.1	<p>For buildings 160 feet or less in height, apply "skyplane" to the portion of the building between 85-160 feet, as follows (and as visually conveyed in the "Guide to Site Design" document):</p> <ul style="list-style-type: none"> <li>• At 85 feet in height, require a 15 foot setback for at least 60% of each frontage,</li> <li>• On the north side of the street:                             <ul style="list-style-type: none"> <li>▪ Height district of 130 feet: Require apparent mass reduction of 50%,</li> <li>▪ Height district of 160 feet: Require apparent mass reduction of 70%.</li> </ul> </li> <li>• On the south side of the street:                             <ul style="list-style-type: none"> <li>▪ Height district of 130 feet: Require apparent mass reduction of 67%,</li> <li>▪ Height district of 160 feet: Require apparent mass reduction of 80%</li> </ul> </li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
				8.3.3.2	Require setbacks of 15-feet above a height of 85 feet on all sides of the building not facing a public right-of-way.	Planning Code amendment	Upon Plan adoption	Planning
				8.3.3.3	Do not allow any bridges between buildings to be above 130 feet in height.	Planning Code amendment	Upon Plan adoption	Planning
				8.3.3.4	<p>Require the following additional controls to apply when there is a proposed tower (i.e., building over 160 feet) (as visually conveyed in the "Guide to Site Design" document):</p> <ul style="list-style-type: none"> <li>• When there is an existing tower, the second tower should be at least 115 feet. The distance between towers may be reduced to a minimum of 85 feet if                             <ul style="list-style-type: none"> <li>▪ The difference in the height of the two towers is at least 50 feet,</li> <li>▪ The bulk of the second tower is reduced relative to the reduction in tower separation, such that at 85 feet, the maximum tower bulk shall be 10,000 square feet.</li> </ul> </li> <li>• Any tower seeking reduced tower separation will be required to be designed contextually to the other tower, and to maximize apparent distance and architectural differentiation,</li> <li>• When a tower is adjacent to a building that is between 85 to 160 feet, at least 30 feet separation is required, and</li> <li>• On lots large enough to contain a building with a tower portion (taller than 160') and a portion between 85 to 160 feet along a street frontage, in addition to these masses needing to be separated by at least 30 feet, these portions should be designed to look like different buildings from the frontage(s).</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
		8.3.4	Limit the distribution and bulk of new towers and focus them at important nodes	8.3.4.1	Limit new buildings greater than 160 feet (i.e., towers) to important nodes, including along the new Central Subway, 5 <sup>th</sup> and Howard, 2 <sup>nd</sup> and Harrison, and 5 <sup>th</sup> and Howard, and 5 <sup>th</sup> and Brannan.	Zoning Map amendment	Upon Plan adoption	Planning
				8.3.4.2	Require the following bulk controls for buildings taller than 160 feet (as visually conveyed in the "Guide to Site Design" document): <ul style="list-style-type: none"> <li>• Tower bulk controls apply starting at a podium height 85 feet,</li> <li>• Above 85 feet, a 15-foot setback will be required along all property lines,</li> <li>• No residential or hotel use allowed to have a floor exceed 12,000 gross square feet,</li> <li>• The average floor for commercial uses cannot exceed 15,000 gross square feet and no single floor may exceed 17,000 gross square feet,</li> <li>• For towers 250 feet or more, the upper 1/3 of the tower portion must feature minimum bulk reductions of 15 % of the floorplate and the maximum diagonal of 7.5%. The upper tower bulk reduction shall not be required for any tower for which the overall tower is reduced from the maximum bulk allowance by an equal or greater volume (above a height of 85 feet),</li> <li>• The maximum horizontal ("plan") dimension of 150 feet, and</li> <li>• The maximum diagonal dimension of 190 feet.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
		8.3.5	Limit heights in areas with a high concentration of historic buildings and areas of unique character	8.3.5.1	Keep height limits as is at South Park, the South End Historic District and the South End Historic District Extension.	Zoning Map amendment	Upon Plan adoption	Planning
				8.3.5.2	Create lower heights on 4 <sup>th</sup> and near Bessie Carmichael Annex.	Zoning Map amendment	Upon Plan adoption	Planning
		8.3.6	Minimize the impact of shadows on public spaces to the extent feasible, balanced with other core objectives	8.3.6.1	Set height limits districts to minimize shadow impacts on South Park, Yerba Buena Gardens, and Bessie Carmichael School's 6th-8th grade campus.	Zoning Map amendment	Upon Plan adoption	Planning
				8.3.6.2	Sculpt new development to the degree possible to minimize shadows on public spaces without unduly impacting development capacity.	Design review of individual projects	Ongoing	Planning
		8.3.7	Utilize new buildings to diminish the dominant presence of the freeway in the neighborhood	8.3.7.1	Raise height limits above the existing 30 feet limits between 2 <sup>nd</sup> and 4 <sup>th</sup> Streets.	Zoning Map amendment	Upon Plan adoption	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY	
8.4	<b>Ensure that narrow streets and alleys maintain their intimacy and sense of openness to the sky</b>	8.4.1	Require new buildings facing alleys and narrow streets to step back at the upper stories	8.4.1.1	Maintain existing sun-angle requirements on the south side of east-west narrow streets (35-foot wide or less).	Ongoing implementation of existing Planning Code requirements	Ongoing	Planning	
				8.4.1.2	Extend the sun-angle requirement on the south side of east-west narrow streets (35 feet wide or less) to the south side of north-south narrow streets.	Planning Code amendment	Upon Plan adoption	Planning	
					8.4.1.3	Apply skyplane to north side narrow streets (35 feet wide or less) at heights above 35 feet as follows (and as visually conveyed in the "Guide to Site Design" document):  <ul style="list-style-type: none"> <li>• Height districts of 55 feet and under: require upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting alley,</li> <li>• Height district of 65 feet: Require apparent mass reduction of 50%,</li> <li>• Height district of 85 feet: Require apparent mass reduction of 70%,</li> <li>• Height district of 130 feet: Require apparent mass reduction of 85%,</li> <li>• For towers, the skyplane controls do not apply, and</li> <li>• For buildings along Perry Street, require upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the street.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
					8.4.1.4	On streets between 36 and 80 feet in width, apply the skyplane requirements of major streets as described in Implementation Measure 8.3.3.1, but begin the apparent mass reduction requirements at a height equivalent to the width of the street.	Planning Code amendment	Upon Plan adoption	Planning
8.5	<b>Ensure that large development sites are carefully designed to maximize public benefit</b>	8.5.1	Provide greater direction and flexibility for large development sites in return for improved design and additional public benefits	8.5.1.1	Develop "Key Development Site Guidelines" that lay out more detailed design guidance and convey specific exceptions allowed and specific public benefits received in return (see "Draft Key Development Site Guidelines" document).	Planning Code amendment	Upon Plan adoption	Planning	
				8.5.1.2	An additional 25 feet of height may be permitted on sites where such flexibility in height would facilitate the provision of affordable housing and/or public parks and recreational facilities beyond what would otherwise be required by the Plan, as long as that additional height did not increase the overall amount of development otherwise enabled by the Plan or cause new significant impacts related to wind and shadow.	Planning Code amendment	Upon Plan adoption	Planning	
			8.5.2	Limit the length of new buildings	8.5.2.1	Continue implementing the existing requirements for horizontal mass reductions.	Ongoing implementation of existing Planning Code requirements	Ongoing	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
8.6	Promote high quality architecture that enhances the neighborhood	8.6.1	Conform to the City's Urban Design Guidelines	8.6.1.1	Comply with the City's Urban Design Guidelines (pending adoption).	Design review of individual projects	Ongoing	Planning
		8.6.2	Promote innovative and contextually-appropriate design	8.6.2.1	Utilize application of "skyplane" as a device to create interestingly shaped buildings (as detailed in the "Guide to Site Design" document).	Design review of individual projects	Ongoing	Planning
				8.6.2.2	Harmonize new building designs with existing neighborhood materials but in a contemporary or reinterpreted way (as detailed in the "Guide to Site Design" document).	Design review of individual projects	Ongoing	Planning
				8.6.2.3	Recognize and enhance existing local material and geometry variations to support neighborhood-specific architecture (as detailed in the "Guide to Site Design" document).	Design review of individual projects	Ongoing	Planning
				8.6.2.4	Employ innovative architectural ideas for larger projects that provide a clear organizing principle for design (as detailed in the "Guide to Site Design" document).	Design review of individual projects	Ongoing	Planning
				8.6.2.5	Allow rooftop screening mechanisms to be proportional to building height	Planning Code amendment	Upon Plan adoption	Planning
		8.6.3	Design the upper floors to be deferential to the "urban room"	8.6.3.1	Require buildings to comply with skyplane controls discussed under Policy 8.3.3 and 8.4.1.	Planning Code amendment	Upon Plan adoption	Planning
				8.6.3.2	Utilize material systems that visually diminish upper facades.	Design review of individual projects	Ongoing	Planning
		8.6.4	Design buildings to be mindful of wind	8.6.4.1	For buildings over 85 feet, set the following wind requirements:  <ul style="list-style-type: none"> <li>• Do not allow an increase in the number of hours during which wind exceeds the "comfort criterion" defined for Central SoMa.</li> <li>• Do not allow an increase in the total exceedances of the "hazard criterion" defined for Central SoMa.</li> <li>• Apply the same exceptions included in Section 148.</li> </ul>	Planning Code amendment	Upon Plan adoption	Planning
		8.6.5	Ensure large projects integrate with existing urban fabric and provide a varied character	8.6.5.1	Modulate larger projects vertically or horizontally, whichever is more appropriate, to reflect surrounding lots and massing patterns.	Design review of individual projects	Ongoing	Planning

#	OBJECTIVE	#	POLICY	#	IMPLEMENTATION MEASURE	IMPLEMENTATION MECHANISM	TIMELINE	LEAD AGENCY
				8.6.5.2	For projects with more than one building, recognize and respond to the existing pattern of long blocks, open spaces, and large and small streets.	Design review of individual projects	Ongoing	Planning
				8.6.5.4	Encourage projects on site that are larger than two acres to have multiple architects.	Design review of individual projects	Ongoing	Planning
8.7	<b>Establish clear rules for development</b>	8.7.1	Wherever possible, delineate via the Planning Code what is allowed and not allowed in new development	8.7.1.1	Utilize the Community Plan Exemption process for complying projects.	Ongoing implementation of CEQA	Ongoing	Planning
				8.7.1.2	Minimize potential exceptions and exemptions within the Planning Code.	Planning Code amendment	Upon Plan adoption	Planning
				8.7.1.3	Increase the threshold for seeking "Large Project Authorization" commensurate with the neighborhood's expected development.	Planning Code amendment	Upon Plan adoption	Planning
				8.7.1.4	Limit the capacity for complaints against uses operating in a lawful manner.	Administrative Code amendment	Upon Plan adoption	Planning

**EXHIBIT V.3B -  
DRAFT PUBLIC  
BENEFITS PROGRAM**

# CENTRAL SOMA PUBLIC BENEFITS PROGRAM

## I. INTRODUCTION

The vision of the Central SoMa Plan is to create a social, economic, and environmentally sustainable neighborhood by 2040, with space for approximately 30,000 new jobs and 8,300 new housing units. With its centralized location near downtown, excellent transit access, and numerous undeveloped or underdeveloped sites, the neighborhood is well-positioned to become a new hub for employment and housing the core of the city and Bay Area Region.

As it grows and evolves over the next 25 years, Central SoMa will require significant investments in infrastructure. As such, the City places requirements on new development to help ameliorate and mitigate its impacts. These requirements and controls will result in approximately \$2 billion in public benefits to serve the neighborhood – compared to the \$500 million in revenues that would occur absent the plan.

The purpose of this Public Benefits Program Document is to summarize the Plan's public infrastructure program, sources of funding, relative allocation of revenues from the various sources among the infrastructure projects, and implementation processes and mechanisms. It includes the following sections:

1. **Process:** This section briefly outlines the process of developing the implementation program and strategy for the Central SoMa Plan, including describing the supporting needs assessments, community outreach and interagency process, and technical analyses.
2. **Public Benefits Package:** This section outlines a range of infrastructure and services that will serve new growth anticipated under the Plan, including a description of the implementing agencies/organizations and anticipated timeline for delivery.
3. **Funding Strategy:** This section describes the requirements on new development to finance the improvements proposed in the Public Benefits Package.
4. **Administration & Monitoring:** This section describes the interagency processes for ensuring coordination during the plan implementation period, as well as procedures for ongoing monitoring to ensure that the Plan's objectives are being met.

Several of the funding and implementation processes are legally established and more thoroughly described in other City codes and ordinances, including the Planning Code and Administrative Code. Also note that these proposals are designed to be consistent with the requirements of California Mitigation Fee Act and all proposed development impact fees have been evaluated against relevant maximum justified nexus amounts, where applicable.<sup>1</sup>

1. As required by California Mitigation Fee Act (CA Government code § 66000 et seq.), cities may enact development impact fee requirements provided they are roughly proportional in nature and extent to the impact of the new development.

## II. PROCESS

The Planning Department worked iteratively with other agencies and stakeholders to develop the public benefits, financing, and administration strategies described in this Implementation Plan. Concepts for infrastructure and public benefits were first developed for the Draft Central Corridor Plan in 2013, and further refined through additional outreach leading up to the Draft Central SoMa Plan in 2016. The Department held a series of public meetings and conducted an online survey in order to solicit public feedback on needs and funding priorities for public benefits. Details from these outreach events is chronicled at the project website (<http://centralsoma.sfplanning.org>).

This document describes a fiscally constrained list of projects that has been prioritized based on City and community feedback. It may not reflect the entire scope of possible infrastructure and service needs in the Plan Area, nor the longer term needs beyond the life of the Plan (anticipated as 25 years). It reflects public input on key neighborhood priorities and needs, informed by feedback from implementing agencies on project feasibility and cost. All public benefits identified will require further scoping and analysis on project design, financial feasibility, and implementation. Project scoping and planning has already begun for a number of the City agency projects identified here, with the goal of having projects ready for construction by the time that funding generated by the Plan becomes available.

Additional technical analysis was conducted to support these proposed public benefits. A financial feasibility analysis by Seifel Consulting, Inc. was conducted in order to quantify the value created by the Plan and establish a financially feasible level of development requirements. Other nexus studies conducted for the City's development impact fees provided further information on the amount of new infrastructure and services needed to serve new development. This document was also informed by methods and processes used for prior area planning processes (including Eastern Neighborhoods, Market & Octavia, and Transit Center District Plan).

The City may choose to revisit this list of projects in the future, as the neighborhood evolves and/or new needs are identified. Any such process would involve substantial public input and would require a revision to this Implementation Document. As described further in Section IV (Administration & Monitoring), oversight for implementation of this plan will be shared among various public agencies and elected officials, with input from the public through Community Advisory Committees (CACs) and other events or hearings. These regulatory bodies will be responsible for overseeing ongoing capital planning efforts, including: financial reporting and monitoring; deliberation regarding the sequencing and prioritization of expenditures; and if necessary, modifications to the Implementation Document, which would require ultimate approval by the Board of Supervisors.

Public benefits are goods and services expected to be generated by new development that typically: 1) support

### III. PUBLIC BENEFITS PACKAGE

the broader community's wellbeing; 2) are not provided voluntarily by the private sector (or at least not in sufficient quantity or quality to meet demand); and, 3) require some sort of subsidy or opportunity cost (e.g. public or private funding) to create, operate, and maintain. Common types of public benefits include affordable housing, parks, and transit service. In order to fund public benefits, government agencies utilize "value capture" strategies – such as development requirements, taxes, fees, or other exactions. These strategies are often implemented concurrent to investments in public infrastructure (such as new transit service) or increases in development potential for property owners. The public benefits generated through these strategies are typically delivered through one or more of the following three mechanisms:

- **Direct provision of benefit by a specific development project (e.g.** on-site affordable housing units or the provision of Privately Owned Public Open Spaces (POPOS). These public benefits are typically provided at the same time as the new development or shortly thereafter.
- **One-time impact fees** paid when a project is ready for construction, such as citywide (e.g. Child Care Fee) and area plan fees (e.g. Eastern Neighborhoods Community Infrastructure Fee).
- **Ongoing taxation** such as a Mello-Roos Community Facilities District (CFD).

This section describes the public benefits and the key funding sources expected to be generated by the Plan. There are nine categories of public benefits that would be funded by the Central SoMa Plan in support of its Goals, Objectives, and Policies. Table 1 summarizes how the revenues generated by Plan would be allocated among these public benefits, accompanied by a detailed discussion of each category of public benefit provided in order of allocated funding.<sup>2</sup>

Notably, in addition to this \$2 billion increase in funding for public benefits expected to be generated directly by new development, taxes from new development in the Plan Area are expected to generate up to \$1 billion additional revenues for the City's General Fund within the same time period, through increased property taxes, sales taxes, and other means. These taxes could be directed toward the neighborhood, other citywide needs, or a combination of the two at the discretion of the City's budgeting process. Additionally, the City could choose to fund public benefits in the neighborhood through other mechanisms, such as bonds or general taxes. Any of these funding sources could be directed to the Plan Area to accelerate delivery of public benefits, which would make the timing of implementation less dependent on the phasing of new development. However, pursuit of these mechanisms are dependent on processes and decision-making external to the adoption of this plan. Such additional funding sources would enable the City to address other neighborhood infrastructure needs, as identified at that time. For additional analysis of the overall economic impact of the Central SoMa Plan, see the Economic Impact Statement prepared by the Office of Economic Analysis.<sup>3</sup>

Table 1

<sup>2</sup> All dollar amounts expressed here are in 2017 dollars. Actual average revenues collected each year will be higher, due to scheduled tax rate escalation as well as indexing of City fees (which are escalated annually to reflect construction costs).

<sup>3</sup> The Economic Impact Statement is not expected until after initiation of this Plan, at which point a link will be added to the report.

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: SUMMARY (IN 2017 DOLLARS)**

<b>BENEFIT</b>	<b>TOTAL REVENUES</b>	<b>CATEGORY ALLOCATION (%)</b>
<b>Affordable Housing</b>	<b>\$940,000,000</b>	<b>44%</b>
38% of new/rehabilitated housing is Below-Market Rate (BMR) (35% low/moderate income and 3% middle income)	\$940,000,000	44%
<b>Transit</b>	<b>\$500,000,000</b>	<b>23%</b>
Local transit improvements to enhance convenience and safety	\$340,000,000	16%
Regional transit capacity enhancement and expansion	\$160,000,000	7%
<b>Parks &amp; Recreation</b>	<b>\$185,000,000</b>	<b>9%</b>
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000	1%
Victoria Manalo Draves Park Programming	\$5,000,000	0%
New 1-acre park in Southwest portion of Plan Area	\$35,000,000	2%
New public recreation center*	\$10,000,000	0%
Park and greenery maintenance and activation	\$15,000,000	1%
New large (2+ acre) SoMa park (initial site identification)*	\$5,000,000	0%
New Bluxome linear park*	\$5,000,000	0%
New under-freeway public recreation area	\$5,000,000	0%
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000	4%
<i>(Alternative project: 7th &amp; Mission Park)</i>	<i>(\$20,000,000)</i>	<i>(1%)</i>
<b>Production, Distribution, &amp; Repair</b>	<b>\$180,000,000</b>	<b>8%</b>
Preservation and creation of PDR space to ensure no net loss due to the Plan	\$180,000,000	8%
<b>Complete Streets</b>	<b>\$110,000,000</b>	<b>5%</b>
Redesign of all major streets in the Plan Area to be safe and comfortable for people walking, biking, and on transit.	\$110,000,000	5%
<b>Cultural Preservation &amp; Community Services</b>	<b>\$109,000,000</b>	<b>5%</b>
Restoration of the US Mint Building	\$20,000,000	1%
Preservation and maintenance of historic buildings	\$20,000,000	1%
New community facilities (e.g. health care clinics and job training centers)	\$20,000,000	1%
Social and cultural programming	\$25,000,000	1%
Capital for cultural amenities	\$15,000,000	1%
Neighborhood cleaning	\$9,000,000	0%
<b>Environmental Sustainability &amp; Resilience</b>	<b>\$70,000,000</b>	<b>3%</b>
Enhanced stormwater management in complete street projects	\$32,000,000	1%
Freeway corridor air quality and greening improvements	\$22,000,000	1%
Living Roofs enhanced requirements	\$6,000,000	0%
Other energy and water efficiency projects	\$10,000,000	0%
<b>Schools &amp; Childcare</b>	<b>\$64,000,000</b>	<b>3%</b>
New childcare centers	\$26,000,000	1%
New schools serving K-12 population	\$32,000,000	1%
Bessie Carmichael supplemental services	\$6,000,000	0%
<b>TOTAL</b>	<b>\$2,160,000,000</b>	<b>100%</b>

\* If funds for these Parks & Recreation projects are provided by other sources (such as contributions from new development) or if revenues exceed the projected amounts, funding could be allocated to the "Alternative" project listed here.

**NOTE:** Over the course of Plan build out (roughly 25 years), funds will be allocated among the public benefit categories in the amounts listed (or proportionally according to the category allocation percentages listed, should the final amount of revenues differ from what is shown here). However, the sequence of fund disbursement will be determined based on a variety of factors, including project readiness, community priorities, and other funding opportunities. Within individual public benefit categories, the list of specific projects is subject to change and is not legally binding.

Table 2

**CENTRAL SOMA PUBLIC BENEFITS PACKAGE: DETAILED FUNDING SOURCES & USES (IN 2017 DOLLARS)**

PUBLIC BENEFIT	DIRECT PROVISION BY NEW DEVELOPMENT	CENTRAL SOMA COMMUNITY FACILITIES DISTRICT (CFD)	EASTERN NEIGHBORHOODS INFRASTRUCTURE FEE (\$425)	TRANSPORTATION SUSTAINABILITY FEE (\$414)	JOBS-HOUSING LINKAGE FEE (\$413)	AFFORDABLE HOUSING FEE (\$415)	CENTRAL SOMA INFRASTRUCTURE FEE (\$428.2)	SCHOOL IMPACT FEE (CA ED CODE 817620)	CHILD CARE FEE (\$414 AND 414(A))	CENTRAL SOMA COMMUNITY FACILITIES FEE (\$428.1)	TOTAL (BY CATEGORY)	% SHARE
AFFORDABLE HOUSING	\$550,000,000				\$210,000,000	\$180,000,000					\$940,000,000	44%
TRANSIT		\$160,000,000	\$90,000,000	\$210,000,000			\$40,000,000				\$500,000,000	23%
PARKS & RECREATION	\$80,000,000	\$45,000,000	\$60,000,000								\$185,000,000	9%
PRODUCTION, DISTRIBUTION, & REPAIR (PDR)	\$180,000,000										\$180,000,000	8%
COMPLETE STREETS		\$10,000,000	\$90,000,000	\$10,000,000							\$110,000,000	5%
CULTURAL PRESERVATION & COMMUNITY SERVICES	\$20,000,000	\$69,000,000								\$20,000,000	\$109,000,000	5%
ENVIRONMENTAL SUSTAINABILITY	\$6,000,000	\$64,000,000									\$70,000,000	3%
SCHOOLS & CHILDCARE		\$6,000,000						\$26,000,000	\$32,000,000		\$64,000,000	3%
<b>TOTAL (BY SOURCE)</b>	<b>\$836,000,000</b>	<b>\$354,000,000</b>	<b>\$240,000,000</b>	<b>\$220,000,000</b>	<b>\$210,000,000</b>	<b>\$180,000,000</b>	<b>\$40,000,000</b>	<b>\$26,000,000</b>	<b>\$32,000,000</b>	<b>\$20,000,000</b>	<b>\$2,160,000,000</b>	<b>100%</b>

## AFFORDABLE HOUSING

Central SoMa Plan Objective 2.3, states that the City should “Ensure that at least 33% of new housing is affordable to very low, low, and moderate-income households”.<sup>4</sup> The Central SoMa Plan will generate approximately 2,670 affordable units. The Plan will require that these below market rate units are developed within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

Table 3

### TOTAL ESTIMATED COSTS – AFFORDABLE HOUSING

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
1,970 BMR units	\$730,000,000	Inclusionary Housing Program (Planning Code Section (Sec.) 415)	Applicable to new residential projects. Individual developments may choose how to satisfy the program requirements, but revenues are generally expected to be split 50-50 between: 1) onsite Inclusionary Housing Program units provided directly by development projects; and, 2) off-site Inclusionary Housing units or units provided by MOHCD, funded by payment of the Affordable Housing Fee	MOHCD
700 BMR units	\$210,000,000	Jobs-Housing Linkage Fee (Sec. 413)	Fee is paid by new nonresidential developments, and units are provided by MOHCD.	MOHCD
<b>TOTAL</b>	<b>\$940,000,000</b>			

### Delivery and Timing

All of the funding sources for below-market rate (BMR) units in the Plan Area are provided through either direct provision or impact fees paid by new developments. As such, the delivery of BMR units is highly dependent on the volume of new development. Onsite and offsite BMR units provided through the Inclusionary Housing Program are expected to be provided at the same time as market rate units of the affiliated project.

BMR units funded through impact fees at the time of development are directed to the Mayor’s Office of Housing and Community Development (MOHCD), which uses the money to identify and purchase sites and construct new affordable housing units, often in conjunction with nonprofit housing developers. MOHCD may need to assemble the impact fees from several market-rate projects to obtain sufficient funds for each new affordable housing project. Thus, the development of these units may lag behind the market rate units, unless additional affordable housing funds are directed to the Plan Area in the interim.

In addition, MOHCD is increasingly exploring affordable housing preservation strategies, in which they convert existing housing units (such as rent-controlled apartments) into permanently affordable BMR units. The City’s Small Sites Program is one such tool, funding acquisition and rehabilitation of 5-to-25-unit rental buildings. Central SoMa could rely on both production and preservation strategies in order to achieve the Plan’s affordable housing targets.

## TRANSIT

Central SoMa Plan Objective 4.3 states that the City should “Ensure that transit serving the Plan Area is adequate, reliable, and pleasant.” This is because new and enhanced public transportation infrastructure is fundamental to accommodating the influx of new jobs and housing units proposed for Central SoMa. Although the completion of the Central Subway system will provide a vital connection between the Plan Area and the rest of the city, additional improvements will be required over time to ensure that people can travel to and from the area safely and conveniently.

Funding from the Plan will be directed to both local and regional transportation systems, reflecting the important role that the Plan Area will serve as a hub in the Bay Area for jobs, housing, and culture. The Plan is expected to generate \$500 million in investments to both near- and long-term transit service and capacity enhancements, serving both local and regional transit. Local transportation funding needs include, but are not limited to: transit enhancement and expansion, preventive maintenance (e.g. state of good repair efforts), streetscape improvements (such as transit priority lanes and boarding islands), and service adjustments.

Regional transit funding would be directed towards “core capacity” enhancement and expansion projects meant to facilitate movement to the Plan Area from the East Bay and Peninsula/South Bay. Studies are ongoing at the regional level to further define the scope and specifics of such projects, including the Core Capacity Study, Plan Bay Area, and related efforts. Efforts may include BART station and fleet upgrades, Bay Bridge corridor efficiency improvements, Caltrain corridor improvements (such as the Downtown Extension, or DTX, project), and longer-term projects (such as advancement of a second Transbay transit crossing).

Table 4

### TOTAL ESTIMATED COSTS - TRANSIT<sup>5</sup>

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Local transportation enhancements	\$340,000,000	Transportation Sustainability Fee (TSF) (Sec. 411A); Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423); Central SoMa Infrastructure Impact Fee (CSF) (Sec. 433); Central SoMa Mello-Roos Community Facilities District (CFD)	Funds will go to SFMTA to support transit service expansion/enhancement as well as preventive maintenance projects.	SFMTA
Regional transit capacity enhancement and expansion	\$160,000,000	TSF (Sec. 411A); CSF (Sec. 433), Central SoMa Mello-Roos Community Facilities District (CFD)	These funds will be split roughly equally between (1) near term enhancements on the Transbay corridor, (2) longer-term “core capacity” projects (such as a second Transbay rail crossing), and (3) enhancements on the Caltrain/High Speed Rail corridor.	TBD, but could include BART, Caltrain, MTC, and California High Speed Rail Authority, among others.
<b>TOTAL</b>	<b>\$500,000,000</b>			

<sup>5</sup> Central SoMa Planning Code sections pending Plan adoption

## **Delivery and Timing**

Funds for local transit improvements will be directed to and administered by the San Francisco Municipal Transportation Agency (SFMTA). The funds derived from impact fees (the TSF, Eastern Neighborhoods Infrastructure Impact Fee, and the Central SoMa Fee) will accrue as development projects receive their building permits, and are thus tied directly to the rate of new development. The remaining funds derived from the CFD would accumulate over the lifespan of the Plan and beyond, as new development comes online and begins paying the tax. However, the City also has the option of bonding against this revenue stream, thus accruing these funds substantially earlier. This may be desirable, in order to ensure that transportation investments are in place to attract and meet the needs of new development.

In addition, the portion of revenues from Eastern Neighborhoods Infrastructure Impact Fees is programmed through the Interagency Plan Implementation Committee (IPIC) and the Eastern Neighborhoods Community Advisory Committee (ENCAC), described further in Section IV. The ENCAC, comprised of community stakeholders, provides annual recommendations for how to allocate fee revenues to high priority public projects. These proposals are subsequently evaluated, modified, and approved by the IPIC and the City Capital Planning Committee, and included in the City's annual Capital Budget and 10-year Capital Plan (adopted biennially).

The funds for regional transit improvements will come primarily from the CFD following a similar timeline as described above. These funds would be collected by the Assessor-Recorder's office and directed to regional transportation agencies, through a process that will be governed by an interagency Memorandum of Understanding (MOU).

## **PARKS & RECREATION**

Central SoMa Plan Goal #5 states that the Plan area should "offer an abundance of parks and recreational opportunities." Central SoMa and the broader SoMa neighborhood currently suffer from a shortage of public parks and recreational opportunities, largely due to the area's industrial history. The Plan envisions a range of new parks, recreational facilities, and public open spaces, in addition to funding for renovation and programming of existing facilities (thereby fulfilling Plan Objectives 5.1-5.6). These new and upgraded facilities may include playgrounds, sport facilities, recreational programs, and passive open spaces, catering to diverse open space needs.

*Table 5*

**TOTAL ESTIMATED COSTS - PARKS & RECREATION<sup>6</sup>**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Enhancement/expansion of existing facility to accommodate growth in demand.	Rec & Park
Victoria Manalo Draves Park Programming	\$5,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Funding for activation and programming.	Rec & Park
New 1-acre park in Southwest portion of Plan Area	\$35,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Development of a potential park on the existing SFPUC-owned lot in the area between 4th, 5th, Bryant, and Brannan Streets. This may potentially be provided by an In-Kind Agreement with surrounding development.	Rec & Park
New public recreation center*	\$10,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	This may potentially be funded through direct provision on a development project.	Rec & Park
Park and greenery maintenance and activation	\$15,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Maintenance and programming of public parks and open spaces. Priority for this funding is to ensure that the new 1-acre park is properly maintained.	Rec & Park; Department of Real Estate
New large (2+ acre) SoMa park (initial site identification)*	\$5,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	Funding for initial site identification and coordination for a large signature park in the larger SoMa area.	Rec & Park
New Bluxome linear park*	\$5,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	A park built on the existing Bluxome Street right of way. This may potentially be developed as a privately-owned public open space (POPOS) by nearby developments.	Planning
New under-freeway public recreation area	\$5,000,000	Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)	This may potentially be developed as a POPOS by nearby developments.	Rec & Park
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000	Direct provision by new development (Sec. 138)	Up to four acres of net new publicly-accessible open space spread across the Plan area, provided directly on new development projects.	Planning
<i>(Alternative project: 7th &amp; Mission Park)</i>	<i>(\$20,000,000)</i>	<i>Central SoMa Mello-Roos Community Facilities District (CFD)</i>	<i>Funding to acquire and develop a new park site at 1133 Mission Street.</i>	<i>Rec &amp; Park</i>
<b>TOTAL</b>	<b>\$185,000,000</b>			

**Delivery and Timing**

Revenues from impact fees will accrue concurrently with the pace of new development, while the CFD revenues accrue annually as additional projects come online and begin paying the tax (or earlier should the City choose

\* Note: If funds for these Parks & Recreation projects are provided by other sources (such as contributions from new development) or if revenues exceed the projected amounts, funding could be allocated to the "Alternative" project listed here.

6 Central SoMa Planning Code sections pending Plan adoption. This list of projects is ordered by priority, based on community feedback and discussions with the Recreation and Parks Department. It is not legally binding and is subject to change in response to future open space opportunities and priorities in the Plan Area. The cost of parks and recreational benefits is highly subject to design decisions and identification of complementary funding sources. If the benefits listed all cost the City the maximum foreseeable, then the sum of these benefits will exceed the amount allocated.

to bond against this revenue stream). The prioritization of projects is conveyed in Table 5, with the highest priority for funding at the top of the table. However, this order may be amended, through input from the Eastern Neighborhoods Community Advisory Committee and Interagency Plan Implementation Committee, policymakers, and other public feedback, based on timing considerations (such as shovel readiness) and financial considerations (such as leveraging other funds).

POPOS would be delivered at the same time as their associated development projects, and would undergo an urban design review process involving the Planning Department and Recreation and Parks Department to ensure that they meet minimum requirements for size, usability, and quality. Collectively, the POPOS requirement is expected in result in up to four acres of new publicly accessible open space, all of which will be provided at ground level.

**PRODUCTION, DISTRIBUTION, AND REPAIR (PDR)**

Central SoMa Plan Objective 3.3 states that the City should “Ensure that the removal of protective zoning does not result in a loss of PDR in the Plan Area.” This is because the production, distribution, and repair (PDR) sector is critical to San Francisco. Companies in the PDR sector serve the needs of local residents and businesses, and tend to provide high-paying jobs and career advancement opportunities for people without a four-year college degree. PDR jobs also enhance the city’s economic diversity and therefore our ability to weather times of economic stress.

The SoMa neighborhood has a legacy as a home for PDR jobs. The Plan would ensure that the removal of protective zoning does not result in a net loss of PDR jobs in the Plan Area, by providing requirements to fund, build, and/or protect PDR spaces. The total amount of PDR space that will be preserved or created is approximately 900,000 square feet.

Table 6

**TOTAL ESTIMATED COSTS – PRODUCTION, DISTRIBUTION, AND REPAIR<sup>7</sup>**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
900,000 sq ft of PDR space	\$180,000,000	Direct provision by new development (Sec. 202.8 and Sec. 249.78)	PDR space directly provided by new development	Planning
<b>TOTAL</b>	<b>\$180,000,000</b>			

**Delivery and Timing**

The direct provision of PDR space will come from land use controls and conditions for allowing residential and non-residential development, in the form of requirements to maintain and/or replace existing spaces and to include new space in developments. As a direct provision, no transfer of funds or payment of fees will occur.<sup>8</sup> The PDR space will be provided at the same time the associated space becomes ready for occupancy.

<sup>7</sup> Central SoMa Planning Code sections pending Plan adoption

<sup>8</sup> The Plan endorses the pursuit and analysis of an in-lieu fee for PDR, but the fee itself is not proposed as part of the Plan.

## COMPLETE STREETS

Central SoMa Plan Objective 4.1. states that the City should “Provide a safe, convenient, and attractive walking environment on all the streets in the Plan Area.” The current network of streets in the Plan Area provides a poor experience for all users – whether walking, driving, riding transit, or cycling. Streets are clogged with rush hour traffic, many sidewalks are not up to City standards, crosswalks are few and far between, and bicycle infrastructure is incomplete and discontinuous – all of which contribute to high rates of traffic crashes and injuries.

The Plan calls for complete streets improvements to make walking and biking more safe and convenient, in order to complement the transit improvements and encourage people to drive less. Funding generated by new development will be used to transform the vast majority of all major streets in the Plan Area into high quality streets for walking, biking, and transit.

Table 7

### TOTAL ESTIMATED COSTS - COMPLETE STREETS<sup>9</sup>

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Redesign of all major streets in the Plan Area	\$110,000,000	Transportation Sustainability Fee (TSF) (Sec. 411A); Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423); Central SoMa Infrastructure Impact Fee (CSF) (Sec. 433); Central SoMa Mello-Roos CFD	Redesign of approximately four miles of major streets (including portions of 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets) at an estimated cost of \$4,400-\$5,400 per linear foot.	SFMTA
<b>TOTAL</b>	<b>\$110,000,000</b>			

### Delivery and Timing

All funding dedicated to complete streets would be directed to the SFMTA and San Francisco Department of Public Works (SFPD) for planning, design, and construction. These funds are projected to be sufficient to redesign the vast majority of the major streets in the Plan Area. Although the Central SoMa Plan includes conceptual designs for the major streets, each street will need to undergo a more detailed design process, incorporating additional public feedback and environmental review as necessary, and including opportunities for incorporating environmental sustainability and green landscaping elements. Although improving main streets is the highest priority, improvements may also be implemented on alleyways in the Plan Area as funding allows. Within the main streets, prioritization will be set by SFMTA.

As noted in the Transit section above, revenues from the Eastern Neighborhoods Infrastructure Impact Fees receive additional oversight through the Eastern Neighborhoods Community Advisory Committee and the IPIC. The improvements funded by fees and the CFD could occur as money is accrued. The fees will accrue concurrently with the pace of development, while the CFD accrues annually as additional projects come online and begin paying the tax. As previously noted, the City has the option to accelerate projects by bonding against this revenue

<sup>9</sup> Central SoMa Planning Code sections pending Plan adoption

stream or utilizing other funds (including general fund revenues).

Alternatively, some improvements may be provided directly by development in order to meet minimum Better Streets Plan requirements or to satisfy an In-Kind Agreement, particularly on the new and renovated mid-block alleys that will not be included in SFMTA streetscape planning efforts. These improvements would be completed at the same time as the affiliated development project.

## **CULTURAL PRESERVATION & COMMUNITY SERVICES**

Central SoMa Plan Objective 2.6 states that the City should “Support the schools, child care, and community services that serve the local residents.” “Community services” includes space for nonprofit and government organizations that provide services to the community, such as health clinics and job training facilities. As commercial rents continue to increase citywide, it becomes increasingly difficult for many of these uses to start, grow, and stay in San Francisco. Central SoMa is already a popular location for many of these services, due to its central and transit-accessible location, and large number of commercial properties. The Plan will provide space for these types of facilities, as part of its central goals of increasing jobs and facilitating economic and cultural diversity. The City has recently developed a Community Facilities Nexus Study in order to quantify the demand for these services generated by new development, in order to establish a legal nexus for levying a Central SoMa Community Facilities Fee, a new development impact fee.<sup>10</sup> Community services also includes neighborhood cleaning services to help promote the cleanliness, and thus walkability, of the neighborhood’s streets.

Central SoMa Plan Objective 7.5 states that the City should “Support mechanisms for the rehabilitation and maintenance of cultural heritage properties.” To fulfill this Objective, revenues generated by the Plan will be used as seed funding for the restoration and seismic upgrade of the celebrated U.S. Mint building and grounds at 5th and Mission Streets, one of the City’s most significant historic properties. The building has long been envisioned as a major opportunity site to provide a cultural asset that celebrates the civic history of the City. Revenues from the Plan will also be used to provide capital for cultural amenities. This funding could be utilized for capital improvements at Yerba Buena Gardens and/or to help build or purchase a building for the neighborhood’s important cultural communities, the Filipino community and the LGBTQ community. Finally, revenues from the Plan will also be used to help preserve and maintain important historic buildings within the Plan Area. This revenue will come from the sale of Transfer of Development Rights (TDR), a voluntary program available to these historic buildings whereby they sell their unused development rights to new development in the area. To facilitate the process, large new non-residential developments will be required to purchase TDR from historic buildings in the Plan Area.

Central SoMa Plan Objective 7.2 states that the City should “Support the preservation, recognition, and wellbeing of the neighborhood’s cultural heritage resources.” To fulfill this Objective, revenues generated from the Plan would be used annually to support social and cultural programming in the neighborhood. This funding currently comes from the SoMa Stabilization Fund, which is expected to run out of resources in the near future. The Plan therefore enables the continuation of this valuable funding source for the foreseeable future.

<sup>10</sup> Available at: [http://siconroller.org/sites/default/files/Documents/Budget/131124\\_Central%20SoMa%20Nonprofit%20Nexus\\_FINAL\\_2016\\_03\\_24.pdf](http://siconroller.org/sites/default/files/Documents/Budget/131124_Central%20SoMa%20Nonprofit%20Nexus_FINAL_2016_03_24.pdf)

Table 8

**TOTAL ESTIMATED COSTS – CULTURAL PRESERVATION & COMMUNITY SERVICES<sup>11</sup>**

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Restoration of the US Mint Building	\$20,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Restoration and seismic upgrade of the US Mint Building.	OEWD
Preservation and maintenance of historic buildings	\$20,000,000	Transfer of Development Rights (TDR) (Sec. 128.1)	The sale of Transferable Development Rights from historic buildings to new development. Revenues from these sales are required to be spent on the preservation and maintenance of the associated historic resource.	Planning
60,000 sq ft of new space for community services	\$20,000,000	Central SoMa Community Facilities Fee (Sec. 428.1)	Impact fees to develop new facilities for nonprofit community services (such as health care or job training) needed to serve new growth.	MOHCD
Social and cultural programming	\$25,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Annual funding for social and cultural programming for such activities as arts, job training, and tenant protections.	MOHCD
Capital for cultural amenities	\$15,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Capital improvements and/or funding to help build or purchase a building for the neighborhood's important cultural communities.	MOHCD
Neighborhood cleaning	\$9,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Ongoing funding for cleaning of neighborhood streets.	SDFPW
<b>TOTAL</b>	<b>\$109,000,000</b>			

**Delivery and Timing**

Revenues from the Central SoMa Community Facilities Fee will be directed to the Mayor’s Office of Housing and Community Development (MOHCD) to fund the development of new community facility space. As an impact fee, funding would accrue concurrently with development over the duration of the Plan. Facilities could potentially be developed through some combination of standalone locations (such as a centralized non-profit “hub” space) or potentially co-located within affordable housing projects. In the latter case, because the development of these affordable units would occur after the market rate development providing the necessary funding, the development of community facilities is likely to occur after these new developments as well. New developments will also be given the option to provide community facilities directly via an In-Kind Agreement with the City (instead of paying the Community Facilities Fee), which would result in faster delivery of the benefit.

Revenues from the CFD used to support the restoration of the US Mint Building will accrue annually as projects come online and begin paying the tax. As previously noted, the City has the option to accelerate projects by bonding against this revenue stream or utilizing other funds (including general fund revenues). Funding from the Plan will be part of a larger funding and programming effort for restoration, rehabilitation, and ongoing operations of the US Mint Building. This scope of work and budget is currently being developed, and it is anticipated that additional funds will need to be generated.

<sup>11</sup> Central SoMa Planning Code sections pending Plan adoption

Sale of TDRs for the preservation and maintenance of other significant historic buildings in the Plan Area could occur upon adoption of the Central SoMa Plan.

## ENVIRONMENTAL SUSTAINABILITY & RESILIENCE

Central SoMa Plan Goal #6 is to “Create an Environmentally Sustainable and Resilient Neighborhood” where urban development gives more to the environment than it takes (thereby fulfilling Plan Objectives 6.1–6.8). The Plan proposes innovative building- and neighborhood-scale interventions to improve environmental performance, providing a model for the rest of the city and beyond. New development will be required to incorporate living roofs, generate renewable energy onsite, and use only 100% greenhouse gas-free (GHG-free) electricity for the balance. Funds will also be directed to adding habitat-supportive landscaping and green infrastructure to streets and open spaces, to beautify them while also improving air quality, micro climate comfort, stormwater management, and ecological function. District-scale utility systems (e.g., shared energy and/or water systems linked between both new and existing buildings) are encouraged in order to enhance resource and cost efficiencies.

Table 9

### TOTAL ESTIMATED COSTS – ENVIRONMENTAL SUSTAINABILITY & RESILIENCE<sup>12</sup>

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Enhanced stormwater management in complete street projects	\$32,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Stormwater infrastructure (grey infrastructure, landscaping, etc.) on all major streets.	Planning, SFPUC
Freeway corridor air quality and greening	\$22,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Greening improvements along/under the freeway corridor to improve air quality and enhance pedestrian comfort.	Planning
Living Roofs enhanced requirements	\$6,000,000	Direct provision by new development (Sec. 249.77)	Living Roofs requirement of 50% of usable roof area on projects 160' or shorter, surpassing City policy.	Planning
Better Roofs demonstration projects	\$2,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Demonstration projects to highlight best practices, including a Living Roof project (\$1mn) and a solar project (\$500k).	Planning
Water recycling and stormwater management in public spaces	\$5,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Infrastructure for 100% recycled (non-potable) water for street cleaning and public park irrigation; green stormwater management in parks.	Planning, SFPUC
100% energy-efficient street lights	\$1,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Energy efficient upgrades to street lights throughout the Plan area.	Planning, SFPUC
Sustainability studies & guideline documents	\$2,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Funding for a District Energy & Water Utility Systems Study (\$500k), a Central SoMa Sea Level Rise & Flood Management Strategy (\$400k), a Fossil Fuel Free Buildings Study & Guidelines Document (\$300k), and Flood Resilient Design Guidelines (\$300k)	Planning
<b>TOTAL</b>	<b>\$70,000,000</b>			

## Delivery and Timing

The majority of funding for environmental sustainability improvements will be provided by the CFD, and will occur upon accrual of revenues, or earlier if the City chooses to bond against the CFD revenue stream. The sustainability studies and guideline documents discussed above are proposed to be delivered within two years after adoption of the Central SoMa Plan, and may lead to additional new requirements or public benefits.

The Living Roofs are provided directly onsite by new development and will occur with their respective projects. Additional benefits will be directly provided through new development via existing requirements (such as current energy and water efficiency requirements) and are not quantified here.

## SCHOOLS AND CHILD CARE

Central SoMa Plan Objective 2.6 states that the City should “Support the schools, child care, and community services that serve the local residents.” In terms of schools and child care, the Plan Area is expected to see a large increase in the number of children as it continues to transition from a primarily industrial neighborhood to a mixed-use hub for jobs and housing. The Plan will generate funding to meet the demand for schools and childcare for youth ages 0-18 through existing City impact fees.

Additionally, the Plan will help fund supplemental services at Bessie Carmichael, the neighborhood’s only public school. At Bessie Carmichael, which serves children in K-8 grade, 100% of the students receive free and reduced lunch and 20% of the student population is self-identified homeless students. The supplemental services would be intended to address the challenges of addressing the needs of this student population through such strategies as additional mental health services and a summer program to fund year-round support to the children.

Table 10

### TOTAL ESTIMATED COSTS – SCHOOLS & CHILDCARE<sup>13</sup>

BENEFIT	TOTAL REVENUES	FUNDING SOURCES	DESCRIPTION	LEAD AGENCIES
Schools	\$32,000,000	School Impact Fee (State Education Code Sec. 17620)	Impact fees to meet demand for school facilities to serve growth generated within the Plan Area.	SFUSD
Childcare	\$26,000,000	Child Care Fee (Sec. 414 and Sec. 414A); Eastern Neighborhoods Impact Fee (Sec. 423)	Impact fees to meet demand for child care facilities to serve growth, located within the Plan area.	HSA Office of Early Care & Education
Bessie Carmichael Supplemental Services	\$6,000,000	Central SoMa Mello-Roos Community Facilities District (CFD)	Annual funding to provide supplementary services to the school, such as additional mental health services and the ability to provide year-round programming	SFUSD
<b>TOTAL</b>	<b>\$64,000,000</b>			

<sup>13</sup> Central SoMa Planning Code sections pending Plan adoption

## **Delivery and Timing**

The School Impact Fee will accrue at the time projects receive building permits. It is directed to the San Francisco Unified School District for use at their discretion throughout the city. New school facilities are expected to serve a broader area than just Central SoMa and will cost significantly more than the funds generated by the fees in the Plan Area. Additional fees, including those collected by the School Impact Fee in previous years, will be required to accrue enough to build new facilities.

Funds from the Child Care Fee and Eastern Neighborhoods Infrastructure Impact Fee will accrue at the time projects receive building permits. They will go to the Child Care Facilities Fund, which is administered jointly by the City's Human Services Agency Office of Early Care and Education and the Low-Income Investment Fund (LIIF). The Child Care Fee money can be spent throughout the City, while the Eastern Neighborhoods fee must be spent within the Eastern Neighborhoods Plan Areas. Child care facilities are less costly than school facilities and might come online sooner. New developments have the option to satisfy up to their entire Eastern Neighborhoods Impact Fee requirement by directly providing publicly-accessible child care onsite through an In-Kind Agreement (IKA), which could result in faster delivery of services.

The funding for Bessie Carmichael School will be provided by the CFD, and will occur upon accrual of revenues. As an ongoing allocation, it need not be bonded against, and will be disbursed annually to the School District, with community oversight.

## IV. FUNDING STRATEGY

The previous section describes the funding necessary for infrastructure and other investments to accommodate the significant number of jobs and housing units envisioned in the Central SoMa Plan, as well as to address social, economic, and environmental needs and achieve the Plan’s policy goals. To provide this funding, the City proposes requirements on new developments to help ameliorate and mitigate its impacts, in addition to the existing fees and development requirements in place. As stated previously, these requirements are designed to be consistent with the requirements of California Mitigation Fee Act and all proposed development impact fees have been evaluated against applicable maximum justified nexus amounts.

To help determine the requirements on new development, the City conducted a financial feasibility analysis (*Financial Analysis of San Francisco’s Central SoMa Plan*<sup>1</sup>). This analysis utilized a Residual Land Value (RLV) model to evaluate the financial feasibility of prototypical development types (both before and after potential Plan adoption), estimate the amount of value created by the Plan, and test the financial impact of applying proposed development requirements and charges that would offset some amount of the new value created (a “land value capture” approach).

The resulting funding strategy includes different levels of requirements, based on the amount of development potential conferred on each property through adoption of the Plan (expressed as an increase in developable height and/or modifications to permit a greater number of land uses). All parcels in the Plan Area are assigned into one of several Central SoMa Public Benefit Tiers (Table 12), based on the amount of additional development potential created.<sup>2</sup>

Table 11

**CENTRAL SOMA DEVELOPMENT TIERS<sup>3</sup>**

INCREASED DEVELOPMENT CAPACITY	TIER
15-45 feet	Tier A
50-85 feet	Tier B
90 feet or more	Tier C

Tables 13 and 14 below summarize what a specific new development project would be obligated to pay in impact fees and taxes, based on the Development Tier of the underlying parcel and proposed land uses. Figures 15 and 16 map where these public benefit tiers occur in the Plan Area.

1. Developed by Seifel Consulting Inc. Available for download at: [http://default.sfplanning.org/Citywide/Central\\_Corridor/Central\\_SoMa\\_Financial\\_Analysis\\_Jan2017\\_FINAL.pdf](http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Financial_Analysis_Jan2017_FINAL.pdf)

2. For areas currently zoned SLI or SALI and being rezoned to CMUO or WMUO, “additional development potential” is equal to the height limit proposed by the Central SoMa Plan. Elsewhere, “additional development capacity” is the change in height limit proposed by the Central SoMa Plan.

3. The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (90-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

Table 12

**CENTRAL SOMA REQUIREMENTS FOR NEW DEVELOPMENT: NON-RESIDENTIAL (2017 RATES)<sup>4</sup>**

REQUIREMENT	TIER A & B	TIER C
<b>EXISTING REQUIREMENTS</b>		
<b>Jobs-Housing Linkage Fee</b> (\$/GSF; office rate shown; Sec. 413)		\$25.49
<b>Eastern Neighborhoods Infrastructure Impact Fee</b> (\$/GSF; Sec. 423)		\$18.73
<b>Transportation Sustainability Fee</b> (\$/GSF; office rate shown; Sec. 411A)	800-99,999 GSF: \$18.94 >99,999 GSF: \$19.99	
<b>Childcare Fee</b> (\$/GSF; office and hotel rate; Sec 414 & 414A)		\$1.65
<b>School Impact Fee</b> (\$/GSF; office rate shown; CA Ed. Code Sec. 17620)		\$0.54
<b>Public Art Fee</b> (\$)	1% of construction cost (or direct provision on-site)	
<b>Production, Distribution, and Repair (PDR) [# of Floor Area Ratios (FAR); Sec 202.8 &amp; 249.78*]</b>		
For projects seeking an Office Allocation of 50,000s square feet or more	0.4 FAR or replacement requirements per 2016's Proposition X (Planning Code Section 202.8), whichever is higher	
For projects not seeking an Office Allocation, or providing <50,000 square feet of Office	Replacement requirements per 2016's Proposition X (Planning Code Section 202.8)	
<b>NEW REQUIREMENTS UNDER THE PLAN</b>		
<b>Central SoMa Community Infrastructure Fee</b> (\$/GSF; Sec. 433*)		
For projects seeking an Office Allocation of 50,000 square feet or more	\$21.50	\$0
All other projects	\$41.50	\$20
<b>Mello-Roos Special Tax Community Facilities District</b> (CFD; \$/GSF/yr)	\$0	\$2.75 (4% escalation annually for 25 years, 2% thereafter)
<b>Community Facilities Fee</b> (\$/GSF; Sec 428.1*)	\$1.75	
<b>Transferable Development Rights</b> (# of Floor Area Ratios; Sec 128.1)	\$0	1.25 FAR
<b>Privately-Owned Public Open Space</b> (POPOS; Sec 138)	1 square foot for every 50 GSF of development	

\*Planning Code section pending Plan adoption.

<sup>4</sup> These tables show the amount of requirements on new development at the time of Plan Adoption. Impact fees shall be updated on an annual basis as fees are indexed or otherwise changed. The Fee Register and related information can be found online at <http://impactfees.sfplanning.org>. The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (90-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

Table 13

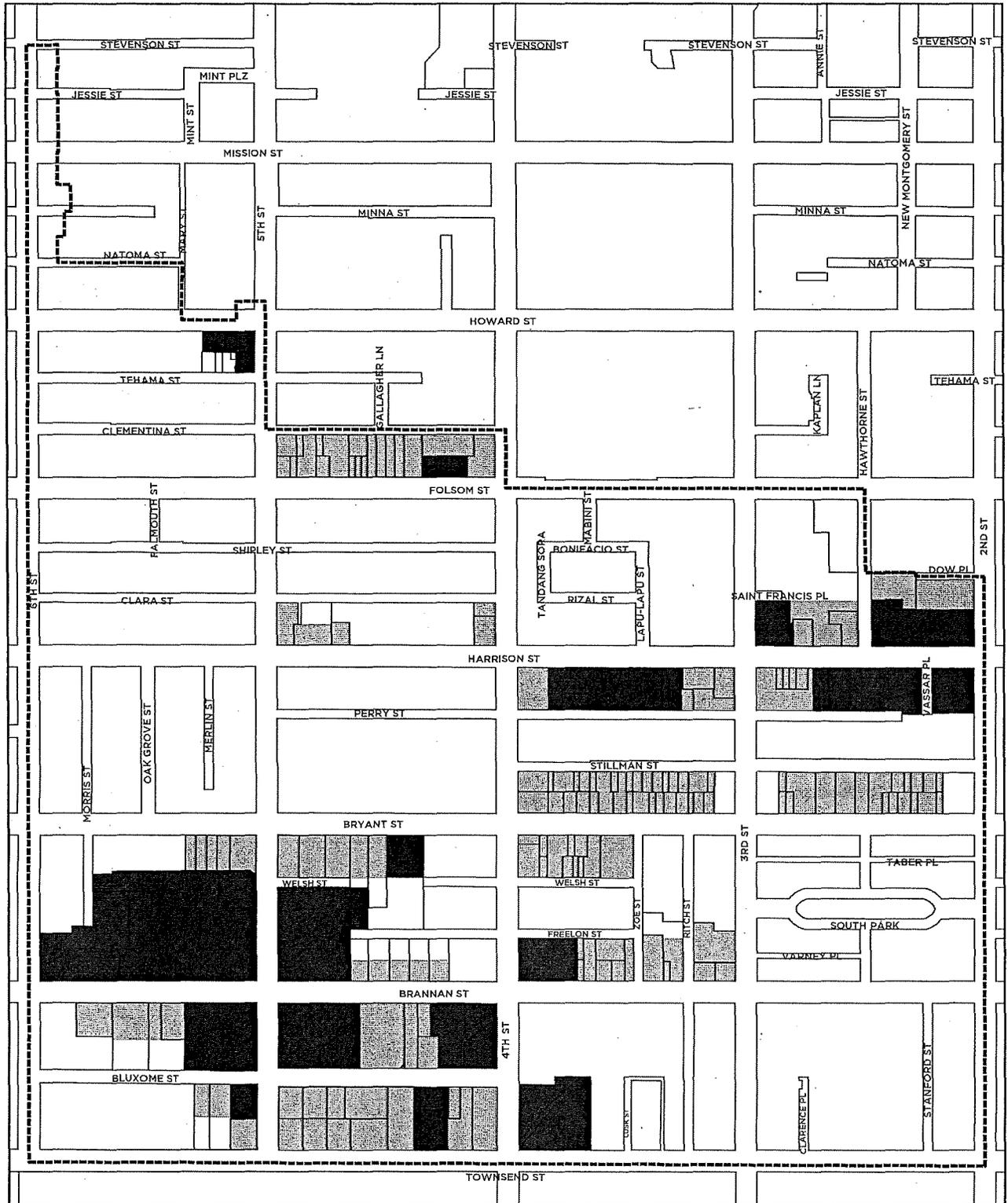
**CENTRAL SOMA REQUIREMENTS FOR NEW DEVELOPMENT: RESIDENTIAL (2017 RATES)<sup>5</sup>**

REQUIREMENT	TIER A	TIER B	TIER C
<b>EXISTING REQUIREMENTS</b>			
<b>Inclusionary Housing (Sec. 415)</b>			
On-Site Option	18% for rental and 20% for condo, escalating annually, per the requirements of Planning Code Section 415		
Affordable Housing Fee and Off-Site Options	30% for rental and 33% for condo		
<b>Eastern Neighborhoods Infrastructure Impact Fee (\$/GSF; Sec. 423)</b>	\$21.41		
<b>Transportation Sustainability Fee (\$/GSF; Sec. 411A)</b>	21-99 Units: \$8.13 100+ Units: \$9.18		
<b>Childcare Fee (\$/GSF; Sec 414 &amp; 414A)</b>	1-9 Units: \$0.96 10+ Units: \$1.92		
<b>School Impact Fee (\$/GSF; CA Ed. Code Sec. 17620)</b>	\$3.48		
<b>Production, Distribution, and Repair (PDR) [# of Floor Area Ratios (FAR); Sec 202.8 &amp; 249.78]</b>	Replacement requirements per 2016's Proposition X (Planning Code Section 202.8)		
<b>NEW REQUIREMENTS UNDER THE PLAN</b>			
<b>Central SoMa Community Infrastructure Fee (\$/GSF; Sec. 433*)</b>	\$0	\$10	\$0
<b>Mello-Roos Special Tax Community Facilities District (CFD; \$/GSF/yr)</b>			
Condo	\$0	\$3.30 (2% escalation)	\$5.50 (2% escalation)
Rental	\$0	\$0	\$0
<b>Community Facilities Fee (\$/GSF; Sec 428.1*)</b>	\$1.30		
<b>Production, Distribution, and Repair (PDR; Sec 202.8 &amp; 249.78)</b>	For every gross square foot of PDR required per Proposition X (Planning Code Section 202.8), the project gets a waiver of four gross square feet (GSF) from the Eastern Neighborhoods Impact Fee		

\*Planning Code section pending Plan adoption.

<sup>5</sup> These tables show the amount of requirements on new development at the time of Plan Adoption. Impact fees shall be updated on an annual basis as fees are indexed or otherwise changed. The Fee Register and related information can be found online at <http://impactfees.sfplanning.org>. The Financial Analysis from December 2016 had four public benefit tiers; the prior Tier C (80-165 feet) and Tier D (165+ feet) are now collapsed into a single tier.

Figure 14



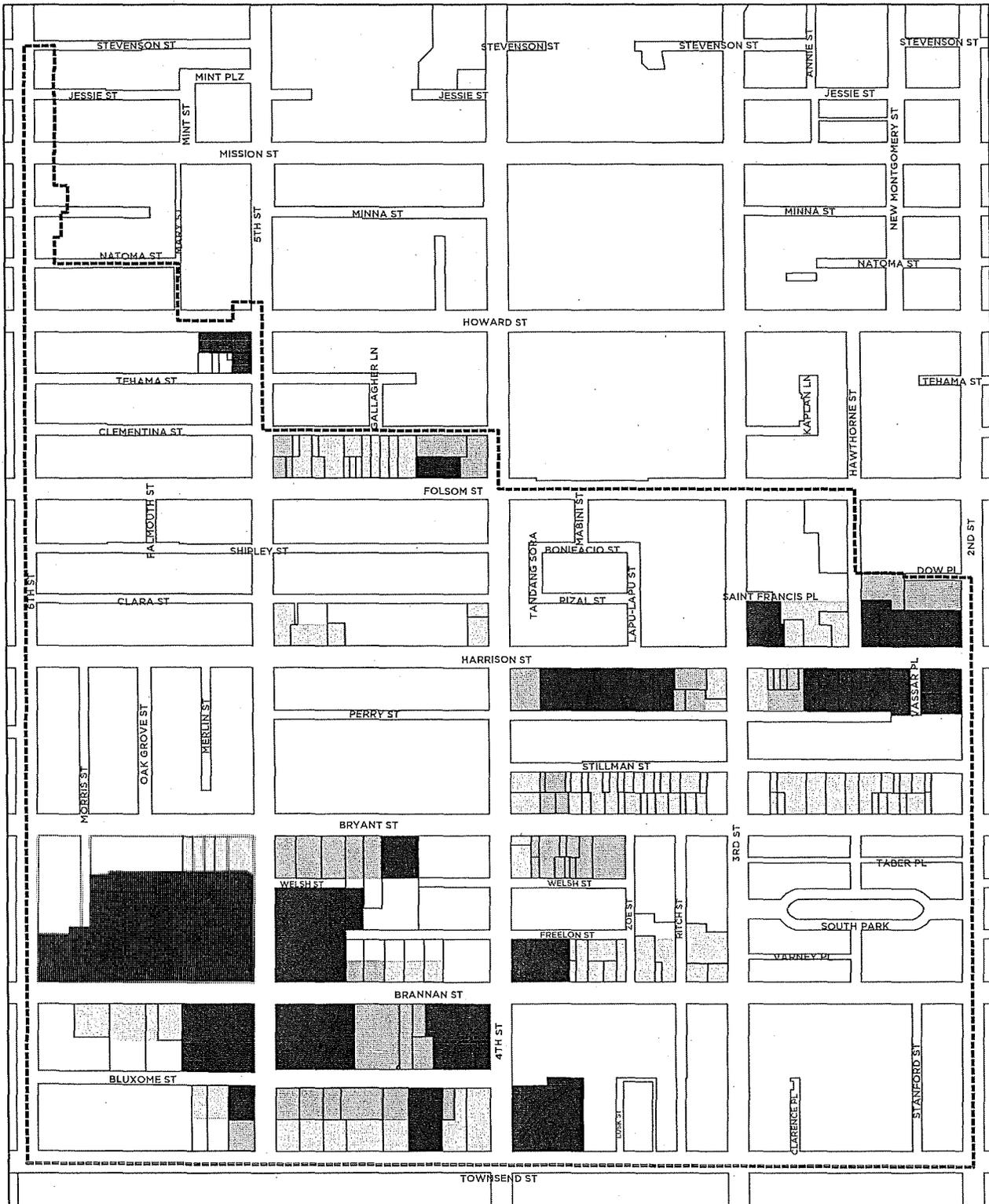
**NON-RESIDENTIAL  
DEVELOPMENT TIERS  
CENTRAL SOMA**

- Tier A & B (15'-85' increased development capacity)
- Tier C (Over 90' increased development capacity)

1,000 Feet



Figure 15



**RESIDENTIAL  
DEVELOPMENT TIERS  
CENTRAL SOMA**

- Tier A (15'-45' increased development capacity)
- Tier B (50'-85' increased development capacity)
- Tier C (90' or more increased development capacity)

1,000 Feet



## V. ADMINISTRATION & MONITORING

The successful implementation of the Central SoMa Plan will require collaboration among a diverse array of agencies, community members, and private actors. This section describes the interagency governance bodies and processes that will be chiefly responsible for overseeing implementation of the Central SoMa Plan and its public benefits. In addition, a number of the aforementioned funding sources each have their own processes for implementation, administration, and monitoring.

### PLAN IMPLEMENTATION GOVERNANCE ENTITIES

#### **San Francisco Controller's Office**

The Controller serves as the chief accounting officer and auditor for the City and County of San Francisco, and is responsible for governance and conduct of key aspects of the City's financial operations. The office plays a key role in implementing area plans by managing the City's bonds and debt portfolio, and processing and monitoring the City's budget. The department produces regular reports and audits on the City's financial and economic condition and the operations and performance of City government.

The Controller's Office, working in concert with the Mayor's Office, IPIC, and other entities mentioned below, will also be responsible for overseeing a funding prioritization process in Central SoMa to help ensure that funds are allocated to public benefits in a logical and equitable manner.

The City is required to regularly report on impact fees revenues and expenditures. San Francisco Planning Code Article 4, Section 409 requires the San Francisco Controller's Office to issue a biennial Citywide Development Impact Fee Report<sup>1</sup> including:

- All development fees collected during the prior two fiscal years, organized by development fee account;
- All cumulative monies collected and expended over the life of each fee;
- The number of projects that elected to satisfy development impact requirements through in-kind improvements;
- Any annual construction cost inflation adjustments to fees made using the Annual Infrastructure Construction Cost Inflation Estimate published by the Office of the City Administrator's Office of Resilience and Capital Planning; and
- Other information required pursuant to the California Mitigation Fee Act Government Code Section 66001, including: fee rate and description; the beginning and ending balance of the fee account; the amount of fees collected and interest earned; an identification of each public improvement on which fees were expended and

<sup>1</sup> The FY2012-2013 and 2013-2014 report is available at: [http://sfcontroller.org/sites/default/files/FileCenter/Documents/6093-FY12-13%20%26%2013-14%20Development%20Impact%20Fee%20Report\\_Revise.pdf](http://sfcontroller.org/sites/default/files/FileCenter/Documents/6093-FY12-13%20%26%2013-14%20Development%20Impact%20Fee%20Report_Revise.pdf)

the percentage of the cost of the improvement funded with fees; an approximate construction start date; and a description of any transfers or loans made from the account.

Within the Controller's office, the Office of Public Finance (OPF) is responsible for issuing and managing the City's general fund debt obligations. The OPF will be responsible for administering the Central SoMa CFD, including developing revenue projections and overseeing the bond issuance process. Its mission is to provide and manage low-cost debt financing of large-scale, long-term capital projects and improvements that produce social and economic benefit to the City and its citizens while balancing market and credit risk with appropriate benefits, mitigations and controls.

### **Capital Planning Committee**

The Capital Planning Committee (CPC) makes recommendations to the Mayor and Board of Supervisors on all of the City's capital expenditures. The CPC annually reviews and approves the 10-year Capital Plan, Capital Budget, and issuances of long-term debt. The CPC is chaired by the City Administrator and includes the President of the Board of Supervisors, the Mayor's Finance Director, the Controller, the City Planning Director, the Director of Public Works, the Airport Director, the Executive Director of the Municipal Transportation Agency, the General Manager of the Public Utilities System, the General Manager of the Recreation and Parks Department, and the Executive Director of the Port of San Francisco.

The IPIC fee revenue budgets and associated agency project work programs / budgets are incorporated as part of the 10-year Capital Plan. Updated every odd-numbered year, the Plan is a fiscally constrained expenditure plan that lays out infrastructure investments over the next decade. The Capital Plan recommends projects based on the availability of funding from various sources and the relative priority of each project. Enterprise departments (such as the San Francisco International Airport and Public Utilities Commission) can meet most needs from usage fees and rate payers. However, other fundamental programs that serve the general public (such as streets and fire stations) rely primarily on funding from the City's General Fund and debt financing programs.

### **Interagency Plan Implementation Committee (IPIC)**

The Interagency Plan Implementation Committee (IPIC) is comprised of City staff members from various City Departments who are collectively charged with implementing capital improvements in connection with the City's Area Plans: Eastern Neighborhoods (comprised of separate Area Plans for Central SoMa, Central Waterfront, East Soma, Mission, Showplace Square / Potrero, and Western Soma), Market Octavia, Rincon Hill, Transit Center District, Balboa Park and Visitacion Valley (including the Executive Park Subarea Plan and the Schlage Lock Master Development). Developments within these area plan boundaries are required to pay impact fees specific to the respective Plan geographies, which are allocated through the IPIC and Capital Planning processes towards priority projects and other infrastructure needed to serve new growth.

The IPIC is required to develop a capital plan for each Plan Area and an Annual Progress Report indicating the status of implementation of each of the Area Plans. This report includes a summary of the individual development projects (public and private) that have been approved during the report period, progress updates regarding

implementation of the various community improvements in accordance with the Plan's projected phasing, and proposed departmental work programs and budgets for the coming fiscal year that describe the steps to be taken by each responsible department, office, or agency to implement community improvements in each plan area. The IPIC Annual Progress Report is heard each year before the Capital Planning Committee, the Planning Commission, and the Land Use and Economic Development Committee of the Board of Supervisors prior to finalization of the report. In addition, the IPIC Annual Progress Report, impact fee allocations, and related agency work programs and budgets are inputs to the City's 10-year Capital Plan, developed by the Capital Planning Committee.

Upon adoption of the Central SoMa Plan, the scope of IPIC's duties and areas of investment will expand. IPIC will be responsible for overseeing allocation of revenues from the Central SoMa Mello-Roos Community Facilities District (CFD). It is anticipated that the City may issue one or more bonds secured by these CFD Special Tax revenues, in order to facilitate timely implementation of public benefits. Annually, the IPIC shall develop a five-year plan for proposed expenditures of Special Tax revenues (these plans will be coordinated with projected Bond Proceeds), as forecasted by the Office of Public Finance.

As needed, the sub-committees will be formed to deliberate on specific issues of relevance to a subset of IPIC agencies, and/or on funding areas that involve non-City public agencies (such as the regional transportation funds). In the latter case, Joint Communities Facilities Agreements (JCFAs) will be formed for projects involving allocation of CFD funds to non-City public agencies.

The IPIC will also oversee administration of capital funding for environmental sustainability projects.

The Board of Supervisors has final authority over CFD revenue expenditures, based on recommendations by the Director of the Office of Public Finance, the Capital Planning Committee, and the IPIC.

### **Eastern Neighborhoods Community Advisory Committee**

The Eastern Neighborhoods Citizens Advisory Committee (EN CAC) is the central community advisory body charged with providing input to City agencies and decision makers with regard to all activities related to implementation of the Eastern Neighborhoods Area Plans. The group was established as part of the Eastern Neighborhoods Area Plans (EN) and accompanying Code Amendments, and is comprised of 19 members representing the diversity of the plan areas, including renters, homeowners, low-income residents, local merchants, and community-based organizations.<sup>2</sup>

The EN CAC is established for the purposes of providing input on the prioritization of Public Benefits, updating the Public Benefits program, relaying information to community members regarding the status of development proposals in the Eastern Neighborhoods, and providing input to plan area monitoring efforts as appropriate (described further in the Plan Monitoring & Reporting section below). The EN CAC serves an advisory role, as appropriate, to the Planning Department, the IPIC, the Planning Commission, and the Board of Supervisors.

<sup>2</sup> More information is available at: <http://sf-planning.org/eastern-neighborhoods-citizens-advisory-committee>

The EN CAC also advises on the allocation of development fees to public benefits in each of the EN Plan Areas. These recommendations are advisory, as an input to the IPIC and Capital Planning Committee processes described above. The EN CAC will play a similar advisory role to recommend how Central SoMa Mello-Roos CFD revenues will be allocated, with the exception of funds for regional transit.

## **PLAN MONITORING & REPORTING**

City agencies will be required to monitor and report on the implementation of the Central SoMa Plan, similar to the process in other established plan areas. The Planning Department, in coordination with the EN CAC, will be required to develop a Central SoMa Monitoring Report concurrently with the Eastern Neighborhoods Monitoring Report (scheduled to be updated in 2021, and at five-year intervals thereafter). This community and data-driven report will provide information on the residential and commercial development in the plan area, revenues from impact fees and other sources, and public/private investments in community benefits and infrastructure, and will include the following components:

- Central SoMa Implementation Matrix
- Development Activity
- Public Benefit
- Fees and Revenues
- Agency Responsibilities
- Budget Implications

Consistent with the procedure in other Plan Areas, this report shall be discussed at a hearing of the Planning Commission, and then forwarded to (and possibly heard at) the Board of Supervisors.

## VI. DESCRIPTION OF CENTRAL SOMA FUNDING SOURCES

This section provides further information on the purpose, administration, and uses of various funding sources at time of Plan Adoption. For the most updated information on these funding sources, consult the Planning Code and associated legislation.

### AFFORDABLE HOUSING

#### **Inclusionary Housing Program (Sec. 415)**

The Inclusionary Housing Program (Planning Code §415) requires new market-rate residential development projects to provide funding for affordable housing, either through direct on-site provision or via payment of the Affordable Housing Fee. Revenues from this Fee are directed to the Mayor's Office of Housing and Community Development (MOHCD), which utilizes the Fee to develop 100 percent affordable housing development and/or preservation of existing affordable units. Revenues from the Affordable Housing Fee may typically be used anywhere within the city. However, as discussed in Section III above, fees generated by projects within Central SoMa will be required to be expended within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

#### **Jobs-Housing Linkage Fee (Sec. 413)**

The Jobs-Housing Linkage Fee (§413) is a citywide impact fee levied on new non-residential developments of 25,000 GSF or greater. Analogous to the Affordable Housing fee, revenues from this Fee are directed to MOHCD, which utilizes the Fee to develop 100 percent affordable housing development and/or preservation of existing affordable units. Revenues from the Jobs-Housing Linkage Fee may typically be used anywhere within the city. However, as discussed in Section III above, Fees generated by projects within Central SoMa will be required to be expended within SoMa (i.e., the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue).

### TRANSPORTATION

#### **Transportation Sustainability Fee (Sec. 411A)**

The Transportation Sustainability Fee (TSF; §411A) is a citywide impact fee assessed on both Residential and Nonresidential development, with funds directed to the Controller's Office and the San Francisco Municipal Transportation Agency (SFMTA) for programming and administration. Funds are allocated to projects specified in the Expenditure Program shown in Table 16 below: state of good repair projects (capital maintenance), system capacity expansion, complete streets projects, and regional transit improvements. Some uses are exempt from

paying the fee, including smaller market-rate residential projects (20 units or fewer), 100% affordable housing projects, and most nonprofit owned and operated uses.

Table 16

**TSF EXPENDITURE PROGRAM**

IMPROVEMENT TYPE	% ALLOCATION
Transit Capital Maintenance	61%
Transit Service Expansion & Reliability Improvements - San Francisco	32%
Transit Service Expansion & Reliability Improvements - Regional Transit Providers	2%
Complete Streets (Bicycle and Pedestrian) Improvements	3%
Program Administration	2%

Although TSF funds may be spent on transportation system improvements citywide, the Planning Code specifies that revenues will prioritize new/existing area plans and areas anticipated to receive significant new growth.

**Central SoMa Infrastructure Impact Fee (Sec. 433)**

In order to achieve the Plan’s objective of ensuring that the area is well-served by transit, a new Central SoMa Fee (Sec. 433) is proposed on new residential and nonresidential development that would be used to fund local transit improvements within Central SoMa. The fee will be collected by the Planning Department and programmed through the IPIC and Capital Planning process, similar to other area plan impact fees.

**PRODUCTION, DISTRIBUTION, & REPAIR (PDR)**

**Preservation of Production, Distribution & Repair Uses (Proposition X; Sec. 202.8)**

Preserving Production, Distribution & Repair (PDR) space is a critical strategy to ensure ongoing economic diversity in the Plan Area. Preservation of existing space will naturally occur on sites where industrial protective zoning remains, such as along the freeway west of 4th Street (an area that is adjacent to other PDR uses and ill-suited for new development due to its lot configuration). In addition, preservation of PDR uses in much of the rest of the Plan Area will be necessitated based on the requirements of San Francisco’s Proposition X, passed by the voters in November of 2016. This Proposition, codified in Section 202.8 of the Planning Code, requires retention or replacement of PDR space ranging from 50% of existing space (in areas zoned MUG or MUR before adoption of the Central SoMa Plan) to 75% (in areas zoned SLI or MUO before adoption of the Central SoMa Plan) to 100% (in areas zoned SALI before adoption of the Central SoMa Plan).

**Creation of Production, Distribution & Repair Uses (Sec. 249.78)**

In addition to the PDR preservation requirements of Proposition X (as discussed above), the Plan will require large office development to provide new PDR space of an area equivalent to 0.4 FAR (40 percent of their lot area). This amount of PDR may exceed what is already required.

The Planning Department will be responsible for overseeing compliance with these requirements, as part of the development review process. The process will verify Planning Code requirements are met to ensure that spaces are suitable for PDR use (including elements such as ceiling heights and parking/loading requirements).

## **PARKS & RECREATION**

### **Privately-Owned Public Open Spaces (POPOS) Requirement (Sec 138)**

Currently, the Plan Area has a great deficit of open spaces and recreation facilities, and significant investment will be needed to meet demand from new growth. In addition to providing new and rehabilitated public parks and recreation facilities, the Central SoMa Plan will also require larger nonresidential developments to provide Privately-Owned Public Open Spaces (POPOS), similar to the requirement in the Downtown Area Plan. Much of this space will be located outdoors at street level, open seven days a week. Some developments will have the option of providing space indoors and/or paying an in-lieu fee. All new office projects will be required to provide one square foot of POPOS for every 50 occupied square feet of office use. Unlike the policy in the Downtown C-3 districts, Central SoMa requires that this space be provided at ground level (for up to 15% of the parcel area), and provides an incentive for “active” recreation uses (including playgrounds, athletic courts, community gardens or dog runs).

The Planning Department is the agency primarily responsible for reviewing and approving POPOS proposals as part of the associated development application.

## **SCHOOLS & CHILDCARE**

### **School Impact Fee (CA Education Code Sec. 17620)**

The School Impact Fee (enabled by CA State Education Code §17620) is a citywide impact fee on new/expanded Residential and Non-Residential developments, with funds directed to the San Francisco Unified School District (SFUSD) for new capital facilities serving the public school population. Funds are not required to be spent in the Plan Area; revenues are programmed at SFUSD’s discretion based on current and future projections of growth in the school-aged population in each neighborhood.

### **Child Care Fee (Sec. 414 & 414A)**

The Child Care Fee (Planning Code §414 & 414A) is a citywide impact fee collected on Office and Hotel projects

greater than 25,000 GSF and on Residential and residential care developments adding more than 800 square feet of net new space. Funds are directed to the Human Services Agency Office of Early Care & Education and the Low-Income Investment Fund (LIIF; a non-profit child care developer contracting with the City) to develop new capital facilities for child care services. Funds may be spent citywide and are not required to be spent within the Plan area.

## **CULTURAL PRESERVATION**

### **Transferable Development Rights (TDR; Sec. 128.1)**

In order to support the preservation of historic resources in the Plan Area, Central SoMa includes a Transferable Development Rights (TDR) requirement, similar to the requirement in the Downtown Area Plan. Non-residential development projects in Public Benefits Tiers C and D will be required to purchase the equivalent of 1.25 Floor Area Ratio (FAR) worth of TDR credits from historic buildings in exchange for the right to build to higher densities. In essence, the program allows historic properties to sell “excess” development capacity (e.g. since the historic resource precludes building to similar densities as surrounding parcels), providing funds for building restoration and maintenance. Although the Planning Department administers and enforces the TDR program, the transactions themselves are implemented privately and purchase terms (i.e. prices) are not regulated by the City.

## **CULTURAL PRESERVATION & NEIGHBORHOOD STABILIZATION**

### **Community Facilities Fee (Sec. 428.1)**

The Community Facilities Fee is a new impact fee that would be applicable to all new development in the Plan Area. Fees will be collected by the Planning Department and directed to MOHCD to support the development of new space for nonprofit community facilities, such as health clinics and job training sites. The City, potentially in partnership with nonprofit developers, will use the funds to develop new space for community facilities. This may take several forms, such as a centralized hub for nonprofit space and/or a network of individual sites. In addition, the City is exploring the potential to provide such spaces collocated with new affordable housing developments, developed by MOHCD and its partners.

## **AREA-PLAN & MULTI-CATEGORY FUNDING SOURCES**

### **Eastern Neighborhoods Infrastructure Impact Fee (Sec. 423)**

The Eastern Neighborhoods Infrastructure Impact Fee (Planning Code §423) is an area plan impact fee that was

adopted concurrently with the Eastern Neighborhoods Area Plan in 2008. The Central SoMa Plan Area is an Eastern Neighborhoods Plan, being constituted of areas that were formerly parts of the East SoMa and Western SoMa Plan Areas. Projects in Central SoMa will continue to pay the Eastern Neighborhoods Infrastructure Impact Fee, which is administered by the Planning Department and the Interagency Plan Implementation Committee (IPIC) in consultation with the Eastern Neighborhoods Community Advisory Committee (ENCAC). Funds are used to pay for infrastructure within the following Plan Areas: East SoMa, Showplace/Potrero Hill, Mission, Central Waterfront, Western SoMa, and Central SoMa. Funds are allocated into public benefit categories shown in table 17 below.

Table 17

**EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE EXPENDITURE PROGRAM**

<b>IMPROVEMENT TYPE</b>	<b>% ALLOCATION (RESIDENTIAL DEVELOPMENT)</b>	<b>% ALLOCATION (NON-RESIDENTIAL DEVELOPMENT)</b>
Complete Streets: Pedestrian and Streetscape Improvements, Bicycle Facilities	31%	34%
Transit	10%	53%
Recreation and Open Space	47.5%	6%
Childcare	6.5%	2%
Program Administration	5%	5%

**Central SoMa Mello-Roos Community Facilities District (CFD)**

A Mello-Roos Community Facilities District (CFD) is an ongoing tax to pay for necessary infrastructure and services. The Central SoMa Plan proposes to establish a Mello-Roos CFD that would be paid by new developments receiving a significant upzoning through the Plan (Non-Residential Tier C and Residential Tiers B & C). This CFD will be established through a legal formation process roughly concurrent with the adoption of the Central SoMa Plan.

CFDs are beneficial for infrastructure planning because they offer a reliable and predictable revenue stream, as the taxes are paid annually over the life of the subject development project for a set term defined by the CFD (as opposed to a one-time payment for impact fees). In addition, the CFD could be established to fund both capital infrastructure and ongoing operations & maintenance, the latter of which is a critical funding need that cannot legally be funded by impact fees. Finally, a CFD provides the City with the option to bond against the future revenue stream, thus providing funding to build needed infrastructure much sooner, ideally before or at the same time as the anticipated new development.

**OTHER SOURCES OF FUNDING**

The fees and requirements discussed above are largely designed to mitigate the infrastructure needs created by new development. However, there are already substantial needs in the neighborhood. The responsibility for responding to some needs will need to be shared with a broader set of stakeholders than just new developments (sea level rise mitigation, for instance). As such, additional revenue sources will be needed to create a fully sustainable neighborhood. These additional revenue mechanisms will require interdepartmental efforts that

continue after the Plan's adoption, and may require future authorization by the Mayor and Board of Supervisors. A few potential sources of additional funding are described below

### **General Fund**

The City's discretionary property tax proceeds are deposited into the General Fund, and are available for the appropriation to any public purpose, including operations, programs, maintenance, and capital projects. Theoretically, these revenues could be directed to the Plan Area to accelerate the delivery of public benefits, or to fund other public benefits not identified here.

### **Grants & Bonds**

Many local, state, and federal agencies offer potential grants to fund needed capital projects. In particular, regional and state funds earmarked to facilitate higher density development near major transit infrastructure (such as the One Bay Area Grants run by the Metropolitan Transportation Commission) are a good fit for the goals of the Plan and could potentially be paired with matching local funds.

Other local bond measures may provide additional opportunities to fund projects identified here or in the future. For instance, San Francisco voters have adopted multiple bond measures in recent years to fund new or renovated parks and open spaces.

### **Direct provision through Development Agreements and other negotiated conditions of approval**

The Plan's Key Development Sites and other sites with significant development potential represent another potential mechanism to provide needed infrastructure. Project sponsors may elect to provide some of these community benefits directly, through mechanisms such as a Development Agreement or other negotiated condition of approval. These benefits may be provided in-lieu of some other requirement, or they may be voluntarily provided above and beyond the development requirements. It is impossible to predict how many projects would opt to do this; however, a number of the initial project proposals for the Key Development Sites do include some amount of voluntary community benefits.

**EXHIBIT V.3C -  
DRAFT GUIDE TO  
URBAN DESIGN**

# GUIDE TO URBAN DESIGN

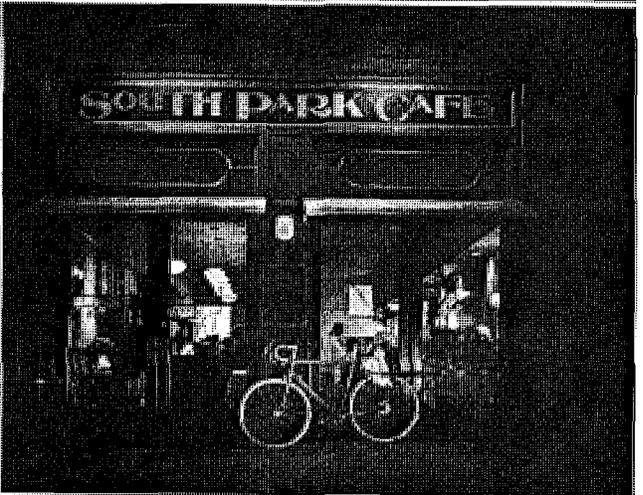
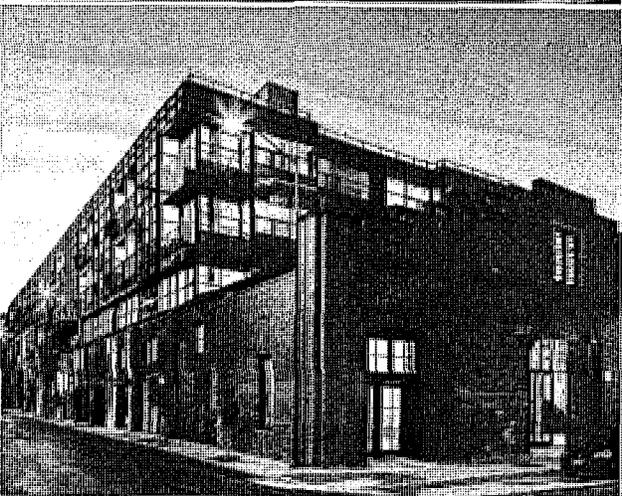
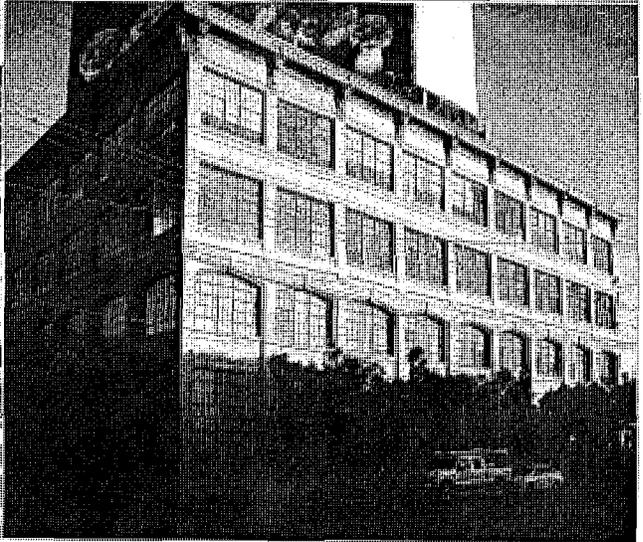
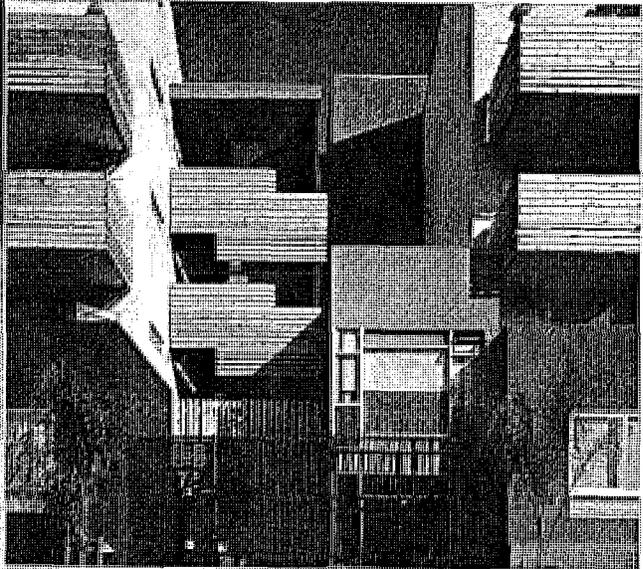
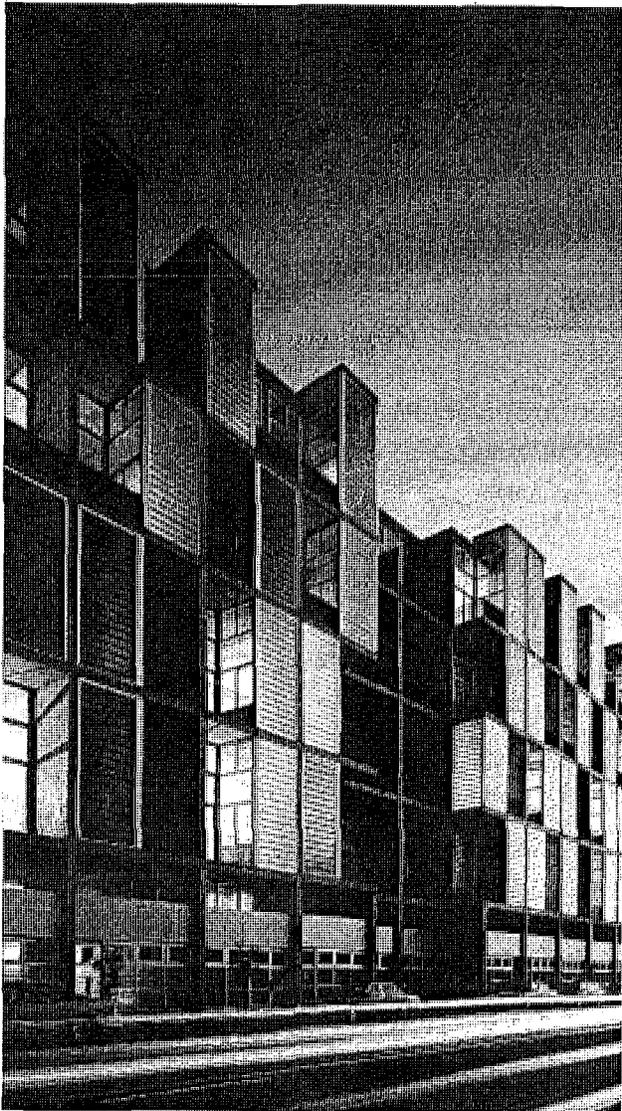
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## PURPOSE

- To convey design guidance that is specific to Central SoMa in a way that complements and supplements the requirements of the Planning Code and pending citywide Urban Design Guidelines; and
- To visually demonstrate Central SoMa Plan bulk controls.

## CONTENTS

1. **Additional Architectural Guidance** This section contains additional guidance for implementing the architectural vision for the Plan Area beyond what was written under Objective 8.6 of the Plan;
2. **Visualizing Bulk Controls** This section contains a graphical representation of the implementation of the skyplane, mid-rise, and tower controls contained in Implementation Measures 8.3.3.1, 8.3.3.2, 8.3.3.4, 8.3.4.1, and 8.3.4.2.



855 Folsom. Photo by Natoma Architects  
178 Townsend. Photo by Blake Marvin, HKS, Inc.

Folsom and Dore. Photo by Brian Rose  
Historic building. Photo by SF Planning  
South Park Cafe. Photo by Julia Spiess and Frank Schott

## **PART 1: ADDITIONAL ARCHITECTURAL GUIDANCE**

This section contains additional guidance for implementing the architectural vision for the Plan Area conveyed by Plan Objective 8.6: “Promote high quality architecture that enhances the neighborhood.” Specifically, it includes guidance around the following Implementation Measures:

- 8.1.2.1** Provide fixtures, furnishings, and art at interior and exterior ground floor openings to invite and support use of adjacent public areas
- 8.6.2.1** Utilize application of “skyplane” as a device to create interestingly shaped buildings
- 8.6.2.2** Harmonize new building designs with existing neighborhood materials but in a contemporary or reinterpreted way
- 8.6.2.3** Recognize and enhance existing local form and geometry variations to support neighborhood-specific architecture
- 8.6.2.4** Employ innovative architectural ideas for larger projects that provide a clear organizing principle for design
- 8.6.3.2** Utilize material systems that visually diminish upper facades
- 8.6.5.1** Modulate larger projects vertically or horizontally, whichever is more appropriate, to reflect surrounding lots and massing patterns
- 8.6.5.2** For projects with more than one building, recognize and respond to the existing pattern of long blocks, open spaces, and large and small streets
- 8.6.5.3** Vary the roofs of buildings for projects with long facades.

## Developing Site Concepts and Massing

Unlike downtown, the South of Market long blocks, low-rise buildings, and wide streets provide a more open experience of sun and sky. Central SoMa alleys contrast this “bigness” with more human-scaled environments.

Below are suggested, not prescribed, means that meet the intention of the implementation measure.

### Support Lots of Sky

Employ the flexibility of skyplane to creatively shape upper mass away from large streets and alleys. When employing skyplane, consider the building base to be the prominent and durable architecture and the upper building portion above the urban room as a more recessive, sculptural or even ethereal component. Consider volumetrically sculpting the tops of buildings to reflect the human scale, for example: contemporary versions of the mansard roof, indentions for smaller-scale balconies, clock towers, or light boxes that express interior use.

### Enhance Horizontality

While vertical articulations are common in most of San Francisco, designers working in the southern portion of Central SoMa should consider how horizontal geometry reads more strongly. The long blocks of Central SoMa offer opportunities for large floorplate

buildings but long undifferentiated facades, however, are not ideal for a positive street experience. Consider developing a modulated horizontality to express the existing environment, but with other articulations and fine-grained texture to create a visually compelling urban room.

### Precinct-Specific Form

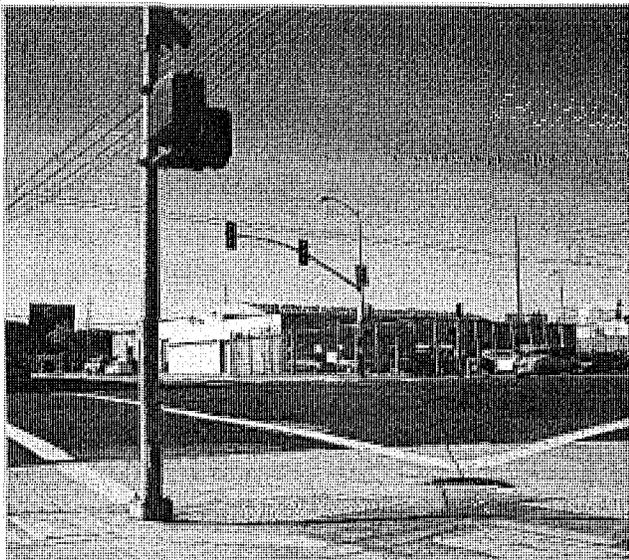
Central SoMa has several distinct building clusters that require more nuanced site design considerations, for example: 5th and Brannan, South Park, 5th and Howard, smaller residential enclaves, and parcels close to the freeway. Note and respond to urban form types and scales within these areas including nearby proposed projects.

### Enhance a Scale-shift

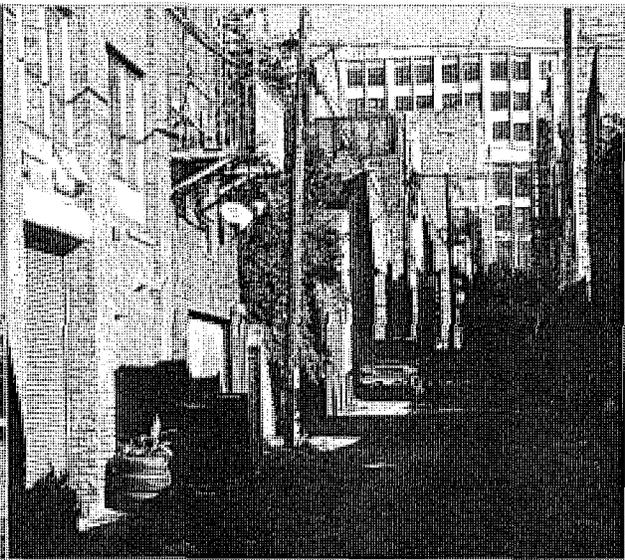
Recognize the scale changes from the large street environments to the small scale alleys by relating facade textures and modulation to equivalent heights



Bryant Street elevation. Photo by Google Maps



Brannan Street. Photo by SF Planning



Taber Alley. Photo by SF Planning

and proportions. Consider how building or landscape corners turn between these two environments and how the pedestrian experience can transition. Examine building openings that lead to alleys or open spaces for opportunities as gateways. Include neighborhood landmark features such as clock towers, special geometry, refined materials, coloration or other demarcating devices.

### **Engage Wide Streets**

The existing wide streets of Central SoMa will remain and be reinforced as the streetwall heights are designed to match their widths. Alternating big and small gaps are a familiar pattern in the pedestrian experience of Central SoMa. Designers should consider the cadence, proportions, and widths of alleys and wide streets in developing mid-block passages, entries to POPOS and courtyard spaces.

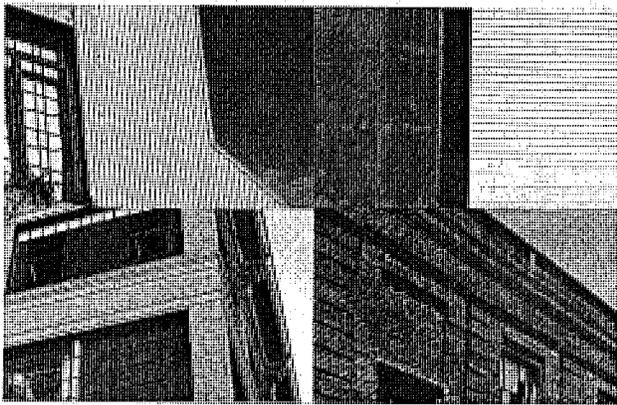
## Selecting Contextual Materials

Central SoMa has rich and varied histories that have left material patterns and scales. Contemporary architecture and construction techniques should express their time, but thoughtfully within the lineage of the neighborhood.

Below are suggested, not prescribed, means that meet the intention of the implementation measure.

### Express Industrial Legacy

Consider re-introducing familiar elements from historic building elements, for example: sawtooth light portals, longer spans for open floorplates, corrugation for texture and articulation, roll up doors to support active street frontages, and small wall openings to highlight the human scale. These elements should not be considered an industrial aesthetic but rather a reinterpretation of their benefits for contemporary programs and uses.



Neighborhood buildings. Photo by SF Planning

### Support Historic Character

Adaptively re-use existing fabric in innovative ways. This includes developing very contemporary language or “hyphenations” with older low-rise buildings.

### Provide masonry buildings

Designers should consider using materials that offer textures or geometries at the scale of brick. While brick is not endemic to all of Central SoMa, its scale of texture, however, is a familiar pattern demonstrated in earlier eras, such as corrugated metal, plate steel, industrial sash windows, larger window spans, frame buildings, and load-bearing masonry buildings with large spans. Consider contemporary materials that employ similar logics for scale, texture and access but avoid mimicry or appropriation.

### Offer Gritty Architecture

Repeatedly noted by residents as both a benefit and detriment, the “grit” of Central SoMa can be positively interpreted as environments that are “eclectic,” “surprising,” or “hardy.” Provide durable materials at the ground floor that are more rugged and resilient. Consider using facade systems that allow for small-scale flexible or modular insertions that would be easy to repair or swap for a change in technology, artistic exploration, or other future adaptation. Offer pedestrian scale indentions at the ground floor that could host seating or outdoor work areas. Support production activities being visible from or extending into the alley network.

## Programming Architecture to Support Public Space

Central SoMa's history of industrial and art production have fostered it as a place of innovation and experimentation. Consider how furnishings and programming will help Central SoMa support this character and evolve over time.

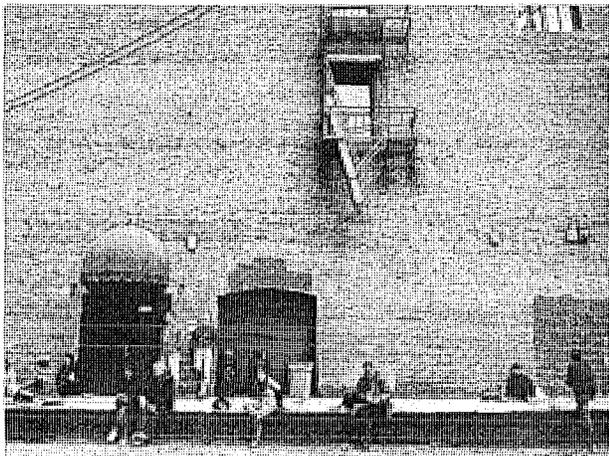
Below are suggested, not prescribed, means that meet the intention of the implementation measure.

### Support the Alley Experience

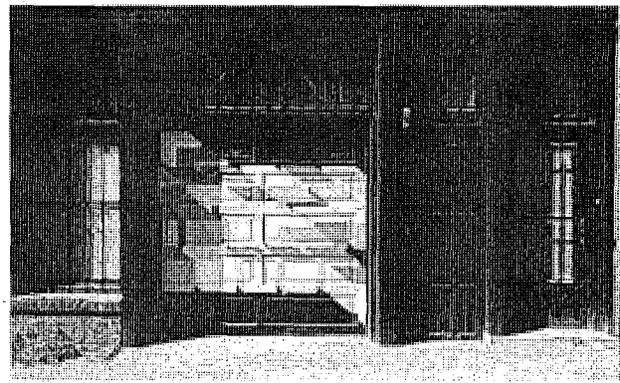
Alleys in Central SoMa foster both quiet residential neighborhoods and industrial overflow. Rather than being just utilitarian, they can sponsor art, outdoor workspace or places to hang out. The Department recommends thoughtfully inventing alley way uses that can support full and safe pedestrian use while still facilitating loading and the other rougher functional uses needed by PDR uses at the ground level.

### Offer Mid-Block Surprises

To animate alleys and public open space, offer and program small spaces that are flexible for different activities, for example, fold out galleries, flexible kiosks, micro-retail, art or lighting installations, playful street furnishings, or places for outdoor workshops or maker activities. Create stewardship programs that



Loading dock near Little Skillet. Photo credit: Kendra Aronson.



Taber Alley. Photo by Street Arts SF

support or host curated events or activities. Where panels, solid surfaces, or other less pedestrian-friendly elements are required for utilitarian purposes, consider those as opportunities for art, special materials, or display.

### Provide Maker Spaces

As a place of production, Central SoMa favored interior uses that were rough, eclectic, and supported invention and less pristine or tightly honed activities. Consider PDR as an active ground floor use where making or distributing material goods can be a recognized human endeavour through the use of transparency, openings, lighting, and doorways. Consider inventing ways for this use to invite pedestrian views or engagement through affiliated retail or more organized cultural events.

## **PART 2: VISUALIZING BULK CONTROLS**

This section contains a graphical representation of the implementation of the skyplane and tower controls contained in Implementation Measures 8.3.3.1, 8.3.3.2, 8.3.3.4, 8.3.4.1, and 8.3.4.2. It includes images for three kinds of buildings:

**Buildings taller than 160 feet** subject to tower controls

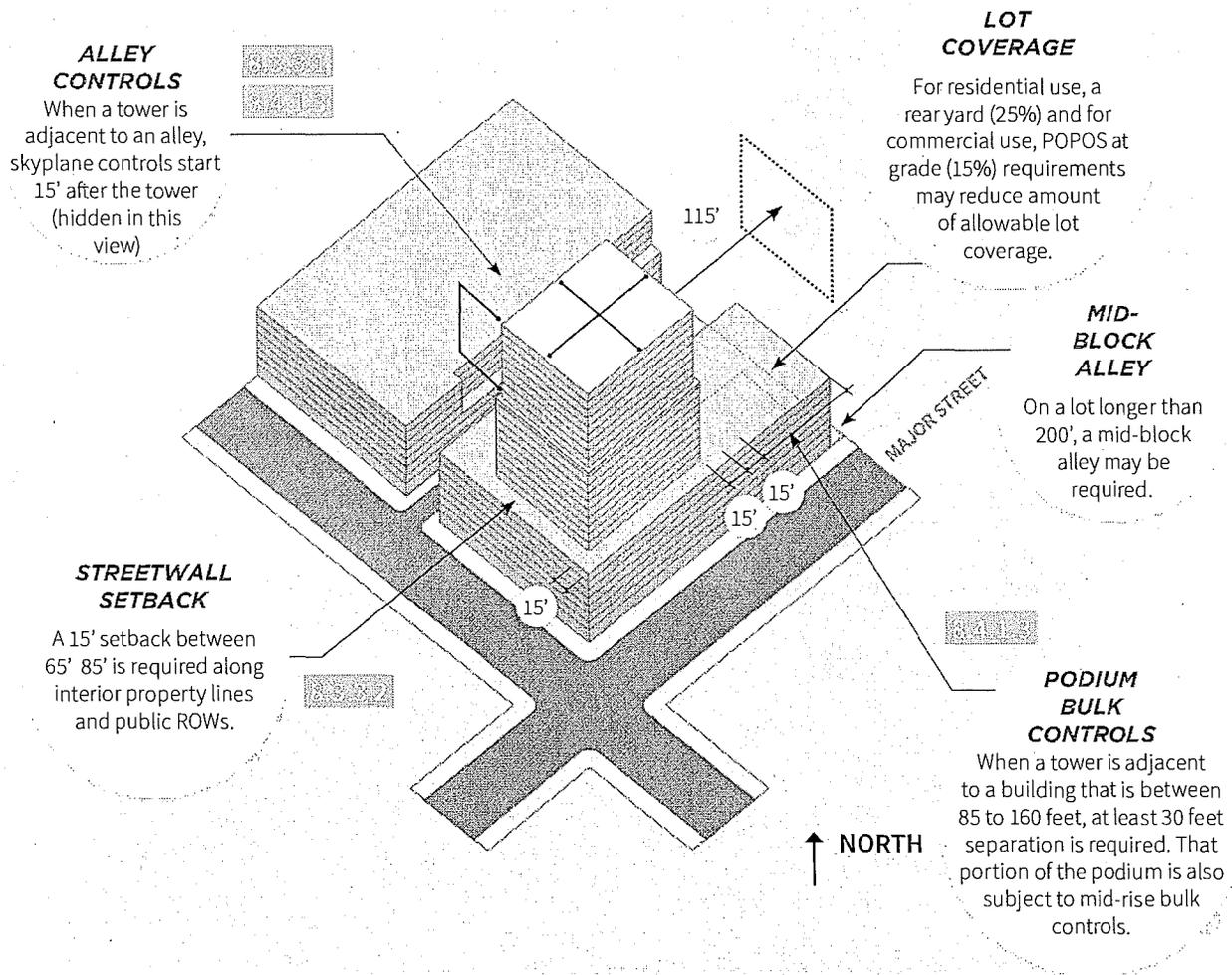
**Buildings above 85 feet but not taller than 160 feet** subject to skyplane controls

**Buildings 85 feet and less** subject to skyplane controls when fronting on narrow streets and alleys

## Bulk Controls for Buildings Taller than 160'

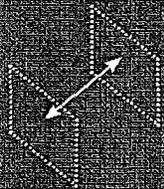
Central SoMa will allow a handful of buildings taller than 160 feet, to punctuate important intersections (such as at the Caltrain station). To support height at these locations while still supporting light, air, and sun access to the streets, the Plan includes:

Below is a majority but not complete depiction of Implementation Measures (referenced by number that may affect the building envelope).



## TOWER BULK CONTROLS

### TOWER SEPARATION



#### IMPLEMENTATION MEASURE 8.3.3.4

When there is an existing tower, the second tower should be at least 115'. The distance between towers may be reduced to a minimum of 85' if the difference in the height of the two towers is at least 50' and the bulk of the second tower is reduced relative to the reduction in tower separation, such that at 85', the maximum tower bulk shall be 10,000 sf.

### TOWER REDUCTION



#### IMPLEMENTATION MEASURE 8.3.4.2

For towers 250' or more, the upper 1/3 of any tower must feature minimum bulk reductions of 15% of the floorplate and the maximum diagonal of 7.5%. The upper tower bulk reduction shall not be required for any tower for which the overall tower is reduced from the maximum bulk allowance by an equal or greater volume (above a height of 85').

### TOWER BULK



#### IMPLEMENTATION MEASURE 8.4.1.3

No residential or hotel use would be allowed to have a floor exceed 12,000 gsf. The average floor for commercial uses cannot exceed 15,000 gsf and no single floor may exceed 17,000 gsf. The maximum horizontal dimension would be 150'. The maximum diagonal dimension would be 190'.

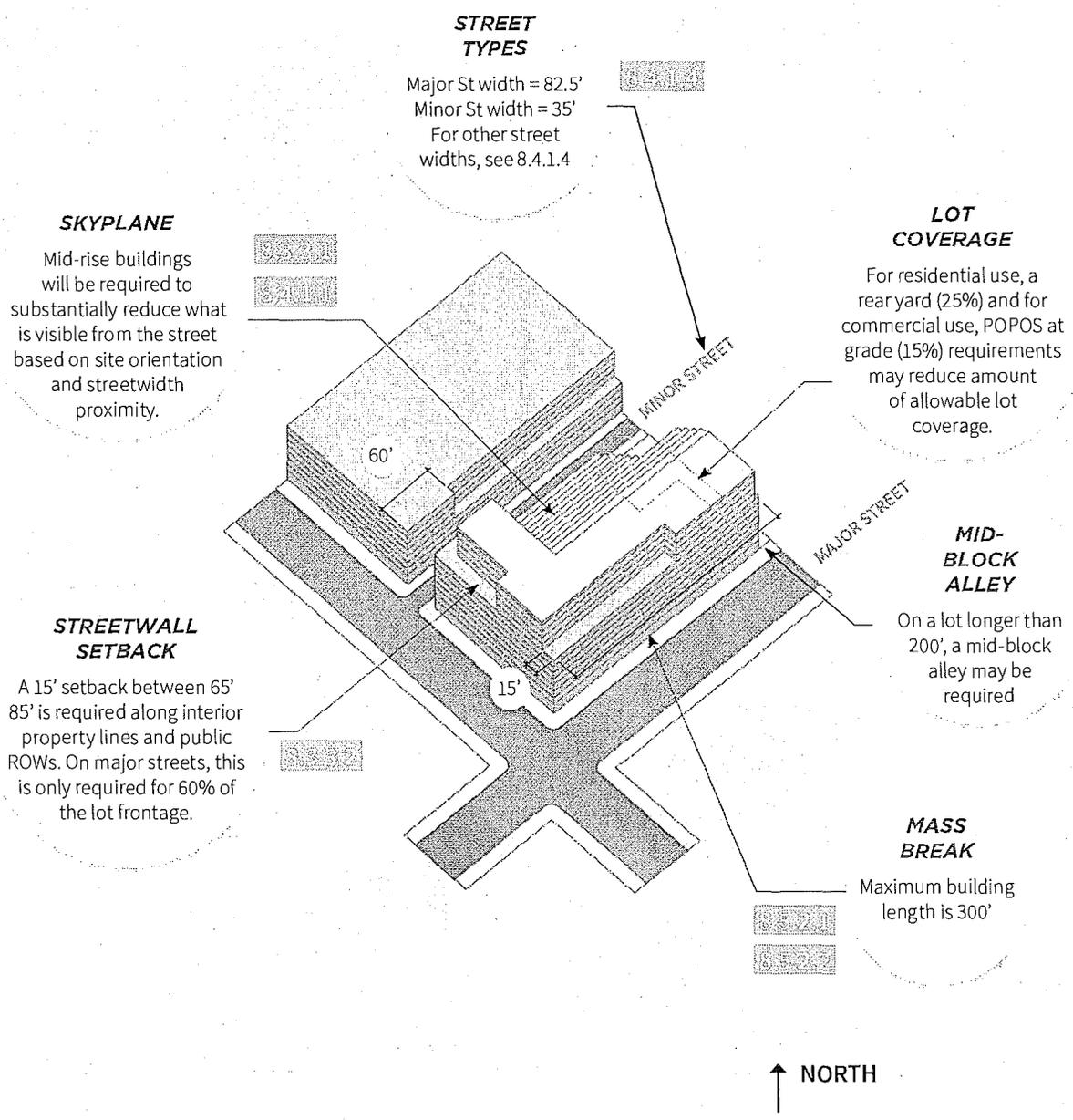


Photo by Daniel Austin Hoherd, Flickr (CC BY-NC 2.0).

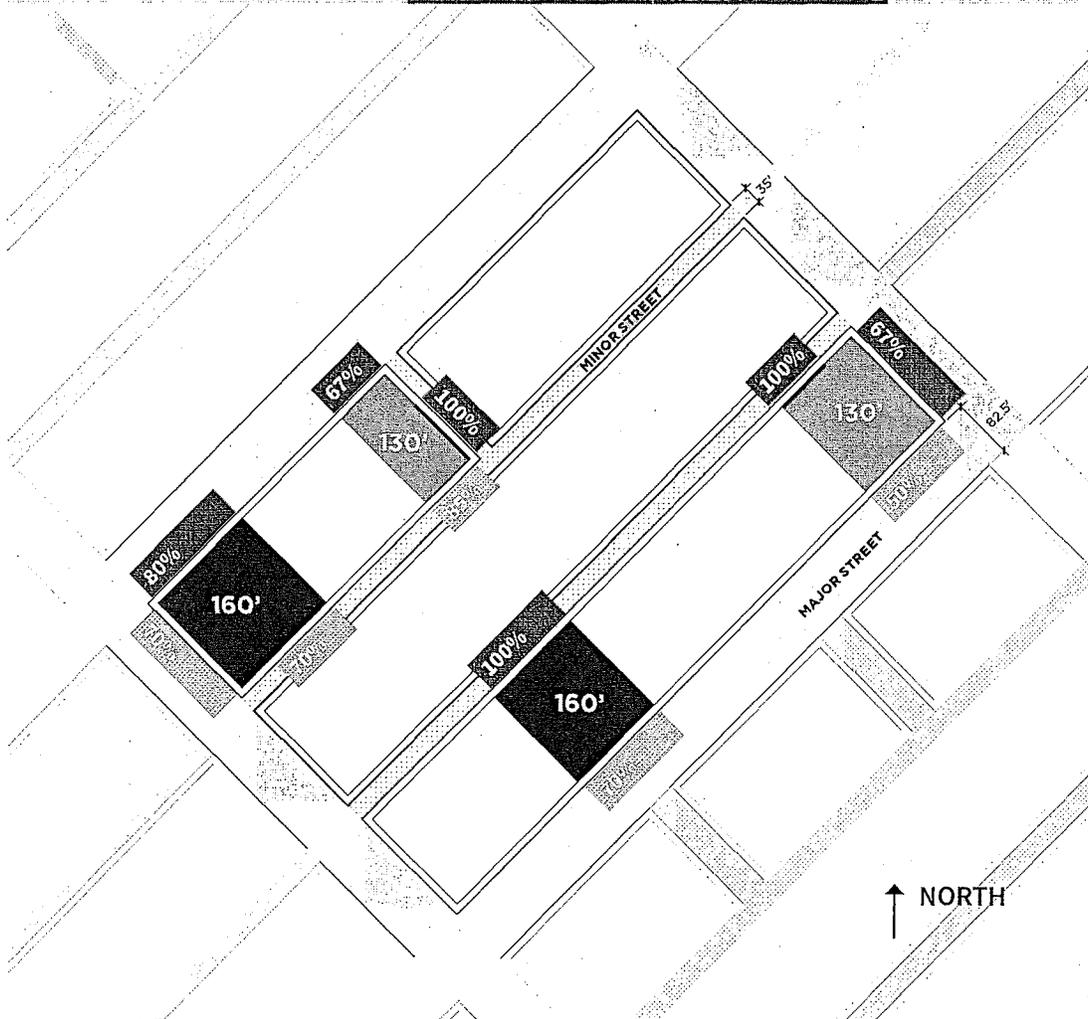
# Bulk Controls for 130' or 160' Tall Buildings

Central SoMa is primarily designed to be a mid-rise district, with buildings of 85 feet to 160 feet. To support this density while still supporting light, air, and sun access to the streets, the Plan includes:

Below is a majority but not complete depiction of Implementation Measures (referenced by number that may affect the building envelope).



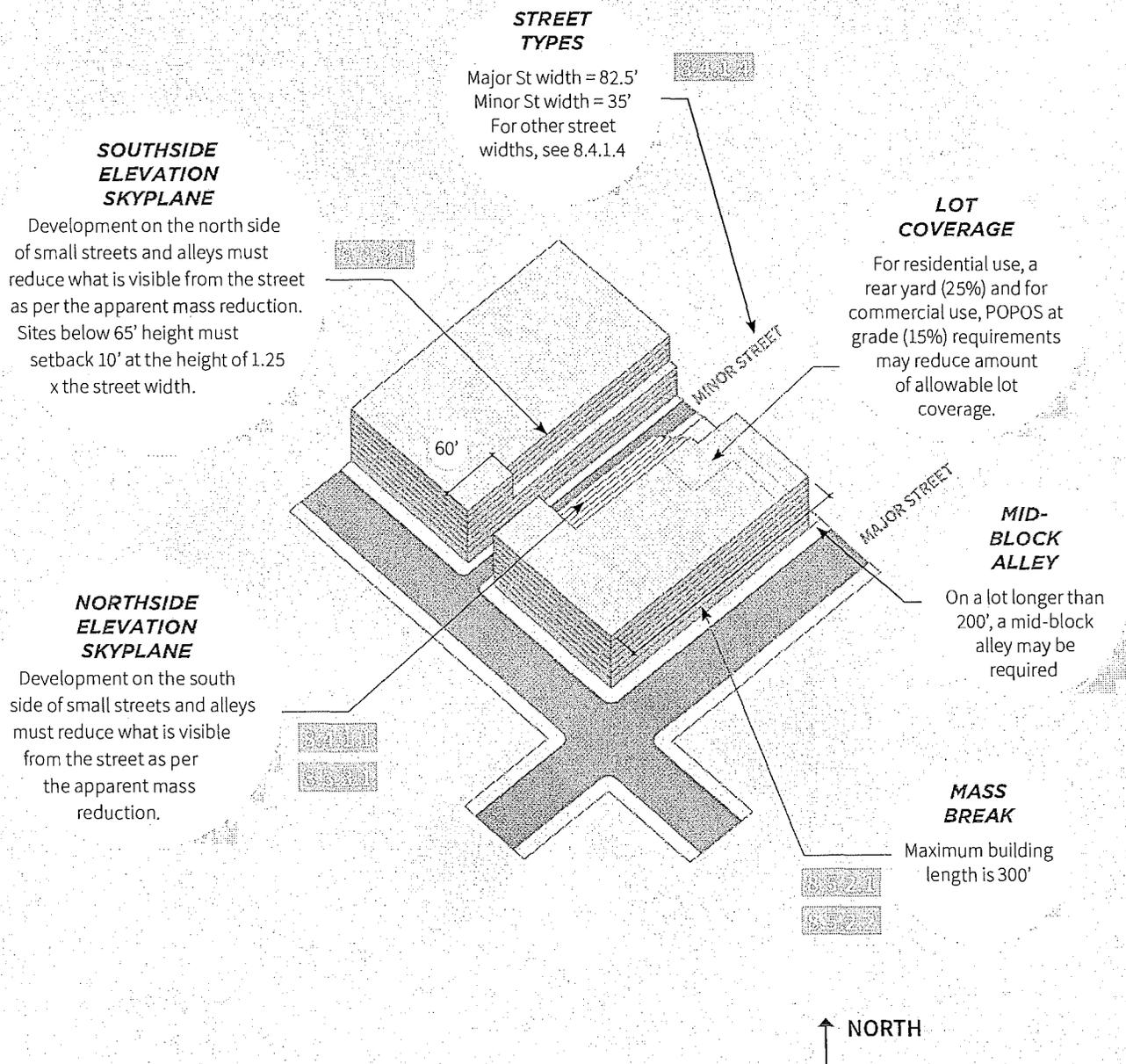
SKYPLANE APPARENT MASS REDUCTION %				
Height	Street Width	North Mass Reduction %	North Mass Reduction %	Apparent Skyline
160'	35' wide street	70%	100%	above 35' above 85'
	82.5' wide street	70%	80%	
130'	35' wide street	85%	100%	above 35' above 85'
	82.5' wide street	50%	67%	



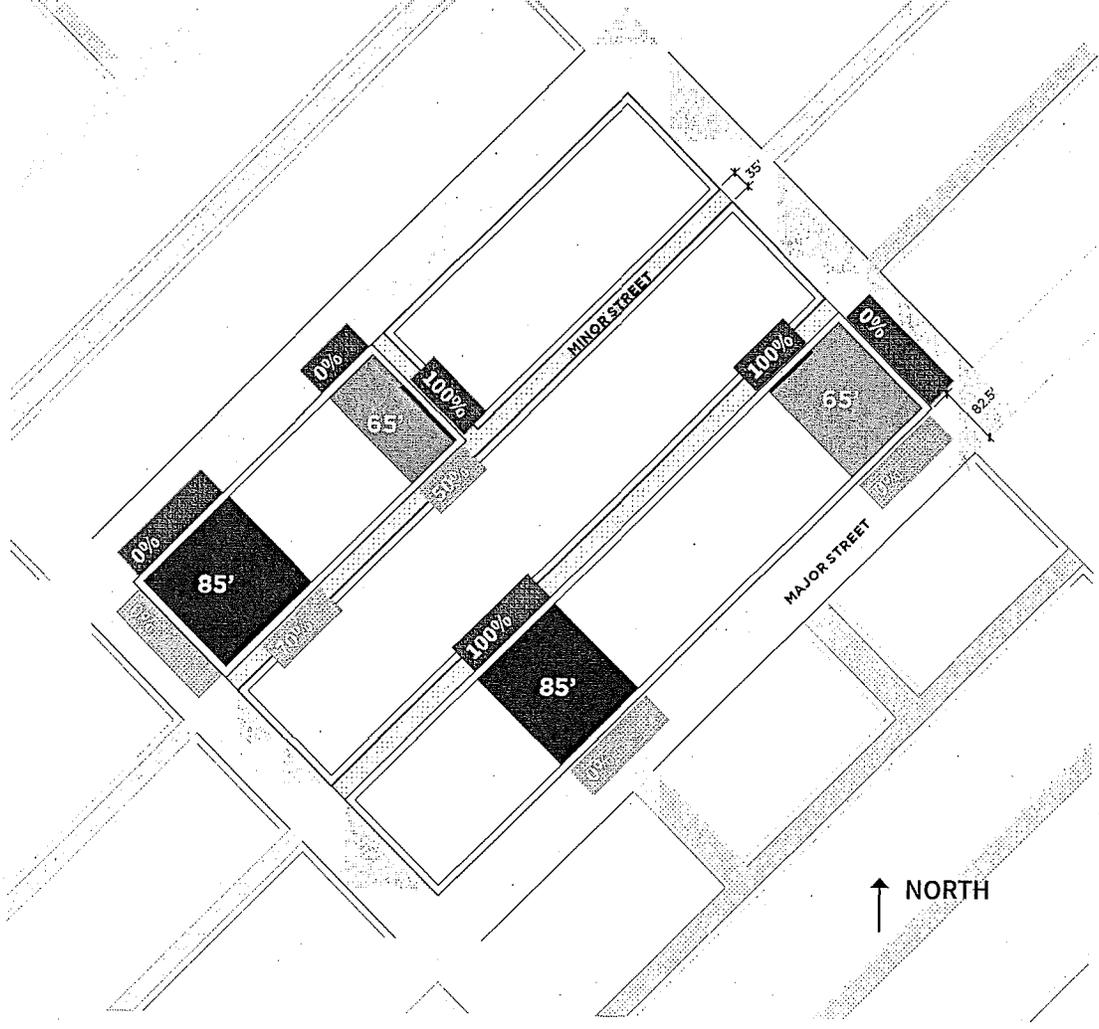
# Bulk Controls for Buildings 85' or Shorter

Small streets and alleys in Central SoMa offer special neighborhood character. To maintain this character by supporting light, air, and sun access to these streets, the Plan includes:

Below is a majority but not complete depiction of Implementation Measures (referenced by number that may affect the building envelope.



SKYPLANE APPARENT MASS REDUCTION %				
HEIGHT	STREET WIDTH	STREET WIDTH	STREET WIDTH	STREET WIDTH
85'	35' wide street	70%	100%	above 35'
65'	35' wide street	50%	100%	above 35'
65'	35' wide street	10' at 1.25x St width	100%	above 35'



**EXHIBIT V.3D -  
DRAFT KEY DEVELOPMENT  
SITE GUIDELINES**

## KEY DEVELOPMENT SITE GUIDELINES

### PURPOSE

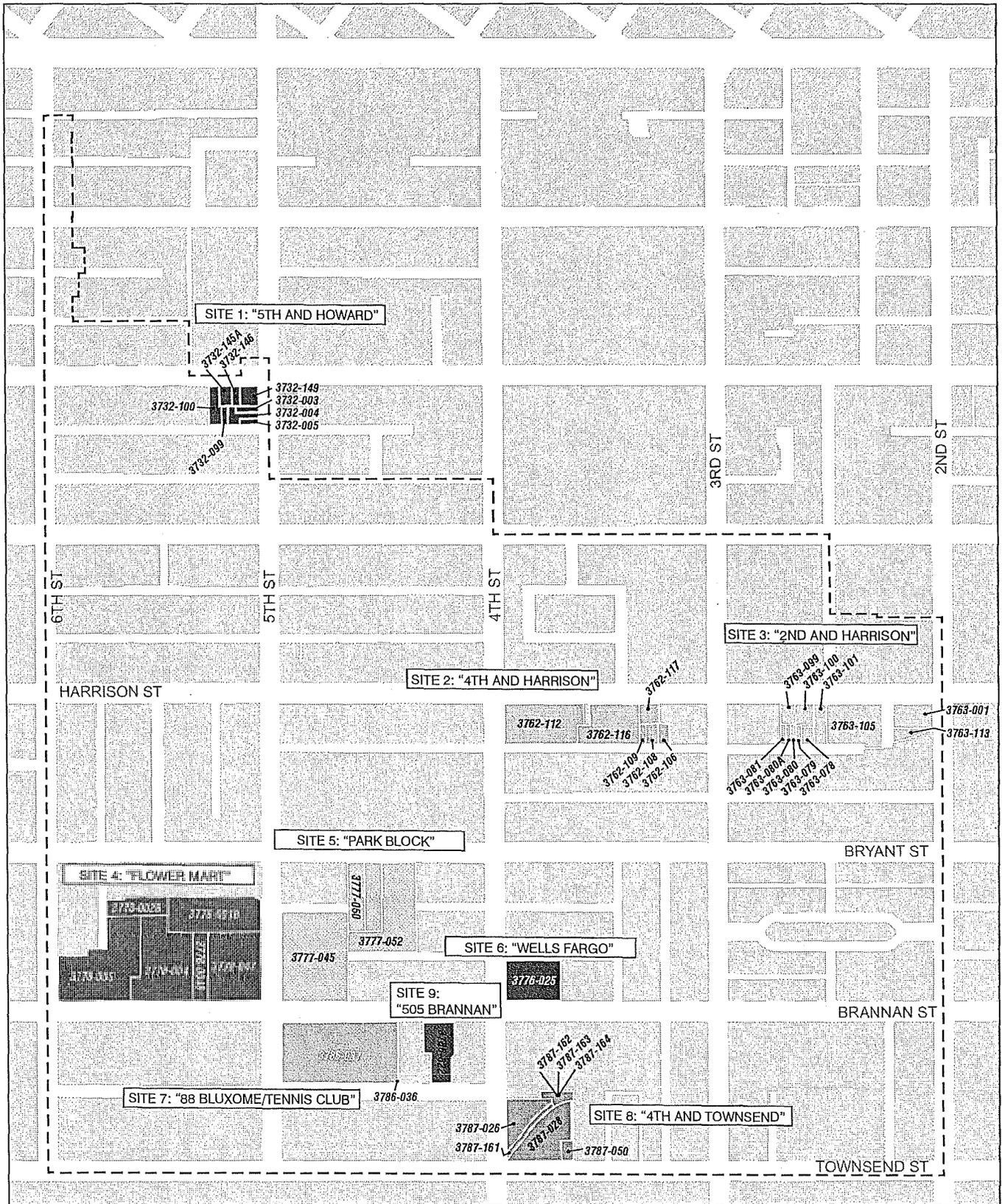
The Central SoMa Plan Area contains a number of “key development sites” - large, underutilized development opportunities with lot areas ranging from 25,000 square feet to well over 100,000 square feet (see Figure 1). By providing greater direction to the development of these sites, the City has an opportunity to maximize public benefits and to ensure that their development directly delivers critical public benefits, such as:

- Affordable housing, per Plan Policy 2.3.1: “Set affordability requirements for new residential development at rates necessary to fulfill this objective;”
- Protections and incentives for production, distribution, and repair space, per Plan Policy 3.3.4: “Provide incentives to fund, build, and/or protect PDR;”
- A large hotel serving the Convention Center, per Plan Policy 3.5.1: “Allow hotels throughout the growth-oriented parts of the Plan Area;”
- Pedestrian access, per Plan Policy 4.1.9: “Expand the pedestrian network wherever possible through creation of new narrow streets, alleys, and mid-block connections;”
- New public parks, per Plan Policy 5.2.1: “Create a new public park in the highest growth portion of the Plan Area” and Plan Policy 5.2.2: “Create a new linear park along Bluxome Street between 4th and 5th Streets;”
- A new public recreation center, per Plan Policy 5.3.1: “Increase the amount of public recreation center space, including the creation of a new public recreation center;”
- Child care, per Plan Policy 2.6.2: “Help facilitate the creation of childcare facilities”; and
- Public plazas, per Plan Policy 5.5.1: “Require new non-residential development and encourage residential development to provide POPOS that address the needs of the community.”

Finding space on which to locate these kinds of public assets is tremendously difficult in a highly developed neighborhood like SoMa. But on these key development sites, the City can partner with the developer to address the unique design challenges that could constrain the creation of these amenities in exchange for their provision.

The draft Key Development Site Guidelines contained in this document are intended to help fulfill the opportunities for public benefits and address these design challenges. In doing so, these Guidelines are intended to help implement Objective 8.5 and Policy 8.5.1 of the Central SoMa Plan. Objective 8.5 states, “Ensure that large development sites are carefully designed to maximize public benefit,” whereas Policy 8.5.1 states, “Provide greater direction and flexibility for large development sites in return for improved design and additional public benefits.” The intent is for these guidelines to be further refined and codified with the adoption of the Central SoMa Plan, with additional refinement to occur as these projects seek entitlement from the City.

Figure 1  
**KEY DEVELOPMENT SITES**



**SITE 1: "5TH AND HOWARD"**

**Existing Conditions**

The 31,000 square foot site currently contains a large surface parking lot covering most of its area. It also includes two small two-story commercial buildings, one fronting Howard Street with parking in the rear and one extending from Howard Street to Tehama Street.

**Development Potential**

Based on the proposed height, bulk and zoning parameters, there is potential for approximately four to five hundred thousand square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site. This site is currently under the ownership of a non-profit housing development organization, and the expected development on the site would consist of a residential project with a very high percentage of affordable housing.

**Potential Public Benefits**

This site has the potential to provide a substantial amount of affordable housing, approximately 400 housing units, at least 2/3 of which would be affordable to very low, low, and moderate income San Franciscans. This would greatly exceed the percentage of below market rate housing otherwise required for the site (as contained in Part C of the Central SoMa Implementation Strategy, "Requirements for New Development").

**Potential Flexibility**

**Height**

The site could contain two buildings – one of 300 feet and one of 180 feet. To maximize affordable housing units, the Plan could allow the 180-foot building to utilize the height to be treated as a mid-rise building rather than a tower (per Implementation Measure 8.5.1.2), in which case it would be allowed to have floor plates larger than 12,000 square feet and be within 30 feet of the adjacent tower.

**Massing**

Where buildings are taller than 160 feet, the Plan requires a 15-foot setback along all property lines at a height of 85 feet (per Implementation Measure 8.3.4.2). To maximize affordable housing units, the Plan could allow a partial reduction this setback requirement. However, at that height, design techniques including articulation (and not simply materiality and surface treatments) must be used to distinguish the streetwall podium from the tower. The Plan could also modify the apparent mass reduction requirement (per Implementation Measure 8.3.3.1) along Howard Street for the 180-foot building.

**Design Guidelines**

**Parking and Loading Access**

To minimize conflicts on Howard and 5th Streets, any parking and loading for provided on this site shall be accessed off of Tehama Street.

## SITE 2: "4TH AND HARRISON"

### Existing Conditions

The 102,000 square foot site currently contains four single-story buildings, including automobile parking for commuters and other non-residential uses.

### Development Potential

Based on the proposed height, bulk and zoning parameters, including requirements for mid-block alleys, there is potential for approximately one million square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

Because of its large size, the site has the potential to provide space for one or more of the following as described further below: 1) an affordable housing site, 2) affordable space for production, distribution, and repair, 3) a public recreation center.

#### Affordable Housing Site

This site contains the potential for dedicating a portion of the site for a 100% affordable housing development while still including a large footprint for a substantial commercial development. Should this site yield an affordable housing site, the preferred location would be interior to the block facing Harrison Street, with a size of between 15,000 – 30,000 square feet (which is the Mayor's Office of Housing and Community Development's preferred size for affordable housing developments).

#### Production, Distribution, and Repair

Any proposed office building on this site would be required to provide PDR space (per Implementation Measure 3.3.3.1). While the City cannot require that this

space be subsidized as part of the Plan, the project sponsor could provide affordable rents to through a development agreement or other mechanism.

#### Public Recreation Center

Because of its large size and development potential, this site contains the potential to include the new public recreation center being sought by the City. Such a recreation center could be stand-alone, or for purposes of site efficiency, incorporated into the affordable housing site or a proposed office development. Any proposed recreation center should coordinate the amenities and offerings with those available at the Gene Friend Recreation Center located at 6th and Folsom Streets.

### Potential Flexibility

#### Height

If providing on-site affordable housing and/or a recreation center, the Plan could allow up to 25 feet of additional height on the buildings on the site (per Implementation Measure 8.5.1.2).

#### Massing

The Plan's "skyplane" requirements mandate mass reduction from 50-80% along street-facing property lines (per Implementation Measure 8.3.3.1). If required to provide on-site affordable housing and/or a recreation center without diminishing overall project development potential, the Plan could allow a reduction of the "skyplane" requirements along some combination of Harrison Street and 4th Street. This reduction would be designed to shift the building mass in a manner that emphasizes the corner of 4th and Harrison.

## **Design Guidelines**

### **Mid-Block Connections**

Per Planning Code Section 270.2, the site will be required to provide a mid-block connection between Harrison and Perry Streets. The mid-block connection should be located in the middle-third of the block.

### **Pedestrian Experience under I-80**

Current pedestrian conditions along 4th Street under I-80 along could be improved in a number of ways to create a safer, more engaging environment. The project could provide or contribute to public art, lighting and other improvements in coordination with the City.

### **Parking and Loading Access**

Any parking and loading provided shall be accessed off of Perry Street and/or the new mid-block alley.

### **Privately-owned public open space (POPOS)**

New development is required to provide POPOS, on-site or within 900 feet of the project. A good location for this project's POPOS is off-site under the I-80 freeway, on the west side of 4th Street, where it could serve to activate the street (in keeping with Implementation Measures 4.1.10.1 and 5.3.2.1). If provided on-site, the project's POPOS should be an inviting indoor space along 4th Street as well as the mid-block alley between Harrison Street and Perry Street.

## SITE 3: "2ND AND HARRISON"

### Existing Conditions

The site currently contains five buildings. There is a four story, 65,000 square foot commercial building on Harrison Street between 2nd Street and Vassar Place. To the west of Vassar Place, covering the full lot from Harrison Street to Perry Street, is a four story, 150,000 square foot historically significant commercial building. West of that building are three two-story commercial buildings fronting Harrison Street with parking lots fronting Perry Street.

### Development Potential

Based on the proposed height, bulk and zoning parameters, there is potential for approximately 1.2 million square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

As a large site, the site has the potential to deliver one or more of the following as described further below: 1) increased affordable housing, 2) affordable space for production, distribution, and repair, 3) a large hotel, 4) child care, and 5) pedestrian experience under I-80.

### Affordable Housing Site

The collection of parcels west of the site's historic building has been proposed for a residential tower. With additional development potential, the site could potentially exceed the affordability levels required by the Plan.

### Production, Distribution, and Repair

Any proposed office building on this site would be required to provide PDR space (per Implementation Measure 3.3.3.1). While the City cannot require that this

space be subsidized as part of the Plan, the project sponsor could provide affordable rents to through a development agreement or other mechanism.

### Large Hotel

The City is seeking large hotels (500 rooms or more) in the proximity of the Moscone Convention Center (as discussed in Implementation Measure 3.5.1.1). This site could accommodate such a hotel.

### Childcare

Neighborhood support services, particularly childcare, are critical to support the vision of Central SoMa and maintain a diversity of residents in the Plan area, consistent with Draft Plan Objective 2.6. The proposed site would have the potential to provide an on-site child-care facility, to support the expanding population.

### Pedestrian Experience under I-80

Perry Street runs between this site and the AC Transit bus storage facility, and is largely underneath the I-80 freeway. In addition, Perry Street dead-ends before reaching 2nd Street. The result is that existing conditions are unattractive and unsafe, as well as lacking connectivity. This project may have the opportunity to incorporate public realm and street improvements that connect Perry Street to both 2nd Street and Vassar Street and thereby improve the connectivity. Additionally, the project could provide or contribute to public art, lighting and other improvements along the bus facility and otherwise under I-80.

## Potential Flexibility

### Height

The Plan contains two potential height limits for this key development site – a lower height and a higher height that could only be achieved through provision of the affordable housing and large hotel described above. This would include up to 350 feet east of Vassar Place, 200 feet on the Lot 105 and 350 feet on the collection of parcels to its west.

### Massing

The Plan's tower controls establish a maximum floorplate of 12,000 square feet for hotels (per Implementation Measure 8.3.4.2) and a minimum distance of 115 feet between any two towers (per Implementation Measure 8.3.3.4). Achieving the City's desired minimum number of hotel rooms on-site could require the hotel tower to exceed the Plan's proposed maximum floor size and dimensions, as well as its minimum tower separation. However, such a tower would be required to be set back to the maximum degree possible from Harrison Street.

### Privately-owned public open space (POPOS)

The Plan's POPOS requirements state that the development's POPOS should be open to the sky (per Implementation Measure 5.5.1.1). However, the location of the site adjacent to the freeway is not highly conducive to an outdoor POPOS. Simultaneously, a use that activates 2nd Street for pedestrians is very important along that busy street. As such, the Plan could allow an exception to the requirement that the POPOS be open to the sky, and instead provide an enclosed POPOS, as long as it is at sidewalk grade and has a clear ceiling height of at least 25 feet and meets other standards for design and performance.

## Lot Consolidation

To maintain historic neighborhood character, the Plan bans consolidation of lots containing buildings with historic or neighborhood-character buildings (per Implementation Measure 7.6.1.1). As shown in Plan Figure 7.2, several parcels fronting Harrison and 2nd Streets would not be allowed to consolidate with other parcels under this provision. However, on this large site, this requirement may impact the ability to achieve both public benefits and superior design and potential for public benefits. Therefore, the Plan could allow the project to consolidate these lots.

## Design Guidelines

### Mid-Block Connections

The development site has the potential to add a portion of Lot 112. If this occurs, the development should connect Vassar Place all the way from Harrison Street to Perry Street. However, a second mid-block connection in addition to Vassar Place is unlikely to provide an important pedestrian route, given the availability of Vassar Street and the lack of a mid-block connection south of Perry Street, and could diminish from the street wall along Harrison Street. Therefore, the project may not be required to develop a second mid-block connection. **Parking and Loading Access** Parking and loading should be provided off of Perry Street or Vassar Place, but not 2nd Street or Harrison Street.

## **CONTENTS**

The following information is contained for each key development site:

- The existing conditions on the site (as of January 2018);
- Its development potential, based on proposed zoning and height limit;
- The “Potential Public Benefits,” which, as the name implies, describes the public benefits that could be provided on the site that are not otherwise required by the Plan, tailored to the unique potential of the site;
- The “Potential Flexibility,” which describes the potential exceptions from the Plan’s Implementation Measures that may be necessary to achieve the increased public benefits, tailored to the unique circumstances of each site and of provision of the potential public benefits; and
- The “Design Guidelines,” which describe site-specific strategies to best implement the Plan’s policies where such explicit direction is not already given by the Plan.

## SITE 4: "FLOWER MART"

### Existing Conditions

The site currently contains a large wholesale flower market consisting of single-story warehouses, smaller shops, parking, and ancillary facilities. Additionally, there is a surface parking lot at the corner of 5th and Brannan that has been used to store utility vehicles. Located at the north end of the site is a shared easement that serves as a service drive for the wholesale flower market and its northern neighbors.

### Development Potential

Based on the proposed height, bulk and zoning parameters, including requirements for mid-block alleys, there is potential for at least 2.4 million square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

As a large collection of parcels, the site has the potential to deliver one or more of the following as described further below: 1) a replacement Flower Mart at subsidized rents, 2) an affordable housing site.

### Wholesale Flower Market

Any proposed office building on this site would be required to provide PDR space (per Implementation Measure 3.3.3.1). It is important that such space be provided for the current wholesale flower market tenants as well as future operators, and that the facility is provided at affordable rents to ensure their longevity and financial success. The City and the project sponsor are considering a development agreement to ensure that this occurs.

### Affordable Housing Site

Current plans for the site do not contemplate the inclusion of housing, due to potential conflicts with the operations of the wholesale flower market. However, if such conflicts were mitigatable, and housing were contemplated on the site, such housing could also provide space for on-site affordability. The large size of the site could enable the potential for a 100% affordable housing development of 15,000 – 30,000 square feet, potentially at the corner of 6th and Brannan, while still including a substantial commercial development.

### Potential Flexibility

#### Massing

The site design is driven by the wholesale flower market's need for a continuous ground floor operation of almost three acres. Given this consideration, the City could allow the following exceptions to the streetwall (per Implementation Measure 8.1.3.1), skyplane (per Implementation Measure 8.3.3.1), tower separation (per Implementation Measure 8.3.3.4), tower bulk (per Implementation Measure 8.3.4.2), setback requirements (per Implementation Measure 8.3.4.2), and building length (per Implementation Measure 8.5.2.2):

- The potential for the building at the corner of 5th and Brannan to have its 15-foot setback would occur up to a height of 105 feet rather than 85 feet;
- The "mid-rise" portion of the building above the wholesale flower market to go to 200 feet rather than 160 feet, provided this increase is only located internally to the block along the mid-block connection created by the project;

- A reduced setback at 85 feet along 5th Street and Morris Street for a small percentage of the building;
- A reduced setback for the tower proposed at the corner of 6th and Brannan Streets;
- A waiver of the the bulk reduction in the top 1/3 of the tower;
- An ability to exceed the maximum building length of 300 feet if the project still contains an architectural mass break (respecting the intent of Planning Code Section 270.1) and is largely permeable and open to the elements at the ground floor; and
- A waiver of the narrow streets setback and skyplane requirements at the new midblock east-west paseo and expanded service lane.

#### PDR Space

To ensure no net loss of PDR due to the Plan, the Plan proposes 100 percent replacement of PDR space in areas being rezoned from SALI to PDR (per Implementation Measure 3.3.3.1). However, by increasing the efficiency of the current wholesale flower market, it is possible to have the same amount of businesses and workers on a smaller footprint. As such, the Plan could allow an exception to the 100 percent replacement requirement.

#### Lot Consolidation

To maintain historic neighborhood character, the Plan bans consolidation of lots containing buildings with historic or neighborhood-character buildings (per Implementation Measure 7.6.1.1). As shown in Plan Figure 7.2, the site parcels fronting both 5th and 6th Streets that would not be allowed to consolidate with other parcels. On this large site, this requirement runs counter to the ability to achieve superior design and

potential for public benefits. Therefore, the Plan could allow the project to consolidate these lots.

#### Design Guidelines

##### Mid-Block Connections

Per Planning Code Section 270.2, the site will be required to provide multiple mid-block connections. These should be utilized to create an alley network on this block – one of the few in SoMa without one. This should include an east-west connection through the entire block, potentially as an extension of Freelon Street. This should also include a north-south connection from Brannan Street to the east-west connection.

##### Pedestrian Experience under I-80

Current pedestrian conditions along 5th Street under I-80 along could be improved in a number of ways to create a safer, more engaging environment. The project could provide or contribute to public art, lighting or other improvements in coordination with the City.

##### Parking and Loading Access

Parking and loading should be provided off of an existing or new alley or service drive. Given the size and industrial nature of this site, it may require multiple parking access points.

##### Privately-owned public open space (POPOS)

Due to the site's size, there are multiple ways to meet the intent of the POPOS requirement. This could include pedestrianizing a large portion of the required mid-block connections. This could also include a large centralized public space on the site. Any such space should be oriented to maximize sunshine.

### **Ground Floor Activation**

Presuming the replacement wholesale flower market is at the ground floor, it will be important to ensure that the facility is designed to support activation at this level during the afternoon and evening hours when the wholesale flower market typically has no to low activity. The portion of the building fronting POPOS should be lined with active commercial and/or community uses that serve the local population into the evenings and weekends.

## SITE 5: "PARK BLOCK"

### Existing Conditions

The site includes a nearly 100,000 square foot parcel (Lot 045) fronting Brannan and 5th Streets that includes a two-story building of approximately 40,000 square feet that formerly was a San Francisco Chronicle printing plant (now partially used for animal care), as well as a large parking lot. The site includes three parcels fronting Brannan Street, including a 60,000 square foot "L" shaped parcel (Lot 052) currently owned by the San Francisco Public Utilities Commission (SFPUC) and used primarily for open air storage of light poles. The other two lots are each about 19,000 square feet and contain low-rise industrial structures; one (Lot 051) contains a one-story auto body shop and the other (Lot 050) is used for additional storage by the SFPUC.

### Development Potential

Based on the proposed height, bulk and zoning parameters, including requirements for mid-block alleys, there is potential for approximately one million one hundred thousand square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

As a large collection of parcels, the site has the potential to deliver one or more of the following as described further below: 1) a public park, 2) an affordable housing site, 3) affordable space for production, distribution, and repair.

#### Public Park

The Central SoMa Plan has identified this site as the preferred location for a new public park (as discussed in Implementation Measure 5.2.2.1). The potential

park on this site could be up to an acre in size (~43,000 square feet), with a minimum desirable size of approximately three-quarters of an acre (~32,000 square feet). If located on the interior to this typical large SoMa block, it would be protected from noise and traffic by its location and could be accessed by up to six public streets based on implementation of the design recommendations discussed below. Given the limited opportunities to identify a site for a park of this size, the creation of this park is a very high priority of the Plan.

#### Affordable Housing Site

This site contains the potential for development on a portion of the site (between 12,000 – 18,000 square feet) of a 100% affordable housing development while still including a large footprint for a substantial commercial development. Should this site yield an affordable housing site, the preferred location would include a significant frontage facing the proposed park, which would directly benefit the residents and help provide "eyes" on the park around the clock throughout the week, in addition to that provided by the new adjacent commercial buildings, as well as ensuring a diversity of uses fronting the park.

#### Production, Distribution, and Repair

Any proposed office building on this site would be required to provide PDR space (per Implementation Measure 3.3.3.1). While the City cannot require that this space be subsidized as part of the Plan, the project sponsor could provide affordable rents to through a development agreement or other mechanism.

## Potential Flexibility

### Height

If providing a public park and/or on-site affordable housing, the Plan could allow up to 25 feet of additional height on the buildings on the site (per Implementation Measure 8.5.1.2).

### Massing

The Plan's "skyplane" requirements mandate mass reduction from 50-80% along street-facing property lines (per Implementation Measure 8.3.3.1). Recognizing that the proposed park substantially reduces the site's development potential, the Plan could allow the "skyplane" requirements to be reduced on this site, as viewed from Brannan, 5th, Bryant, and Welsh Streets. This reduction would shift the building mass in a manner that increases sun access to the park by moving it towards the corner of 5th and Brannan, towards Welsh Street, and towards Bryant. The buildings would still need to establish a strong streetwall of 65 feet to 85 feet along the major streets, step back substantially above that height, and use architectural techniques to render the upper portion deferential to the lower portion.

## Design Guidelines

### Mid-Block Connections

The new mid-block connections required on this site should connect and extend the existing dead end alleys directly to the public open space, and increase the pedestrian permeability through the interior of this block, as follows:

1. *Connect the two ends of Welsh Street:* This alley would provide east-west pedestrian access through the block and remove two dead-end conditions.

Welsh Street will be connected through the newly created park.

2. *Connect Freelon Street to 5th Street:* This alley would provide east-west pedestrian access through the block and remove a dead-end condition.
3. *Connect Freelon Street to Brannan Street:* This connection should provide direct access to the proposed park (discussed above) from Brannan Street. The intersection of this mid-block connection with Brannan Street should be located as far to the east as possible, in order to effectively reduce the block length, provide most direct alignment to the park, and most closely align with both a proposed mid-block pedestrian crossing on Brannan Street and with a required mid-block connection on block 3786 ("88 Bluxome/Tennis Club" site).
4. *Connect Bryant Street to Welsh Street:* This connection should provide direct access to the proposed park from Bryant Street.

### Pedestrian Experience under I-80

Current pedestrian conditions along 5th Street under I-80 along could be improved in a number of ways to create a safer, more engaging environment. The project could contribute to this improvement in coordination with the City.

### Parking and Loading Access

Any parking and loading provided shall be designed to minimize conflicts with the use of and access to the public park.

#### Privately-owned public open space (POPOS)

As required by the Plan, the site will provide a significant amount of POPOS. This space should be located adjacent to the proposed public park to expand its size, and/or designed to enhance access to the park (via making the new mid-block connections pedestrian-only).

#### Ground Floor Activation

Activation of the park is critical. As required by the Plan, the park shall be lined with active uses, particularly retail, community uses (e.g., childcare), and PDR. To maximize activation, the ground floor uses should be diversified, in terms of users and time of use. Residential uses should be located facing to the park to provide additional eyes on it round the clock.

#### Light and Wind in the Public Park

The park and the development must be designed cooperatively to ensure that the project remains feasible and that the park does not reduce the site's development potential. That being said, the massing and design of the buildings should afford the park a substantial amount of sunshine and a minimum amount of wind to ensure its use and enjoyment.

## SITE 6: "WELLS FARGO"

### Existing Conditions

The site includes a 6,000 square foot single-story building containing a Wells Fargo bank branch and a chain coffee shop, as well as a large parking lot.

### Development Potential

Based on the proposed height, bulk and zoning parameters, there is potential for approximately three- to four-hundred thousand square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

As a single, relatively modest sized parcel the site has the potential to deliver one or more of the following as described further below: 1) affordable space for production, distribution, and repair, 2) a public recreation center.

### Production, Distribution, and Repair

Any proposed office building on this site would be required to provide PDR space (per Implementation Measure 3.3.3.1). While the City cannot require that this space be subsidized as part of the Plan, the project sponsor could provide affordable rents to through a development agreement or other mechanism.

### Public Recreation Center

This site contains the potential to include the new public recreation center being sought by the City. Any proposed recreation center should coordinate the amenities and offerings with those available at the Gene Friend Recreation Center located at 6th and Folsom Streets.

### Potential Flexibility

#### Massing

Since the site is proposed to be zoned at 200 feet, it could choose to develop as a tower, subject to the rules discussed in Implementation Measure 8.3.3.4, and the exceptions discussed here would not be necessary. However, if the site chooses to develop subject to the controls of a mid-rise building, with a maximum height of 160 feet, it could provide significantly more light and air onto Freelon Alley than the tower scenario. To support this outcome, the Plan could allow 1) an alteration of the skyplane requirements so that there is still significantly more light and air on Freelon Street than under the tower scenario, though less than otherwise required by Implementation Measure 8.4.1.1, and 2) a minor reduction in apparent mass reduction on Brannan Street. Such a gesture could help emphasize the importance of the corner of 4th and Brannan Streets.

#### Privately-owned public open space (POPOS)

To maximize development potential on the site, and in return for the public benefits described above, the City could allow the POPOS not open to the sky, as long as it has a clearance of at least 25 feet and meets other standards for design and performance included in Implementation Measure 5.5.1.1.

### Design Guidelines

#### Mid-Block Connections

Per Planning Code Section 270.2, the site may be required to provide a new mid-block connection connecting 225-foot long lot frontages on Brannan and Freelon. However, given the existing permeability of the block (via such alleys as Freelon, Welsh, Zoe, and Ritch), such an alley is not necessary. If provided,

it should serve as a POPOS and be activated by uses within the development.

#### **Pedestrian Experience under I-80**

Current pedestrian conditions along 4th Street under I-80 along could be improved in a number of ways to create a safer, more engaging environment. The project could provide or contribute to improvements in coordination with the City.

#### **Parking and Loading Access**

Any parking and loading provided shall be accessed off of Freelon Street, rather than 4th Street or Brannan Street.

#### **Privately-owned public open space (POPOS)**

Part of the POPOS requirement on this site can be met through the required five foot setback along 4th Street, which is necessary to provide adequate sidewalk widths (see Implementation Measure 4.1.1.2). As per the remaining POPOS requirement, notwithstanding the potential exception discussed above, a good location for this project's POPOS is off-site under the I-80 freeway, where it could serve to activate the street (in keeping with Implementation Measures 4.1.10.1 and 5.3.2.1). If such a POPOS is infeasible, the site should consider a pedestrianized mid-block connection on the eastern end of the property (as discussed above) or through a setback along Freelon Street. The POPOS should not be provided as a "carve out" along 4th or Brannan Streets that diminishes from the streetwall provided by the building (per Implementation Measure 8.1.3.1).

## SITE 7: "88 BLUXOME/TENNIS CLUB"

### Existing Conditions

The site is currently utilized as a private recreational facility, most prominently featuring the city's only indoor tennis courts.

### Development Potential

Based on the proposed height, bulk and zoning parameters, including requirements for mid-block alleys, there is potential for approximately one million square feet of total development at this site across all uses, including any office, residential, recreational, retail, hotel, and PDR on the site.

### Potential Public Benefits

This large site has the potential to deliver one or more of the following as described further below: 1) an affordable housing site, 2) public recreation center, 3) Bluxome Linear Park.

### Affordable Housing Site

This site contains the potential for dedicating a portion of the site (between 15,000 – 30,000 square feet) for a 100% affordable housing development while still including a large footprint for a substantial commercial development. Should this site yield an affordable housing site, the preferred location would be interior to the block.

### Public Recreation Center

This site contains the potential to include the new public recreation center being sought by the City. For purposes of site efficiency, such a recreation center could be incorporated into the affordable housing site or a proposed office development. Any proposed recreation center should coordinate the amenities and offerings with those available at the Gene Friend Recreation Center located at 6th and Folsom Streets.

### Bluxome Linear Park

The site contains the potential to create the new linear park along Bluxome Street between 4th and 5th Streets. While part of this requirement could meet the Plan's POPOS requirements (per Implementation Measure 5.5.1.1), construction of the entire park would likely exceed the amount of required POPOS.

### Potential Flexibility

#### Height

If providing an on-site affordable housing and/or a public recreation center, the Plan could allow up to 25 feet of additional height on the buildings on the site (per Implementation Measure 8.5.1.2).

#### Massing

The Plan's "skyplane" requirements mandate mass reduction from 50-80% along street-facing property lines (per Implementation Measure 8.3.3.1). In return for the public benefits discussed above, the City could allow a reduction of the "skyplane" requirements along some combination of Bluxome, Brannan, and 5th Streets. This reduction would be designed to shift the building mass in a manner that emphasizes the corner of 5th and Brannan Streets. For the potential tower on the western portion of the site, the design should explore ways to increase floorplates and dimensions in a fashion that is minimally visible from the street, given the depth of the development lot. For the potential mid-rise building in the eastern portion of the site, it may be necessary to add mass on the upper floors to account for development capacity lost in providing the additional public benefits. These potential exceptions should be mindful of potential shadow impacts on the proposed park on the north side of Brannan Street (see "Park Block" site).

### **Production, Distribution, and Repair**

The Plan requires that any proposed office building on the site would be required to provide PDR space (per Implementation Measure 3.3.3.1). The City could allow this PDR requirement to be waived in return for providing more than one of the public benefits discussed above.

### **Design Guidelines**

#### **Mid-Block Connections**

Per Planning Code Section 270.2, the site will be required to provide a mid-block connection between Brannan and Bluxome Streets. The mid-block connection between Brannan and Bluxome Streets should be located in the middle-third of the block. While a new mid-block connection could be required east from 5th Street, it is unlikely that such a connection would benefit the circulation pattern in the area, and is therefore not a priority.

#### **Parking and Loading Access**

Any parking and loading provided shall be accessed off of Bluxome Street, rather than 5th Street or Brannan Street. To minimize disruption of the proposed linear park along Bluxome, this loading should occur as far east on the site as possible.

#### **Light and Wind in the Public Park**

The development on the site should consider its effects on shadows and wind on the proposed Bluxome Street linear park, balancing this issue against other massing considerations on the site.

## SITE 8: "4TH AND TOWNSEND"

### Existing Conditions

The site currently has several uses. On the triangular lot fronting 4th Street is a single-story building hosting two retail uses – a restaurant and a coffee shop. On the triangular lot fronting Townsend Street is a single story furniture store. In the northeast corner of the site are two residential condominiums and a commercial condominium. These are connected via a driveway to a curb cut at the intersection of 4th and Townsend.

### Development Potential

Based on the proposed height, bulk and zoning parameters, including requirements for mid-block alleys, there is potential for approximately one million square feet of total development at this site across all uses, including any office, residential, retail, hotel, and PDR on the site.

### Potential Public Benefits

As a large collection of parcels, the site has the potential to deliver one or more of the following as described further below: 1) an architectural identifier for the Plan Area, 2) pedestrian access to transit.

### Architecture

The corner of 4th and Townsend is the intersection of two rail lines – Caltrain and the Central Subway. The Plan seeks to emphasize the importance of this location by establishing the Plan Area's highest height limits. Additionally, the Plan seeks to use distinctive architecture to demarcate the importance of this site and serve as an identifier of Central SoMa on the skyline.

### Pedestrian Access to Transit

The ongoing upgrades to Caltrain and the completion

of the Central Subway are both going to bring a lot of new people to the intersection of 4th and Townsend Streets. To facilitate the movement of these pedestrians across this busy intersection, this development sites should consider ways to facilitate pedestrian movement through this block, including a new connection to Lusk Street. It should also consider incorporation of underground pedestrian access to the Caltrain station.

### Potential Flexibility

#### Land Use

The Plan requires parcels larger than 40,000 square feet south of Harrison Street to be primarily non-residential (per Implementation Measure 3.1.1.1). The Plan could allow this site to be a primarily residential development, with potential for ground floor retail. This exception would be tied to the provision of non-residential development beyond otherwise required at an affiliated site (i.e., the Park Block site, currently proposed for development by the same sponsor).

#### Massing

The site has the potential for two towers designed in an architecturally superior way. Given this consideration, the City could allow exceptions to tower separation (per Implementation Measure 8.3.3.4), tower bulk (per Implementation Measure 8.3.4.2), and setback requirements (per Implementation Measure 8.3.4.2), as follows:

- A reduced tower separation between the two buildings, so that there is a perceived separation of approximately 50 feet on the lower half of the tower and 70 feet on upper third of the building;

- Allow the expression of the desired 50 foot height difference be within the massing of each tower, rather than between towers;
- An increase in the bulk such that the towers may have an individual floorplate of more than 12,000 square feet until the upper third of the towers, and the top 1/8 of the towers must have floorplates of no more than 8,000 square feet each;
- A waiver from the streetwall requirement to allow the setbacks below the podium to be gradual and to exceed five feet;
- An increase in the plan dimension and diagonals of the towers up to 270 feet;
- A reduced setback at 85 feet along Townsend Street, though this setback could be no less than 10 feet

### **Design Guidelines**

#### **Parking and Loading Access**

To minimize impacts to transit vehicles traversing the intersection of 4th and Townsend Streets, all vehicle access to the site must be from Townsend Street at the eastern edge of the site. New curb cuts are not permitted along 4th Street.

#### **Public Plaza**

The City requires residential projects to provide open space, and provides an incentive to make such open space publicly accessible. This site would be a good location for one or more such public open spaces, which could include a substantial, accessible, and inviting public plaza.

**SITE 9: "505 BRANNAN"**

**Existing Conditions**

The 25,000 square foot site currently contains a recently completed 130,000 square foot, six-story office building.

**Development Potential**

Based on the proposed height, bulk and zoning parameters, there is potential to add up to 165,000 square feet of additional office development on top of the existing office building.

**Potential Public Benefits**

**Bluxome Linear Park**

The site contains the potential to create the new linear park along Bluxome Street between 4th and 5th Streets.

**Potential Flexibility**

**Massing**

The Plan requires tower separation of at least 115 feet (Implementation Measure 8.3.3.4) and for towers to be set back from all property lines by 15 feet (Implementation Measure 8.3.4.1). This addition to this building is expected to be entitled after entitlement of an adjacent tower at 646 4th Street. To facilitate the construction of the addition at 505 Brannan, the tower separation controls could be reduced, though the separation should be the maximum feasible. Strategies should be used to minimized the perceived separation, such as off-setting the buildings to the maximum degree possible. The building could also be allowed to have a reduced setback at its western boundaries, particularly around Block 3786 Lot 039 that has an irregular configuration with the 505 Brannan lot.

**EXHIBIT V.3E -  
DRAFT KEY  
STREETS GUIDANCE**

## CENTRAL SOMA KEY STREETS GUIDANCE

### PURPOSE

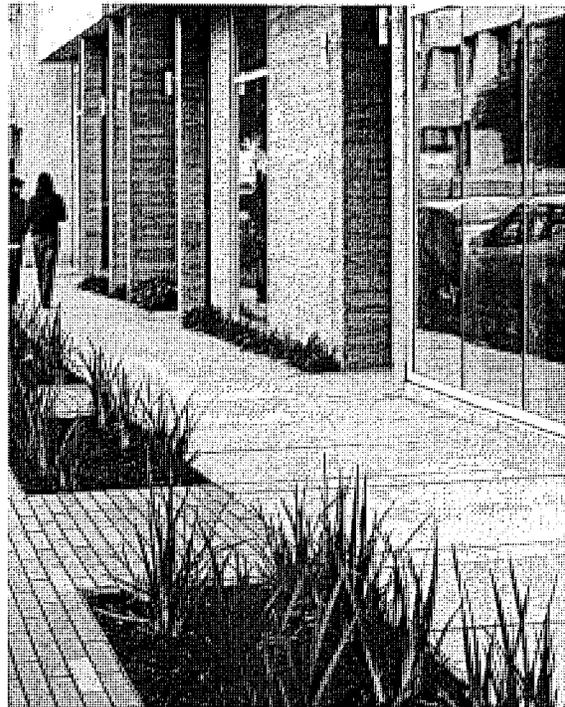
This Key Streets Guidance document will further the implementation of the Central SoMa Plan by providing street-specific guidance for the neighborhood’s major east-west and north-south streets: 2nd, 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend. This additional guidance will benefit City agencies, the community, and major development project sponsors as the design of these “key streets” is considered and implemented over the 25-year Plan horizon.

Although the Central SoMa Plan area only includes four to five blocks of each key street, the visions and benefits described in this guidance could inform planning for the entire length of each roadway corridor. For ease of use, this document is organized by street, which is how most of these improvements will be implemented. As with much of the Plan, an underlying goal is to thoughtfully leverage each future investment to maximize quality of life for everyone living, working, and playing in Central SoMa. In the neighborhood, streets and sidewalks occupy over 70% acres - nearly one-third of the land area. As such, our investments in these streets should emphasize creating healthy, vibrant, and green places for people to walk, gather, recreate, and experience nature.



### RELEVANT PLAN GOALS, OBJECTIVES, AND POLICIES

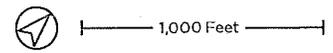
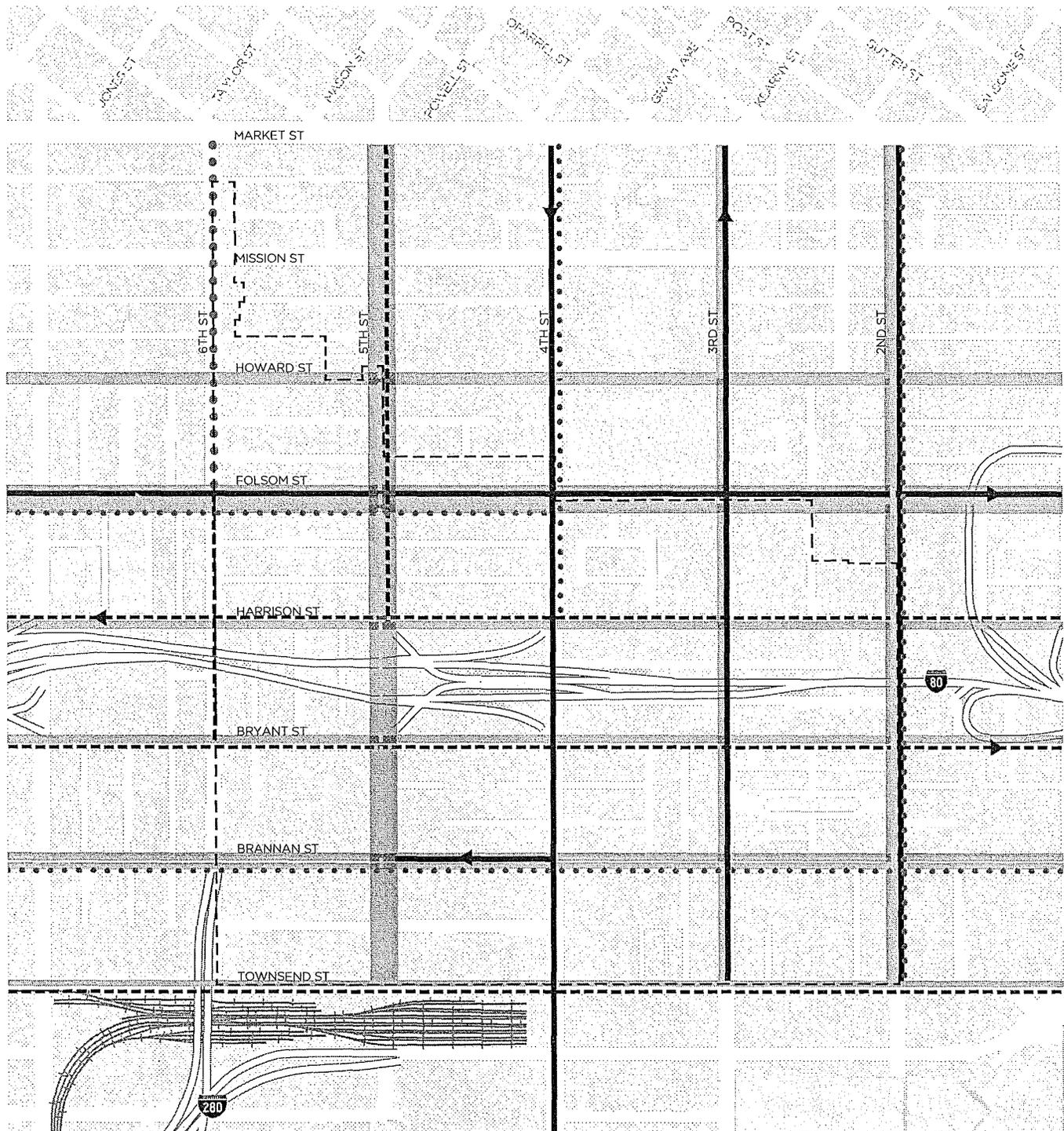
Goal 4 of the Central SoMa Plan (contained in Chapter 4) is to “Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit.” Chapter 4’s comprehensive suite of Objectives and Policies seeks to improve mobility and reduce traffic congestion through street and sidewalk improvements that support and prioritize sustainable transportation modes (walking, biking, and transit). In addition, Goal 6, “Create and Environmentally Sustainable and Resilient Neighborhood,” recognizes complete streets and sidewalks as critical opportunities to amplify environmental sustainability and resilience (air quality, stormwater management, urban flooding, greening/ biodiversity, and energy use). Together, the Objectives and Policies of this chapter also support the City’s larger climate mitigation (greenhouse-gas reduction) goals.

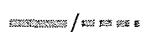
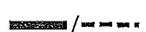


<sup>1</sup> SFMTA, SFPDW, SF Planning, SFPUC, and SF Environment (as needed)

Figure 1

**NEIGHBORHOOD MOBILITY AND PROPOSED IMPROVEMENTS SUMMARY**



-  Protected / striped bicycle lane
-  Transit-only lane / transit route
-  Sidewalk widening (general pedestrian improvements on every street)
-  Green Connections & major greening opportunities (street trees on every street)

## UNIVERSAL ELEMENTS AND DESCRIPTIONS

Pedestrian comfort, greening, resiliency, and resource efficiency are concepts applicable to all of Central SoMa's streets. This section describes these concepts in more detail.

- **Pedestrian comfort** includes amenities along sidewalks and medians that contribute to safe, convenient, and attractive walking environments. Such improvements help fulfill the City's pedestrian safety policies (especially Vision Zero) and sustainability policies (such as having 80% of all trips be by sustainable means by 2030). Elements include wider sidewalks to accommodate increased populations, signalized crosswalks and bulb outs to improve crossings, street trees and landscaping for experience of nature and more, furnishings and other public amenities for respite and gathering, and improved lighting and public art.
- **Greening** refers to a mix of street trees for shade and beauty, landscaped medians and sidewalks for pollinator habitat, green infrastructure incorporated as urban design and place making elements, and living walls on adjacent building facades. These elements may be incorporated throughout streets, sidewalks, medians and bike lane buffers, and adjacent open spaces. Local air quality, mental health, biodiversity, stormwater management, micro-climate comfort, and environmental justice issues are all enhanced through a robust integration of nature into the built environment. In Central SoMa, special attention is needed on the identified Green Connections (2nd Street and Folsom Street) and around/under the elevated freeway. The Plan directs all landscaping throughout the neighborhood to use climate appropriate and habitat supportive plants, which prioritize native or non-native/non-invasive species (see [www.sfplantfinder.org](http://www.sfplantfinder.org) for an easy-to-use tool for plant selections that support this biodiversity vision).

- **Resilience and resource-efficiency** tools include those that reduce greenhouse gas emissions and energy use include well-designed and appointed streets that encourage walking/biking/transit (sustainable mobility), publicly accessible electric vehicle charging, and LED streetlights. Well-designed green infrastructure helps reduce urban flooding impacts by detaining and slowing precipitation that falls on streets and sidewalks. This is especially helpful in already built urban centers like Central SoMa where raising site elevations on a project-by-project basis is challenging. Advanced stormwater management also provides downstream benefits to the City's wastewater system by reducing water volumes in the combined sewer system. Finally, stormwater is a non-potable water source that if captured, detained, and treated properly may be used for local park irrigation and street cleaning.

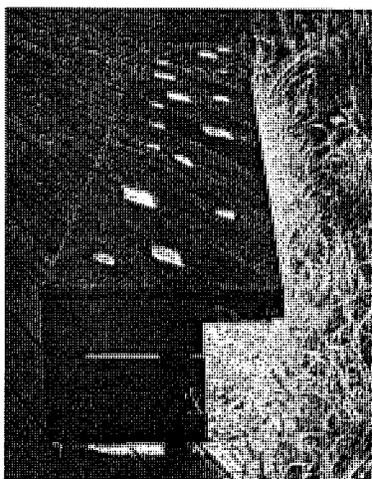
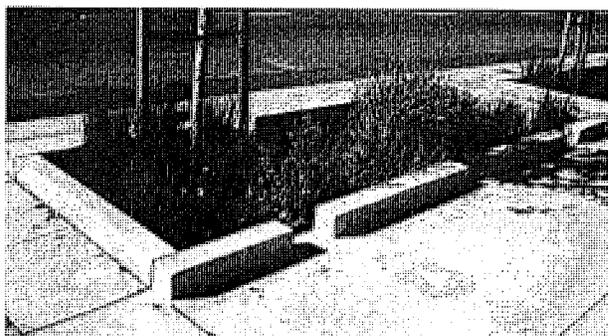


Figure 2

**PROPOSED AMENITY SUMMARY**

This table summarizes the information contained in the following pages.



STREET									
2nd	X	X	X				X	X	X
3rd		X	X	X			X	X	
4th		X	X	X			X		
5th		X			X		X	X	
6th	X	X			X		X		
Howard		X				X	X	X	
Folsom	X	X	X	X		X	X	X	
Harrison	X	X					X		X
Bryant							X		X
Brannan	X	X		X		X	X	X	
Townsend		X	X				X	X	

SIDEWALK WIDENING

PEDESTRIAN IMPROVEMENTS

TRANSIT IMPROVEMENTS

TRANSIT-ONLY LANES

CONVENTIONAL BIKE LANES

PROTECTED BIKE LANES

CURB SPACE DEMAND MGMT

GREEN INFRASTRUCTURE

ENHANCED STREET TREES

SF GREEN CONNECTION

LED STREETLIGHTS (SFPUC)

LED STREETLIGHTS (CSP)

EV-CHARGING STATIONS

## HOWARD STREET

### Vision

Howard Street is the westbound companion to eastbound Folsom Streets to its south. It is envisioned as a one-way roadway with two travel lanes and a two-way protected bicycle lane. Identified in the SFMTA's Fiscal Year 2017-2021 Capital Improvements Program from 3rd to 11th streets, Howard Street is a key piece of the neighborhood's pedestrian and bicycle network, as well as a major conduit for people biking from downtown through SoMa to areas further south and west.

### Key Features & Co-Benefits

- Pleasant and safe pedestrian realm with sufficient sidewalks, shorter and more frequent crossings, greening, furnishings/gathering spaces, and art.
- Safe cycling with a two-way protected bike lane on the south side of the street, in between the existing sidewalk and new median strip.
- A new median is envisioned to protect the bicycle lane users and for a mix of loading, greening, and other public amenities.
- Landscape areas should be included in medians, bulb-outs, and sidewalks as feasible. As complementary to local stormwater management, landscape areas should also be considered for functional green infrastructure, such as rain gardens and bioswales. Especially on the blocks between 4th and 6th streets, these systems may also provide downstream system benefits and help minimize urban flooding on 5th Street.

<sup>2</sup> Per SFMTA's SoMa Improvement Strategy, near-term projects include those where construction is expected by 2022. Long-term projects are expected to start after 2022.

## FOLSOM STREET

### Vision

Functionally, Folsom Street is the eastbound companion to westbound Howard Street. In the City's General Plan, Eastern Neighborhoods Plan, and Central SoMa Plan, it is envisioned as a civic boulevard linking multiple existing and emerging neighborhoods in the SoMa area and beyond. Folsom Street is also identified in San Francisco's Green Connection Plan as SoMa's main traverse. Thus, designs should foster linkages between inland open spaces and the Bay, and provide verdant habitat for native plants and wildlife. Identified in the SFMTA's Fiscal Year 2017-2021 Capital Improvements Program from the Embarcadero to 11th Street, Folsom Street is a key piece of the neighborhood's transit and bicycle network, as well as a major conduit for people that bike downtown from adjacent neighborhoods to the south and west. As part of a robust planning process, Folsom Street is intended to maintain one-way travel on two to three lanes and include the amenities outlined.

### Key Features & Co-Benefits

- Dedicated transit-only lane to increase bus speeds and reliability, along with new and enhanced boarding areas and bus shelters with real-time schedules to enhance user experience.
- Safe cycling with a one-way protected bike lane situated in between the existing sidewalk and protective new median strip, which will accommodate a mix of passenger and commercial loading, greening (street trees and green infrastructure), and other public amenities.
- Pleasant pedestrian realm comprised of enhanced existing sidewalks, wider sidewalks on the north side of the street between 4th and 8th Streets, shorter and more frequent crossings, landscaping, sidewalk furnishings, and art. In addition to buffering cyclists from vehicle traffic, the new median will also expand the usable space for public respite and stormwater management to reduce urban flooding, especially on the bike lane.
- Landscape areas should be included in medians, bulb-outs, and sidewalks as feasible. As complimentary to local stormwater management, landscape areas should also be considered for functional green infrastructure, such as rain gardens and bioswales. Especially on the blocks between 4th and 6th Streets, these systems may also provide downstream system benefits and help minimize urban flooding on 5th Street.

## HARRISON & BRYANT

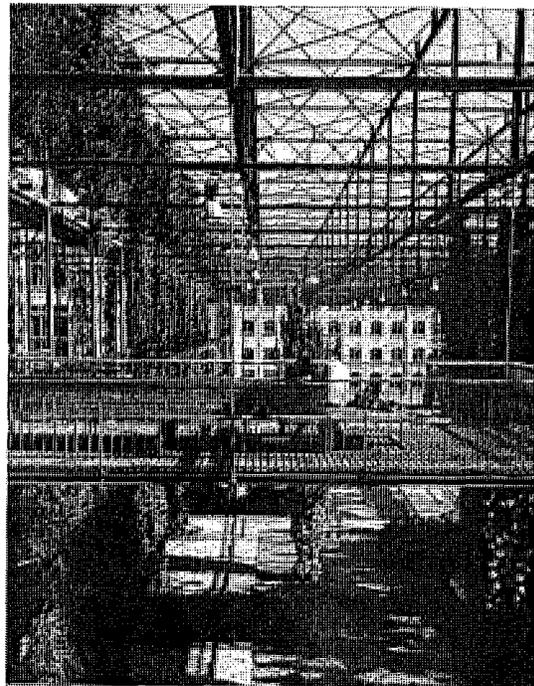
### Vision

Harrison and Bryant streets are a couplet recognized as major regional freeway access corridors for vehicles entering or exiting the San Francisco Bay Bridge. Both roadways are also identified as important local transit corridors. Therefore, neither are seen as appropriate roadways for people that bike. As pedestrian safety and comfort is a priority throughout SoMa, sidewalk and street crossing improvements are important, especially in around freeway on and off ramps. SFMTA's SoMa improvement strategy does not include Bryant or most of Harrison in its list of capital projects priorities. Therefore, it is understood that four of the existing five general traffic lanes on each street could be retained, with the fifth lane converted to transit-only during daytime/peak hours. Off-peak, both curb lanes would be used for on-street parking. Similarly, on-street parking would be limited to off-peak hours, but curbside loading pockets would be provided where needed.

In general, the Central SoMa Plan prioritizes healthy air quality improvements for all local residents and workers. Since a bulk of today's impacts center around emissions from vehicles traversing the neighborhood on the elevated I-80 freeway impacts, as well as queuing and idling at on and off ramps, parallel and adjacent Harrison and Bryant streets (and the areas beneath the freeway) provide key opportunities to add protective and filtering layers of urban greening, such as significant tree canopies, living walls, and the neighborhoods larger green infrastructure investments.

### Key Features & Co-Benefits

- Pedestrian safety and comfort improvements will be made along with major development projects, recognizing that the current sidewalks (typically 8' wide) are insufficient and below the City's Better Streets standards. Additionally, the 5th Street project will include pedestrian improvements to the 5th/Harrison and 5th/Bryant freeway ramps.
- Significant greening and tree planting is to be implemented along the freeway corridor to help mitigate current air quality impacts, which depends on the streetscapes of Harrison and Bryant streets to support these aims.



**BRANNAN STREET**

**Vision**

Brannan Street is the east-west spine of the southern half of the Plan area where substantial employment and residential growth is expected. Currently it is a two-way street with narrow sidewalks and no provisions for safe bicycle travel. The street is envisioned to retain two-way operations but re-balance Brannan Street to function as a neighborhood hub. For the stretch of Brannan between the Embarcadero and 8th Street, the SFMTA Fiscal Year 2017-2021 Capital Improvements Program identifies sidewalk improvements and protected bicycle lane in both directions, and reduced vehicle lanes. As with 5th Street, required streetscape improvements associated with major development projects will be coordinated to contribute maximum benefits to an enhanced roadway condition for people that walk, bike, and take transit.

**Key Features & Co-Benefits**

- Protected bike lanes in both directions.
- Sidewalk improvements, such as enhanced crossings, street trees, and landscaping; note, sidewalk widening may occur along blocks with major new developments.
- Opportunities for green infrastructure rain gardens and bioswales, especially on the blocks between 4th and 6th streets, to help manage local stormwater and minimize local urban flooding on downstream 5th street, as well as contribute to the streets overall greening goals.

**TOWNSEND STREET**

**Vision**

Townsend Street is important due to the density of residents, bicycle use, and proximity to Caltrain. Currently conditions vary greatly - east of 4th Street, Townsend functions like other SoMa streets. West of 4th Street it lacks some of the basic amenities, such as sidewalks. Townsend Street between 8th and 4th is also part of the Vision Zero High Injury Network. Envisioned improvements support better walking, biking, and transit service. Long-term, these efforts will be tied into improvements related to changes to the Caltrain station and yard, which are tied to the proposed High Speed Rail project.

**Key Features & Co-Benefits**

- New and/or improved transit boarding areas.
- Protected bike lanes in both directions.

## 2ND STREET

### Vision

Incorporating community input, the SFMTA SoMa Improvement Strategy describes 2nd Street as a primary bike, transit, and pedestrian thoroughfare, as well as a 'green connector' for the neighborhood. Second Street is a major, near-term capital project delivered by SFMTA and SFDPW, which includes a repaved street curb-to-curb with protected bicycle lanes, wider sidewalks and additional signalized crosswalks, and transit amenities. Landscape features are included, although not designed to function as green infrastructure. Construction is underway and is estimated to conclude in Fall 2019.

### Key Features & Co-Benefits

- Protected one-way bicycle lane facilities in both directions to enhance safety and provide a major piece of the City's bike network.
- Transit boarding islands in both directions to improve service speeds and user experience.
- Landscaped bulb-outs to improve pedestrian (ADA) safety at crossings and connect people to nature.
- Road diet to accommodate the above removes one vehicle travel lane in each direction.

## 3RD AND 4TH STREETS

### Vision

Third and Fourth Streets connect the City's downtown commercial center, Moscone convention center, major cultural institutions, Caltrain station (4th and King), and Mission Bay (hospital, university, office, and residential clusters with interconnected parks system). Currently they are auto-centric one-way couplets with multiple traffic lanes, narrow sidewalks, and no facilities for safe bicycle travel. A priority transit lane was added to northbound Third Street and the Central Subway is under construction. The portion of 4th Street south of the freeway will soon include a center-running, above-ground light rail; while the northern balance will be tunnelized below ground; in SoMa, new transit stations are planned at Folsom and between Bryant/Brannan.

SFMTA identifies both streets for longer-term capital projects such as pedestrian improvements, transit

lanes and facilities, and curb management. On 3rd Street, these projects span the entire length through SoMa, while on 4th Street, they focus on the portion north of Harrison to coordinate with the Central Subway. The Central SoMa Plan prioritizes the rebalancing of both streets to better support these sustainable transportation upgrades, as well as their important civic role to support higher-density pedestrian activity.

### Key Features & Co-Benefits

- Major transit improvements, including the City's new underground subway.
- Pedestrian improvements, such as enhanced crossings, street trees, and other amenities to support the anticipated activity levels along these major civic linkages.
- Calmed vehicle traffic, more appropriate to a denser urban environment.

## 5TH STREET

### Vision

The City's Bicycle Plan identifies 5th Street as an important north-south bicycle corridor and suggests improvements. The SFMTA Fiscal Year 2017-2021 Capital Improvements Program has identified 5th Street as a smaller near-term capital project from Market to Townsend streets, focusing on more minor yet potentially impactful upgrades. For example, envisioned improvements include restriping the street to add conventional (non-protected/buffered) bike lanes in both directions, and adding sidewalk bulb outs at intersections to facilitate safer pedestrian crossings. The portion between Market and Harrison streets also serves as a local transit corridor. Timing of any improvements may be impacted by the Central Subway construction schedule on 4th Street, during which transit has been being diverted to 5th Street.

Per the Central SoMa Plan, any north-south street traversing under the freeway should enhance pedestrian and bike comfort under the elevated infrastructure using sufficient and aesthetically pleasing lighting (including illuminated art installations), widened and beautified sidewalks, and safe bicycle lanes. 5th Street, especially south of the freeway, will also host some of the plan area's largest development projects, and associated mobility needs of an expanded daytime employee population. This quadrant will also include the new Central SoMa public park and Bluxome Alley linear park, both of which have critical linkages to and from 5th Street.

Finally, 5th Street and its surrounds comprise some of the lower-lying topography of the neighborhood; in fact, portions of 5th Street around and under the freeway sit on top of the historic Hayes Marsh

and thus serve as key points in its watershed.

The complete length of 5th Street is an important linkage in the neighborhood's stormwater and urban flood management network—by integrating green infrastructure into new landscape areas along its length, the corridor can also provide important neighborhood greening benefits.

### Key Features & Co-Benefits

- Pedestrian safety and comfort improvements, such as bulb outs at key crossings, street trees, and furnishings. Sidewalk widening may be possible adjacent to major development projects, recognizing that the current sidewalks do not meet the City's Better Streets standards.
- Tree planting and landscaped bulb outs are envisioned to add habitat-supportive greening along the length of 5th Street.



## 5TH STREET, CONTINUED

- Localized air quality improvements, not only through transportation demand management strategies, but also through 5th Street's opportunity to help mitigate air quality impacts through functional greening.
- Urban flood management (and associated co-benefits) through integration of cost efficient and most effective green infrastructure investments; typically, on 5th Street this would take the form of bioswales and rain gardens, which slow, filter, and help redirect peak flows.



## 6TH STREET

### Vision

The 6th Street corridor is a Vision Zero priority due to its high concentrations of pedestrian collisions, injuries, and fatalities. The SFMTA Fiscal Year 2017-2021 Capital Improvements Program includes 6th Street as a near-term capital project; planning and environmental review is underway and construction is estimated to begin in Winter 2019. The proposed project includes safety improvements for all modes. From Market to Folsom, vehicle travel lanes are to be removed to accommodate wider sidewalks and conventional bike lanes in both directions. South of Folsom, 6th Street is identified as a regional freeway access and transit corridor, but will also include pedestrian safety improvements such as bulb-outs, new signals and crosswalks, and enhanced lighting.

### Key Features & Co-Benefits

- Road diet reducing four lanes to two; one lane in each direction from Market Street to Folsom Street.
- Wider sidewalks, corner bulb-outs, new traffic signals, and new crosswalks at targeted intersections to encourage slow, calm, and predictable movement.
- Streetscape improvements such as distinct paving, street furniture, and pedestrian-scale lighting.

**EXHIBIT V.4 -  
PROPOSED CHANGES TO THE  
IMPLEMENTATION PROGRAM  
SINCE INTRODUCTION**



**SAN FRANCISCO  
PLANNING DEPARTMENT**

**Proposed Changes to the Implementation  
Program since February 15, 2018**

**HEARING DATE: MAY 10, 2018**

*Project Name:* Central SoMa Plan Implementation Program  
*Date:* May 10, 2018  
*Record Number:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
 (415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

This document includes a summary of proposed changes to the Implementation Program that occurred between the version that was in the February 15, 2018 Planning Commission packet and the version included in the May 3, 2018 Planning Commission packet.

Document	Change	Rationale
Implementation Matrix	Deleted Implementation Measure (IM) 1.1.2.2 that described which parcels were to be rezoned WMUO.	Reflects changes to the zoning proposal on Block 3777 Lots 047-049 and Block 3778 Lots 001, 001C, 001D, 001E, 001F, 016-019, 022-023, 025-026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, 051-087 anticipated to be made as part of an expected April 10 <sup>th</sup> substitute draft Planning Code and Administrative Code Draft Ordinance.
Implementation Matrix	Added IM 2.6.1.2 to state the Plan should help fund supplemental services at Bessie Carmichael School.	As discussed below, this IM represents the allocation of the previously un-allocated funding.
Implementation Matrix	Amended IM 3.1.1.1 to increase the size of sites required to be commercially-oriented from 30,000 square feet to 40,000 square feet.	Reflects changes to Sections 249.78(c)(6)(A) anticipated to be made as part of an expected April 10 <sup>th</sup> substitute draft Planning Code and Administrative Code Draft Ordinance
Implementation Matrix	Added measures to implement new Policy 3.1.3, including IM 3.1.3.1 to continue existing programs and strategies (e.g., First Source and Local Hire) and IM 3.1.3.2 to seek new strategies (via implementation of AB73).	Addition of this Policy is discussed in "Proposed Changes to the Central SoMa Plan Amendments Draft Ordinance since Initiation." Addition of these implementation measures reflects support for known strategies that support living wage jobs and advocates for the City to continue to seek new strategies.
Implementation Matrix	Revised IM 3.3.4.1 such that only PDR uses will have a required ground floor height of 17'.	Reflects changes to Sections 145.1(c)(4)(A), 249.78(d)(8) anticipated to be made as part of an expected April 10 <sup>th</sup> substitute draft Planning Code and Administrative Code Draft Ordinance.

Document	Change	Rationale
Implementation Matrix	Revised IMs 5.2.1.1, 5.2.2.1, 5.3.1.2, and 5.3.3.2 to convey that the Plan may help maintain these new parks and recreational amenities.	As discussed below, these IMs represent the allocation of the previously un-allocated funding.
Implementation Matrix	Added IM 6.8.3.3 to state the Plan should help fund neighborhood cleaning services.	As discussed below, this IM represents the allocation of the previously un-allocated funding.
Implementation Matrix	Revised IM 7.2.1.2 and added IM 7.2.2.3 to reflect allocation of funding for social and cultural programming that can be utilized by the Filipino and LGBTQ communities, respectively.	As discussed below, these IMs represent the allocation of the previously un-allocated funding.
Implementation Matrix	Deleted IM 8.5.2.2 that limited building length to 300 feet	Upon further consideration, this strategy is better fulfilled through the existing requirements for mid-block alleys contained in Section 270.2
Implementation Matrix	Deleted IM 8.6.5.3 that asked buildings vary their roofs if they have long facades	Design strategies such as these are now contained in the City's Urban Design Guidelines
Implementation Matrix	Amended IM 8.6.5.4 so that large sites with multiple buildings are "encouraged" but not "required to have multiple architects	Upon further consideration other design review processes can ensure large sites have the varied, non-campus feel that is being sought
Public Benefits Program	In Table 1 and throughout the document, included funding strategy for \$70M previously identified as "To Be Determined." This includes: <ul style="list-style-type: none"> <li>• \$25 million for social and cultural programming</li> <li>• \$15 million for park and greenery maintenance and activation</li> <li>• \$15 million for capital for cultural amenities</li> <li>• \$9 million for neighborhood cleaning</li> <li>• \$6 million for Bessie Carmichael supportive services</li> </ul>	These benefits were identified by decision-makers and stakeholders as priorities for allocation of the previously un-allocated funding, particularly as they address needs otherwise not addressed by the Plan.
Public Benefits Program	Merged "Cultural Preservation" and "Community Services" categories into "Cultural Preservation and Community Services."	With the addition of the benefits described above the distinction between these two categories became blurry and not useful.

Document	Change	Rationale
Public Benefits Program	Add a potential park at 1133 Mission Street as a candidate for recreation and open space funding should other identified projects not need their full funding amount.	1133 Mission is a site 1.5 blocks west of the Plan Area that was identified as a potential park site by the D6 Open Space Task Force, and whose development as a park would benefit the residents of the northwestern part of the Plan Area.
Public Benefits Program	Reduced the Plan's amount of contribution to Complete Streets by \$20M, from \$130M to \$110M.	As discussed below, the Plan's public benefits package is expected to be reduced by \$20M. The Central SoMa Plan had proposed to fully fund complete streets improvements. Given the availability of other capital funds within the City for complete streets, the proposal is to reduce the amount in this category from the Plan by \$20M. The Plan would still fund the vast majority of complete streets improvements and the expectation is that all proposed complete streets improvements would occur within the Plan Area.
Public Benefits Program	Removed participation in the proposed Mello-Roos Community Facilities District (CFD) for rental housing.	Since development of the Plan's public benefits program in 2015-2016, the cost of construction has gone up considerably. While the revenues associated with building office and for-sale housing have gone up in a largely commensurate way, revenues associated with rental housing have remained largely flat. As such, rental housing including the CFD is unlikely to be economically feasible. Given the social benefits of rental housing and the desire to maximize housing development in the Plan Area, the Plan's sponsors advocated removal of the proposed participation of rental housing in a Mello-Roos Community Facilities District. This change facilities increased feasibility for rental housing projects.
Key Development Site Guidelines	Replaced tower separation standard with guidance for Key Site #8 (4 <sup>th</sup> and Townsend)	These guidelines should not contain specific requirements, but should serve as guidance.
Key Development Site Guidelines	Added an additional Key Site at 505 Brannan Street.	This site has the potential to provide the Bluxome Linear Park and the proposed project would require exceptions for tower separation and upper story setbacks.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Approval of the Central SoMa Plan

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan: Approval of Amendments to the General Plan, Planning Code, Administrative Code, and Zoning Maps, and Adoption of the Implementation Program

*Date:* May 3, 2018

*Record Number:* 2011.1356EMTZU

*Initiated By:* Mayor Farrell and Supervisor Kim on February 27, 2018 (Planning Code and Administrative Code Amendments, Zoning Map Amendments)  
Planning Commission on March 1, 2018 (General Plan amendments)

*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)

*Recommendation:* Approval with Modifications

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### SUMMARY

The San Francisco Planning Department is seeking to adopt and implement the Central SoMa Plan ("the Plan"). The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

Adoption of the Plan will consist of numerous actions. These include approval of amendments to the General Plan, Planning Code, Administrative Code, and Zoning Map, as well as adoption of an Implementation Program. Together with actions related to certification of the Final Environmental Impact Report and adoption of CEQA Findings, these actions will constitute the Commission's approval of the Central SoMa Plan and its implementing mechanisms.

## RECOMMENDATION

The Department recommends that the Commission *approve with modifications* the proposed Ordinances and Implementation Program and adopt the attached Draft Resolutions to that effect.

## PLAN BACKGROUND

The desire for a Central SoMa Plan began during the Eastern Neighborhoods planning process. In 2008 the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (SoMa), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods. At that time, the City determined that the development potential of the industrially zoned part of East SoMa, coupled with the improved transit provided by the Central Subway, necessitated a subsequent, focused planning process that took into account the city's growth needs and City and regional environmental goals. The Central SoMa Plan is that subsequent process.

Similarly, the Western SoMa Area Plan, adopted in 2013, explicitly recognized the need to increase development capacity near transit in Objective 1.5, which states that the City should "Support continued evaluation of land uses near major transit infrastructure in recognition of citywide and regional sustainable growth needs." The explanatory text in Objective 1.5 concludes that "The City must continue evaluating how it can best meet citywide and regional objectives to direct growth to transit-oriented locations and whether current controls are meeting identified needs." The Objective's implementing Policy 1.5.1 states that the City should "Continue to explore and re-examine land use controls east of 6th Street, including as part of any future evaluation along the 4th Street corridor." The Central SoMa Plan is intended to fulfill the Western SoMa Plan's Objective 1.5 and Policy 1.5.1.

The process of creating the Central SoMa Plan began in 2011. Since that time, the Planning Department released a draft Plan and commenced the California Environmental Quality Act (CEQA) process in April 2013, released an Initial Study in February of 2014, released a revised Draft Plan and Implementation Strategy in August of 2016, and released the Draft Environmental Impact Report in December of 2016.

Throughout the process, the Central SoMa Plan has been developed based on robust public input, including ten public open houses; twelve public hearings at the Planning Commission; two public hearings at the Board of Supervisor's Land Use & Transportation Committee; additional hearings at the Historic Preservation Commission, Arts Commission, and Youth Commission; a "technical advisory committee" consisting of multiple City and regional agencies; a "storefront charrette" (where the Planning Department set up shop in a retail space in the neighborhood); two walking tours, led by community members; two community surveys; an online discussion board; meetings with over 30 of the neighborhoods groups and other community stakeholders; and thousands of individual meetings, phone calls, and emails with stakeholders.

The Central SoMa Plan Area runs from 2nd Street to 6th Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan that comprise much of the area north of Folsom Street (see "Plan Area", below). The vision of the Central SoMa Plan is to create a sustainable neighborhood by 2040, where the needs of the present are met without compromising the ability of future generations to meet their own needs. The Central SoMa Plan seeks to achieve sustainability in each of its aspects – social, economic, and environmental. The Plan's philosophy is to keep what is already successful about the neighborhood, and improve what is not. Utilizing the Plan's philosophy to achieve the Plan's vision will require implementing the following three strategies:

- Accommodate growth;
- Provide public benefits; and
- Respect and enhance neighborhood character.

Implementing the Plan's strategies will require addressing all the facets of a sustainable neighborhood. Doing so can be accomplished by meeting all of the Plan's eight Goals:

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City

The implementation of the Plan would fulfill its vision, philosophy, and goals by:

- Accommodating development capacity for up to 33,000 jobs and 8,300 housing units by removing much of the area's industrially-protective zoning and increasing height limits on many of the area's parcels;
- Maintaining the diversity of residents by requiring that over 33% of new housing units are affordable to low- and moderate-income households and requiring that these new units are built in SoMa;
- Facilitating an economically diversified and lively jobs center by requiring most large sites to be jobs-oriented, by requiring production, distribution, and repair uses in many projects, and by allowing retail, hotels, and entertainment uses in much of the Plan Area;
- Providing safe and convenient transportation by funding capital projects that would improve conditions for people walking, bicycling, and taking transit;

- Offering an abundance of parks and recreational opportunities by funding the rehabilitation and construction of parks and recreation centers in the area and requiring large non-residential projects to provide publicly-accessible open space;
- Creating an environmentally sustainable and resilient neighborhood by requiring green roofs and use of non-greenhouse gas energy sources, while funding projects to improve air quality, provide biodiversity, and help manage stormwater;
- Preserving and celebrating the neighborhood's cultural heritage by helping fund the rehabilitation and maintenance of historic buildings and funding social programs for the neighborhood's existing residents and organizations; and
- Ensuring that new buildings enhance the character of the neighborhood and the city by implementing design controls that would generally help protect the neighborhood's mid-rise character and street fabric, create a strong street wall, and facilitate innovative yet contextual architecture.

## PLAN ELEMENTS

This section discusses the information contained in the packet, including the key documents whose adoption or approval will constitute adoption of the Central SoMa Plan, as well as supplemental information to help convey the proposed changes. The packet is organized around items that require Commission action, as follows:

- Parts I – CEQA Findings
- Part II – General Plan Amendments Ordinance
- Part III – Planning Code and Administrative Code Amendments Ordinance
- Part IV – Zoning Map Amendments Ordinance
- Part V – Implementation Program

Full case reports detailing these are included in this package.

In addition to these elements, the Plan includes amendments to Articles 10 and 11 of the Planning Code designating new landmarks and buildings of significance in Central SoMa. These amendments were initiated and adopted by the Historic Preservation Commission on March 21 and April 18, respectively. Additionally, the Plan includes a proposed AB73 Housing Sustainability District, which is also scheduled to come to the Planning Commission on May 10<sup>th</sup> for your consideration.

The content of each section is briefly described below:

### (I) CEQA Findings

Per the California Environmental Quality Act (CEQA), prior to considering approval of the proposed Central SoMa Plan and related approval actions, the San Francisco Planning Commission must make and adopts the findings of fact and statement of overriding considerations and adopt recommendations regarding mitigation measures and alternatives

based on substantial evidence in the whole record. Exhibit I contains all of the information related to the proposed CEQA Findings, including (1) the case report, (2) the draft Resolution to make findings and a Statement of Overriding Considerations, (2A) the draft CEQA Findings, and (2B) the draft Mitigation Monitoring and Reporting Program.

### **(II) General Plan Amendments**

The primary General Plan Amendment proposed is the creation of a Central SoMa Area Plan. This new Area Plan contains Goals, Objectives, and Policies for this area, as well as related contextual information. The General Plan Amendments also include amendments to the East SoMa Area Plan and Western SoMa Area Plan, reflecting that the creation of the Central SoMa Plan will require amendments to the boundaries of these other Plan Areas. Finally, the General Plan Amendments include various map updates and text amendments to update several Elements of the General Plan to reflect the specifics of the Central SoMa Plan. Exhibit II contains all of the information related to the proposed General Plan Amendments, including (1) the case report, (2) the draft Resolution to approve the Ordinance, (3) the draft Ordinance, (4) the draft Central SoMa Plan, (5) the draft updated Map of the Eastern Neighborhoods Plan, and (6) Changes to the Central SoMa Plan portion of the General Plan Amendments Draft Ordinance since Introduction.

### **(III) Planning Code and Administrative Code Amendments**

The primary regulatory changes proposed in the Plan are reflected in proposed amendments to the Planning Code and Administrative Code, include changes to controls related to land use, density, urban form, open space, parking and loading, review procedures, and impact fees. Exhibit III contains all of the information related to the proposed Planning Code and Administrative Code Amendments, including (1) the case report, (2) the draft Resolution to approve the Ordinance, (3) the draft Ordinance, (4) a summary of Planning Code and Administrative Code amendments (5) Changes to the Planning Code and Administrative Code Amendments Draft Ordinance since Introduction, and (6) a memo with issues for Planning Commission consideration regarding the Planning Code and Administrative Code.

### **(IV) Zoning Map Amendments**

The Zoning Map amendments reclassify properties as necessary throughout the Plan area to enable application of the Plan's policies via the Planning Code controls. The amendments include changes to zoning districts, special use districts, height limits, and bulk districts. Exhibit IV contains all of the information related to the proposed Zoning Map Amendments, including (1) the case report, (2) the draft Resolution to approve the Ordinance, (3) the draft Ordinance, (4) Expected Changes to the Zoning Map Amendments Draft Ordinance since Introduction, and (5) a memo with issues for Planning Commission consideration regarding the Zoning Map.

### **(V) Implementation Program**

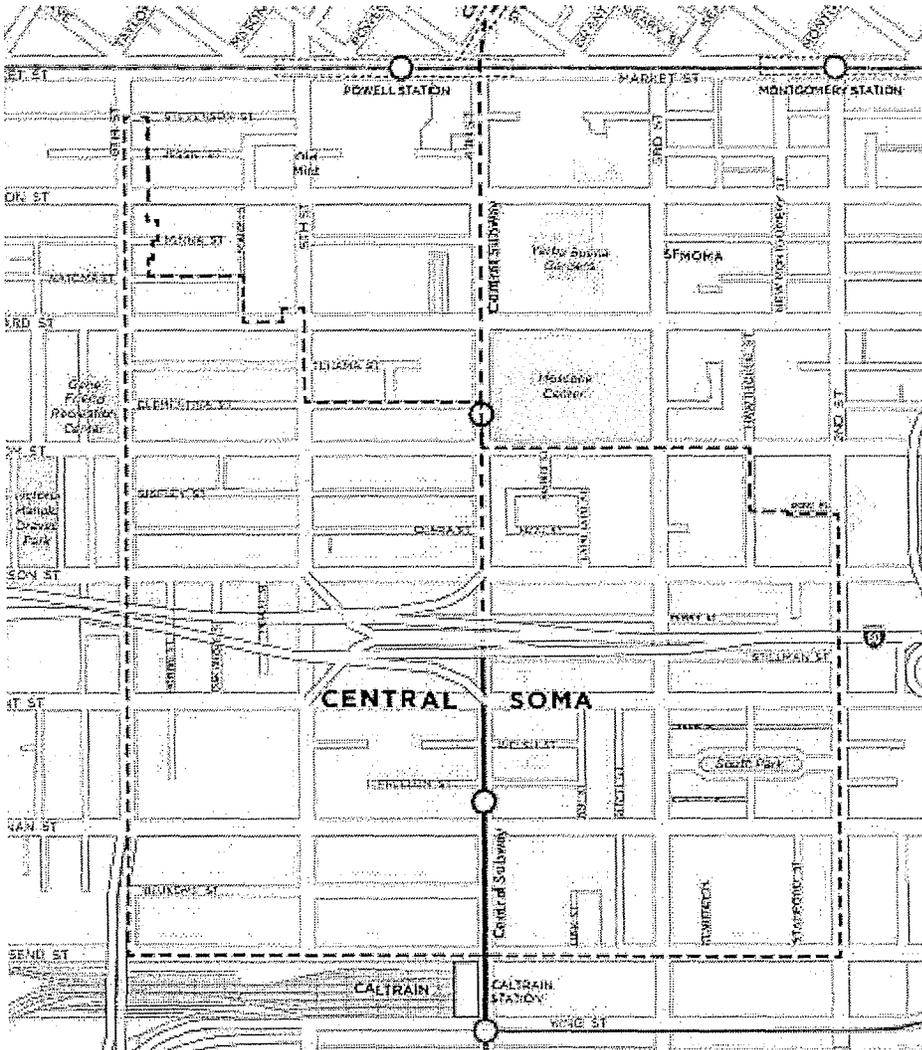
The Implementation Program contains several pieces, each intended to facilitate the Plan's implementation:

- An “Implementation Matrix” document conveying how each of the Plan’s policies would be implemented, including implementation measures, mechanisms, timelines, and lead agencies.
- A “Public Benefits Program” document containing the Plan’s proposed public benefits package, including a description of the range of infrastructure and services that will serve new growth anticipated under the Plan, a summary of how those benefits will be funded, and a description of how this program will be administered and monitored. The revenue allocations shown in the Public Benefits Program are for projection purposes only and represent proportional allocation to the various public improvements based on the revenues projected at the time of Plan adoption. Actual revenues will vary from these projections based on many factors, including the amount and timing of new development which cannot be predicted. The Board of Supervisors, with input from the Interagency Plan Implementation Committee and Eastern Neighborhoods Citizens Advisory Committee (or its successor), shall monitor and allocate revenues according to these proportional allocations based on actual revenues over time and the readiness of the various public improvements for expenditure. No improvement project listed in the Public Benefits Program is guaranteed to receive the absolute amounts shown in the Public Benefits Program. Allocations for all projects will be increased or decreased proportionally based on actual revenues received or revised projections over time
- A “Guide to Urban Design” document containing design guidance that is specific to Central SoMa in a way that complements and supplements the requirements of the Planning Code and citywide Urban Design Guidelines.
- A “Key Development Sites Guidelines” document that includes greater direction than available in the Planning Code for the development of the Plan Area’s large, underutilized development opportunity sites, in an effort to maximize public benefits and design quality.
- A “Key Streets Guidelines” document that includes greater policy direction for each of the major streets in the Plan Area.

Exhibit V contains all of the information related to the proposed Implementation Program, including (1) the case report, (2) the draft Resolution to approve, (3A) the draft Implementation Matrix, (3B) the draft Public Benefits Program, (3C) the draft Guide to Urban Design, (3D) the draft Key Development Site Guidelines, (3E) the draft Key Streets Guidance, (4) Changes to the Implementation Program since Introduction, and (5) a memo with issues for Planning Commission consideration regarding the Implementation Program.

## PLAN AREA

The Central SoMa Plan Area runs from 2<sup>nd</sup> Street to 6<sup>th</sup> Street, Market Street to Townsend Street, exclusive of those areas that are part of the Downtown Plan or in the C-3 zoning districts. It is an “Eastern Neighborhoods Plan” comprised entirely of areas formerly part of the East SoMa Plan Area and Western SoMa Plan Area, whose boundaries will be adjusted accordingly. The Central SoMa Plan Area boundaries were created to include areas within easy walking distance (i.e., two blocks) of the Central Subway’s 4<sup>th</sup> Street alignment.



## ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan and adoption of CEQA findings on May 10, 2018. Subsequently the Planning Commission will consider approval of the Ordinances affiliated with the General Plan Amendments, Planning Code and Administrative Code Amendments, and Zoning Map Amendments, as well as the Implementation Program.

**EXHIBIT I.1 -  
CEQA FINDINGS CASE REPORT**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Adoption of CEQA Findings Case Report

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan Adoption of CEQA Findings  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Recommendation:* Adoption

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### BACKGROUND

For background on the Central SoMa Plan, see the accompanying Executive Summary case report.

### CEQA FINDINGS

Before agencies of the City can take approval actions that will implement the Central SoMa Plan, they must consider the EIR and adopt certain findings required by CEQA. The CEQA Findings set forth the basis for approving the Central SoMa Plan and its implementing actions (the "Project") and the economic, social and other policy considerations, which support the rejection of alternatives in the EIR, which were not incorporated into the Project. The Findings provide for adoption by the Planning Commission all of the mitigation measures in the EIR. Finally, the Findings identify the significant adverse environmental impacts of the project that have not been mitigated to a level of insignificance by adoption of mitigation measures, and contain a Statement of Overriding Considerations, setting forth the specific reasons in support of the approval of the implementing actions and the rejection of alternatives not incorporated into the project.

In reviewing the Central SoMa Plan and preparing the amendments to the General Plan, Planning Code and Administrative Code, and Zoning Maps as well as the Implementation Program document, staff has considered the EIR mitigation measures. Staff has also concluded that approval of these amendments and actions now under consideration will not create new environmental effects or substantially increase the severity of previously identified significant effects and no new information has come to light that would require a review of the EIR. Therefore, Staff recommends that the Planning Commission adopt the proposed CEQA Findings.

To see the CEQA Findings, see Exhibit I.2A

## RECOMMENDATION

The Department recommends that the Commission *adopt* the proposed CEQA Findings, pursuant to the California Environmental Quality Act, including a Statement of Overriding Considerations, by adopting the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The Department recommends Commission approval of the CEQA Findings because it will allow for the Central SoMa Plan effort to move forward. The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

## REQUIRED COMMISSION ACTION

The proposed CEQA Findings are before the Commission so that it may adopt it, reject it, or adopt it with modifications.

## ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan prior to consideration of this item at a hearing on May 10, 2018.

## RELATED ACTIONS

These CEQA Findings are in conjunction with the other actions related to the adoption of the Central SoMa Plan, including the proposed approval of amendments to the General Plan, Planning Code, Administrative Code, and Zoning Maps and approval of the Plan's Implementation Program. These proposed actions are discussed in separate Staff Reports.

## ATTACHMENTS

- Exhibit I.2 – CEQA Findings Draft Resolution
  - A – CEQA Findings
  - B – Mitigation Monitoring and Reporting Program

**EXHIBIT II.1 - GENERAL PLAN  
AMENDMENTS CASE REPORT**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Approval of General Plan Amendments Case Report

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan General Plan Amendments  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZU  
*Initiated By:* Planning Commission on March 1, 2018  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Recommendation:* Approval

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### BACKGROUND

For background on the Central SoMa Plan, see the accompanying Executive Summary case report.

### GENERAL PLAN AMENDMENT

The proposed Ordinance would amend the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street (see "Plan Area," below). This area is currently divided between the East SoMa Plan and Western SoMa Plan, and subject to their Objectives and Policies. The proposed Ordinance would also make conforming amendments to the Commerce and Industry Element, Housing Element, Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans.

The Central SoMa Plan would contain Goals, Objectives, and Policies for this area, as well as related contextual information. The Plan's eight Goals are as follows.

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City

For a complete list of the Plan's Goals, Objectives, and Policies, see Exhibit II.4.

## RECOMMENDATION

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The Department recommends Commission approval of the proposed Ordinance because it will allow for the Central SoMa Plan effort to move forward. The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

## REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

## ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan and adoption of CEQA findings prior to consideration of this item at a hearing on May 10, 2018.

## RELATED ACTIONS

In conjunction with the new Area Plan and other General Plan amendments, the Department is proposing approval of amendments to the Planning Code, Administrative Code, and Zoning Maps and approval of the Plan's Implementation Program. These proposed actions are discussed in separate Staff Reports.

## ATTACHMENTS

- Exhibit II.2 – General Plan Amendments Draft Resolution
- Exhibit II.3 – General Plan Amendments Draft Ordinance
- Exhibit II.4 – Central SoMa Plan
- Exhibit II.5 – Map of Eastern Neighborhoods Plan Areas
- Exhibit II.6 – Changes to the General Plan Amendments Draft Ordinance since Initiation

**EXHIBIT III.1 -  
- PLANNING CODE AND  
ADMINISTRATIVE CODE  
AMENDMENTS CASE REPORT**



# SAN FRANCISCO PLANNING DEPARTMENT

## Approval of Planning Code and Administrative Code Amendments Case Report

HEARING DATE: MAY 10, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Central SoMa Plan Planning Code and Administrative Code Amendments  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZU  
*Initiated By:* Mayor Farrell and Supervisor Kim on February 27, 2018  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Recommendation:* Approval with Modifications

### BACKGROUND

For background on the Central SoMa Plan, see the accompanying Executive Summary case report.

### PLANNING CODE AND ADMINISTRATIVE CODE AMENDMENTS

The proposed Ordinance would amend the Planning Code and Administrative Code to give effect to the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street.

The following is a summary of the major Code changes proposed by the Central SoMa Plan, organized by topic. For a detailed section-by-section explanation of the proposed amendments, see Exhibit III.4 "Summary of Revisions – Planning Code and Administrative Code."

#### Zoning and Land Use

The Plan proposes to accommodate growth and facilitate the provision of public benefits by rezoning much of the area to the newly created CMUO (Central SoMa Mixed Use-Office) (Section 848) (see the Case Report to the Zoning Map Amendments (Exhibit IV.1)). The CMUO largely would replace zoning districts that only allow production/distribution/repair uses (SLI and WS-SALI), only allow commercial uses (WS-MUO), or are largely limited to housing (MUR, WS-MUG, and RED). In general, the CMUO zoning is very flexible, allowing residential, office, retail, hotel, and production/distribution/repair (PDR) uses.

In addition, the whole Plan Area would be part of a new Central SoMa Special Use District (Section 249.78). The creation of this SUD facilitates the implementation of many of the Plan's core objectives and

policies, as discussed here and elsewhere in this document. To facilitate the creation of jobs on the small handful of the largest sites, the SUD would require sites over 40,000 square feet to be predominantly non-residential. PDR replacement would be required per existing Section 202.8, though the SUD would require additional PDR uses in large office projects. The SUD would enable nighttime entertainment uses to continue to be permitted west of 4<sup>th</sup> Street and south of Harrison Street, and be conditionally permissible in much of the rest of the area. To facilitate active and engaging ground floors, per Section 145, many of the major streets would be required to have ground floor commercial uses, while per the SUD large projects would be required to provide "micro-retail" units of 1,000 square feet or less, but offices would not be allowed on the ground floor, and formula retail uses would be limited. Finally, Section 128.1 extends the right to sell Transferable Development Rights (TDRs) to the neighborhood's important historic buildings and 100% affordable housing sites, and the SUD requires purchase of these TDRs in large non-residential projects.

#### Physical Character

The Plan proposes to help respect and enhance the neighborhood's physical character through a number of zoning strategies. Per Sections 132.4, 261.1, and 270, projects would have to: help create the "urban room" by being built up to the sidewalk edge and have a height roughly equivalent to the width of the street; ensure light and air on the street while facilitating architectural creativity by requiring setbacks and performance based measures ("skyplane") for buildings where height limits exceed the urban room; and minimize the impact of the limited number of tower sites by requiring them to be substantially separated and have floor plates smaller than those permitted in the core of the downtown. Because of the comprehensiveness of bulk controls proposed in the Plan, per Section 124, FAR limits would not apply in most zoning districts. To maintain areas of fine-grained building pattern of historic and/or character enhancing buildings, the SUD (Section 249.78) would prohibit lot mergers for such buildings. Per the SUD (Section 249.78), the Code would include restrictions on wind conditions in this area for the first time.

#### Open Space, Greening, and Environmental Sustainability:

The Plan proposes a number of ways to ensure the direct provision of the public benefits of open space, greening, and environmental sustainability. Per Section 138, Privately-Owned Public Open Spaces (POPOS) would be required for non-residential uses. Generally these will need to be at the ground floor, open to the sky, and be publicly accessible seven days a week. The Planning Commission would be able to permit alternative means of satisfying this requirement, including providing the POPOS indoor or off-site, or paying a fee. Per the SUD (Section 249.78), buildings would be required to provide living roofs on at least 50% of their roof area, more buildings would be required to provide solar photovoltaic and/or thermal systems than currently required, and buildings would be required to use electricity that is 100% greenhouse gas-free.

#### Parking and Loading

The Plan's Code amendments include a number of provisions that would improve conditions and reduce conflicts between private vehicles and people walking, biking, and taking transit and support the City's Transit First Policy and Vision Zero Policy. In addition to the street improvements discussed in the Public Benefits Program (Exhibit IV.2), per Section 151.1 residential parking would be capped at an absolute maximum of 0.5 spaces per unit, and office parking would be capped at an absolute maximum of one

space per 3,500 square feet. Per Section 155, curb cuts would be banned on many major streets and require conditional use on the other major streets. Also per Section 155, projects would need to prepare a Driveway and Loading Operations Plan for City approval to reduce potential driveway operational conflicts, including loading activities, and to maximize reliance of on-site loading spaces to accommodate new loading demand.

#### Exactions

In order to pay for the proposed public benefits, the Plan includes a number of new fees and taxes. Section 423 classifies parcels into Central SoMa fee tiers, based on the additional development capacity created by the Plan. Section 432 creates a new Central SoMa Community Facilities Fee and Fund to help pay for new community facilities such as health care clinics and job training centers. Section 433 creates a new Central SoMa Infrastructure Impact Fee and Fund to help pay for enhanced local transit service. Sections 413, 415, 417, and 419 include mechanisms to facilitate affordable housing in SoMa, including requirements that funding generated by development projects in Central SoMa be expended in SoMa. Section 426 and 427 include revised in-lieu fees for open space, reflecting the appropriate cost for providing such space in a dense area such as SoMa, including land acquisition and construction costs. Additionally, it is expected that the ultimate Ordinance would include language regarding participation in the Plan's proposed Mello-Roos Community Facilities District for large projects that opt to utilize upzoning allowances (including greater height, bulk, density, and use provisions) provided by the Plan rather than building under zoning applicable prior to adoption of the Plan.

#### Process

The Central SoMa Plan includes a number of important changes to process. Section 329 raises the threshold for projects in Central SoMa to come before the Planning Commission to over 85 feet in height and/or 50,000 square feet. Section 329 also includes additional flexibility for the Planning Commission in their review of the area's largest development projects. Sections 169, 411A, and 415 state that requirements for the Transportation Demand Management (TDM), Transportation Impact Development Fee (TIDF), and Inclusionary Housing Program would not be reduced for projects that receive an increase in development capacity due to the Plan, whereas Section 175.1 states that projects that could be built without the Plan and have already submitted an application could proceed under existing controls.

### **RECOMMENDATION**

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

The Departments proposed modifications are as follows:

- 128.1(c): Reverse the terms "Development Lot" and "Transfer Lot".
- 132.4(d)(1)(B)(iv): Increase allowed streetwall architectural modulation from five feet to eight feet.
- 135.3: Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.
- 138(a)(2): Eliminate the requirement for retail uses to provide POPOS.
- 138(d)(2), (2)(A), (2)(B), and (e)(2): Update references to point to appropriate subsections.
- 138(d)(2)(E)(i): Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.

- 138(d)(2)(F)(ii): Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.
- 140(a): In the Central SoMa SUD, allow units above 85' in height to meet exposure requirements if they are 15' back from the property line; allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor.
- 154 and 155: Allow approval of the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to meet the freight loading requirements of Sections 152.1, 154. And 155 .
- 155(r)(2)(JJ): Update reference to point to 329(e)(3)(B).
- 249.78(c)(1) and 329(d): Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as there is a doorway every 25 feet, and 3) at corners for lots less than 50 feet in width
- 249.78(c)(1)(D): Add that hotels are allowed as an active commercial use per 145.4(c).
- 249.78(c)(5)(B): Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses.
- 263.32, 263.33, 263.34: Clarify that projects that comply with these sections do not need a Conditional Use approval.
- 263.32(b)(1): Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception
- 263.32(c)(3): Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers.
- Table 270(h): For Perry Street, make the Base Height "none".
- 329(d): Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7).
- 329(d): Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B).
- 329(d): Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155.
- 329(d): Add a subsection allowing for exceptions for exposure requirements under Section 140.
- 329(e)(2): Add Block 3786 Lot 322 as a Key Site .
- 329(e)(3): Clarify that Key Sites may utilize the exceptions granted in 329(d).
- 329(e)(3)(A): Include donation of land for affordable housing and construction of affordable units as qualified amenity.
- 329(e)(3)(B): Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.
- 406: Include a waiver that allows land dedication of space for and construction of a public park on Block 3777 to count against various fees, including the TSF and Central SoMa Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).
- 411A: Provide a \$5/gsf exception from the Transportation Sustainability Fee (TSF) for projects within the Central SoMa SUD (pending the adoption of a \$5/gsf increase by proposed legislation contained in Board File No. 180117).
- 418.7(a): Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District.
- 434: Add a Section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) includes new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and non-residential development in Central SoMa Development Tier C, and (3) the project proposed project is greater, in terms of square footage, than what would have been allowed without the Central SoMa Plan.

- Admin Code 10E.2: Amend the Eastern Neighborhoods CAC to create two CACs – one for the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one for the other three Plan Areas (Mission, Showplace Square/Potrero Hill, and Central Waterfront).

**BASIS FOR RECOMMENDATION**

The Department recommends Commission approval of the proposed Ordinance because it will allow for the Central SoMa Plan effort to move forward. The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

The basis for the recommended modifications is as follows:

#	Section	Change	Rationale
1	128.1(c)	Reverse the terms "Development Lot" and "Transfer Lot"	Corrects drafting error in sequence of terms.
2	132.4(d)(1)(B)(iv)	Increase allowed streetwall architectural modulation from five feet to eight feet	Preserves the sense of a substantial edifice while allowing for inset balconies.
3	135.3	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3	Corrects drafting error to properly cross-reference 135.3 and 138.
4	138(a)(2)	Eliminate the requirement for retail uses to provide POPOS	Corrects drafting error to include retail uses. Retail uses (like institutionally uses) would still need to provide open space per Section 135.3.
5	138(d)(2), (2)(A), (2)(B), and (e)(2)	Update references to point to appropriate subsections	Corrects drafting error in references within Section 138.
6	138(d)(2)(E)(i)	Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors
7	138(d)(2)(F)(ii)	Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet	This change would facilitate the creation of mezzanines within the POPOS
8	140(a)	In the Central SoMa SUD, allow units above 85' in height to meet exposure requirements if they are 15' back from the property line; allow 10% of units at or below 85' to have an exposure of	These changes would make a rule of commonly granted exceptions.

#	Section	Change	Rationale
		15'x15' instead of 25'x25'; and do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor	
9	154 and 155	Allow approval of the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to meet the freight loading requirements of Sections 152.1, 154. And 155	Currently exceptions for freight loading controls are routinely granted. The DLOP is meant to ensure that freight loading strategies are vetted and approved by MTA and Planning. This change thus eliminates redundant process.
10	155(r)(2)(JJ)	Update reference to point to 329(e)(3)(B)	Corrects drafting error in references
11	249.78(c)(1) and 329(d)	Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as there is a doorway every 25 feet, and 3) at corners for lots less than 50 feet in width	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
12	249.78(c)(1)(D)	Add that hotels are allowed as an active commercial use per 145.4(c).	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
13	249.78(c)(5)(B)	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses	Like PDR, these uses are beneficial to the community and can only pay limited rent
14	263.32, 263.33, 263.34	Clarify that projects that comply with these sections do not need a Conditional Use approval.	The intent of 263.32-34 is that projects that meet certain definitive standards can receive a height increase, as occurs in other subsections of 263. This change would remove any uncertainty around the intent.
15	263.32(b)(1)	Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception	Corrects oversight such that dedicated affordable housing sites can receive the height bonus just as sites that build units or that dedicate land for open space.
16	263.32(c)(3)	Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers	The purpose of this height bonus is to incentive projects to provide sites for affordable housing and open space – provide benefits that are otherwise difficult to site in a dense neighborhood. This change is in

#	Section	Change	Rationale
			keeping with the intent of this section in that it maintains the benefit for projects in 160' height districts.
17	Table 270(h)	For Perry Street, make the Base Height "none"	This is the correct change to effectuate the goal of treating Perry St. like current northern sides of alleys, as discussed in the Central SoMa Plan's Implementation Matrix.
18	329(d)	Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7)	Corrects drafting error to properly cross-reference 249.78(d)(7) and 329(d).
19	329(d)	Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B)	Corrects drafting error to properly cross-reference 132.4(d)(3)(B) and 329(d).
20	329(d)	Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155.	These are commonly granted exceptions that are important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
21	329(d)	Add a subsection allowing for exceptions for exposure requirements under Section 140	This is a commonly granted exception that is important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
22	329(e)(2)	Add Block 3786 Lot 322 as a Key Site	As discussed in the Key Development Sites guidelines, this site has the potential to build additional public amenities (e.g., the Bluxome Linear Park) but would require additional exceptions to do so.
23	329(e)(3)	Clarify that Key Sites may utilize the exceptions granted in 329(d)	Extra language needed to make sure intent of this section is clear.
24	329(e)(3)(A)	Include donation of land for affordable housing and construction of affordable units as qualified amenity	Corrects oversight based on benefits proposed by Key Sites.
25	329(e)(3)(B)	Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
26	406	Include a waiver that allows land dedication of space for and construction of a public park on Block 3777 to count against various fees, including the TSF and Central SoMa	Such a waiver would facilitate the timely and cost-effective construction of the proposed one-acre park on the block between 4 <sup>th</sup> , 5 <sup>th</sup> , Bryant, and Brannan Streets. The transit fees waived for this

#	Section	Change	Rationale
		Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).	project would be refunded through other mechanisms, such as the Central SoMa CFD.
27	411A	Provide a \$5/gsf exception from the Transportation Sustainability Fee (TSF) for projects within the Central SoMa SUD (pending the adoption of a \$5/gsf increase by proposed legislation contained in Board File No. 180117).	The Central SoMa Plan's public benefits package is structured to maximize feasible contribution, and the addition of \$5/gsf fee may render some projects infeasible.
28	418.7(a)	Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District	Change necessary to legalize the funding structure proposed by the Plan.
29	434	Add a Section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) includes new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and non-residential development in Central SoMa Development Tier C, and (3) the project proposed project is greater, in terms of square footage, than what would have been allowed without the Central SoMa Plan.	This language was always proposed for inclusion but was not ready for discussion until this time.
30	Admin Code 10E.2	Amend the Eastern Neighborhoods CAC to create two CACs - one for the three SoMa Plan Areas (East SoMa, Central SoMa, and Western SoMa) and one for the other three Plan Areas (Mission, Showplace Square/Potrero Hill, and Central Waterfront).	The Eastern Neighborhoods CAC has proven to be an unwieldy size for administering its oversight responsibilities.

**REQUIRED COMMISSION ACTION**

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

## **ENVIRONMENTAL REVIEW**

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan and adoption of CEQA findings prior to consideration of this item at a hearing on May 10, 2018.

## **RELATED ACTIONS**

In conjunction with these Planning Code and Administrative Code amendments, the Department is proposing approval of amendments to the General Plan and to the Zoning Map and approval of the Plan's Implementation Program. These proposed actions are covered in separate Staff Reports.

## **ATTACHMENTS**

- Exhibit III.2 – Planning Code and Administrative Code Amendments Draft Resolution
- Exhibit III.3 – Planning Code and Administrative Code Draft Ordinance
- Exhibit III.4 – Summary of Planning Code and Administrative Code Amendments
- Exhibit III.5 – Changes to the Planning Code and Administrative Code Amendments Draft Ordinance since Introduction
- Exhibit III.6 – Planning Code and Administrative Code – Issues for Consideration

**EXHIBIT IV.1 - ZONING MAP  
AMENDMENTS CASE REPORT**



# SAN FRANCISCO PLANNING DEPARTMENT

## Approval of Zoning Map Amendments Case Report

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan Zoning Map Amendments  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZ  
*Initiated By:* Mayor Farrell and Supervisor Kim on February 27, 2018  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Recommendation:* **Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### BACKGROUND

For background on the Central SoMa Plan, see the accompanying Executive Summary case report.

### ZONING MAP AMENDMENTS

The proposed Ordinance would amend the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street. The following is a summary of the proposed changes:

#### Zoning

The Central SoMa Plan would amend much of the zoning in the Plan Area. As shown in Figure 1A, the area currently contains 13 zoning districts, including large areas where the zoning promotes predominantly industrial use, other areas where the zoning promotes predominantly residential use, and other areas where the zoning supports other mixes of uses. As shown in Figure 1B, the Plan proposes to reduce this to seven districts, as follows:

- Most of the Plan Area would be rezoned CMUO (Central SoMa Mixed Use-Office), including much of the production/distribution/repair-only zoning (SLI and WS-SALI) and commercial-only zoning (WS-MUO) south of Harrison Street, the housing-oriented zoning east of 5<sup>th</sup> Street (MUR, WS-MUG, and RED), and other similar districts in the area (MUO, M-1, SSO). As discussed in the Case Report for the proposed Planning Code and Administrative Code

amendments (Exhibit III.1), the CMUO zoning district would allow for a range of uses, including residential, office, retail, hotel, and production/distribution/repair.

- West of 5<sup>th</sup> Street and north of Harrison Street the zoning would generally change from MUR and WS-MUG to MUG, which is similarly residentially oriented.
- West of 4<sup>th</sup> Street and between Harrison and Bryant Streets the zoning would generally remain WS-SALI (except for publicly-owned parcels associated with the I-80 freeway right-of-way). This zoning only permits PDR uses.

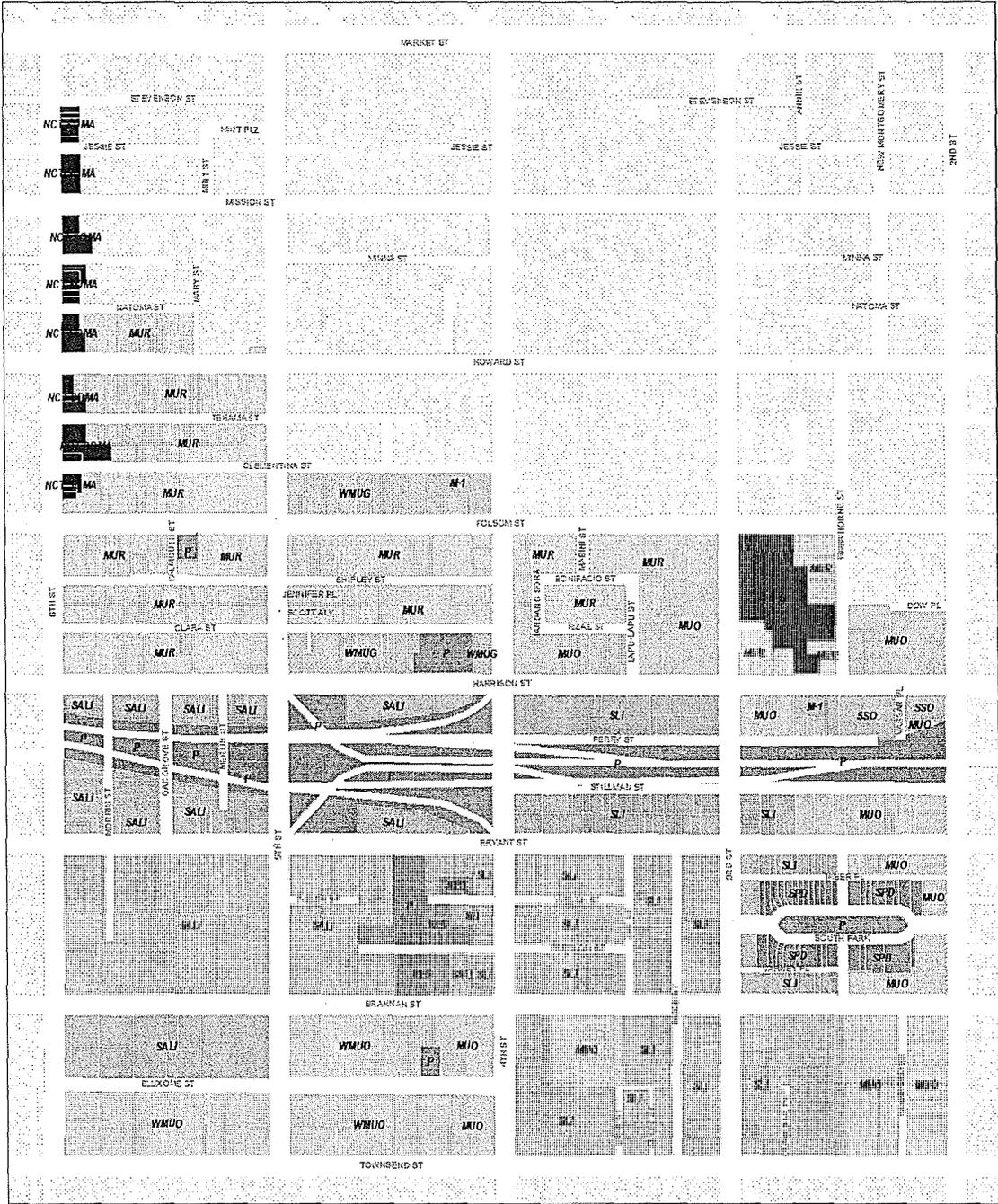
#### Height and Bulk Districts

The Central SoMa Plan would amend height and bulk limits in much of the Plan Area. As shown in Figure 2A, existing height limits in Central SoMa are generally 85 feet and below, with a handful of parcels bordering the Downtown Plan Area that have a height limit of 130 feet. The predominant proposed changes are focused in the areas in the vicinity of the Caltrain Station, along the Central Subway alignment (i.e., 4<sup>th</sup> Street), and generally adjacent to Downtown and Rincon Hill. In those areas, base height limits of 130 to 160 feet are proposed, though as discussed in the Case Report for the proposed Planning Code and Administrative Code amendments (Exhibit II-1), the Plan includes a new "CS" bulk district whose bulk controls are intended to minimize the effect of such height as seen from the street. Finally, a limited number of parcels are proposed to allow taller, more slender towers ranging in height from 200 feet to 400 feet.

#### Special Use District

Currently, the Western SoMa Special Use District covers all parcels zoned RED, WS MUG, WS MUO, WS SALI, and some parcels zoned P. Under the proposed Plan, the Western SoMa Special Use District would no longer apply in this area. The new Central SoMa Special Use District would cover the whole Plan Area.

FIGURE 1A – EXISTING ZONING

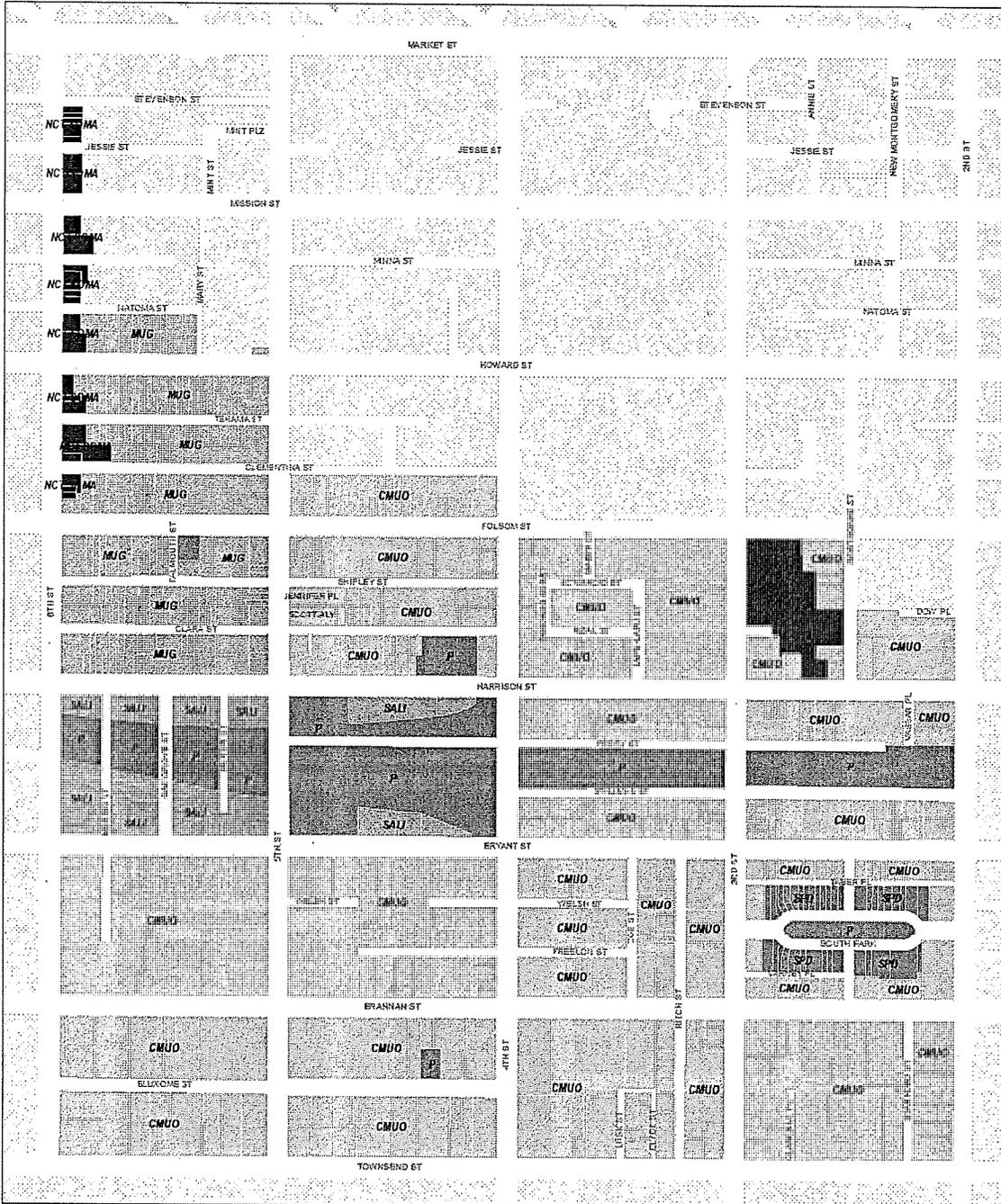


Central SoMa Plan  
 Existing Zoning Districts  
 SAN FRANCISCO

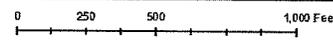
0 250 500 1,000 Feet

Revised 2016

FIGURE 1B – PROPOSED ZONING

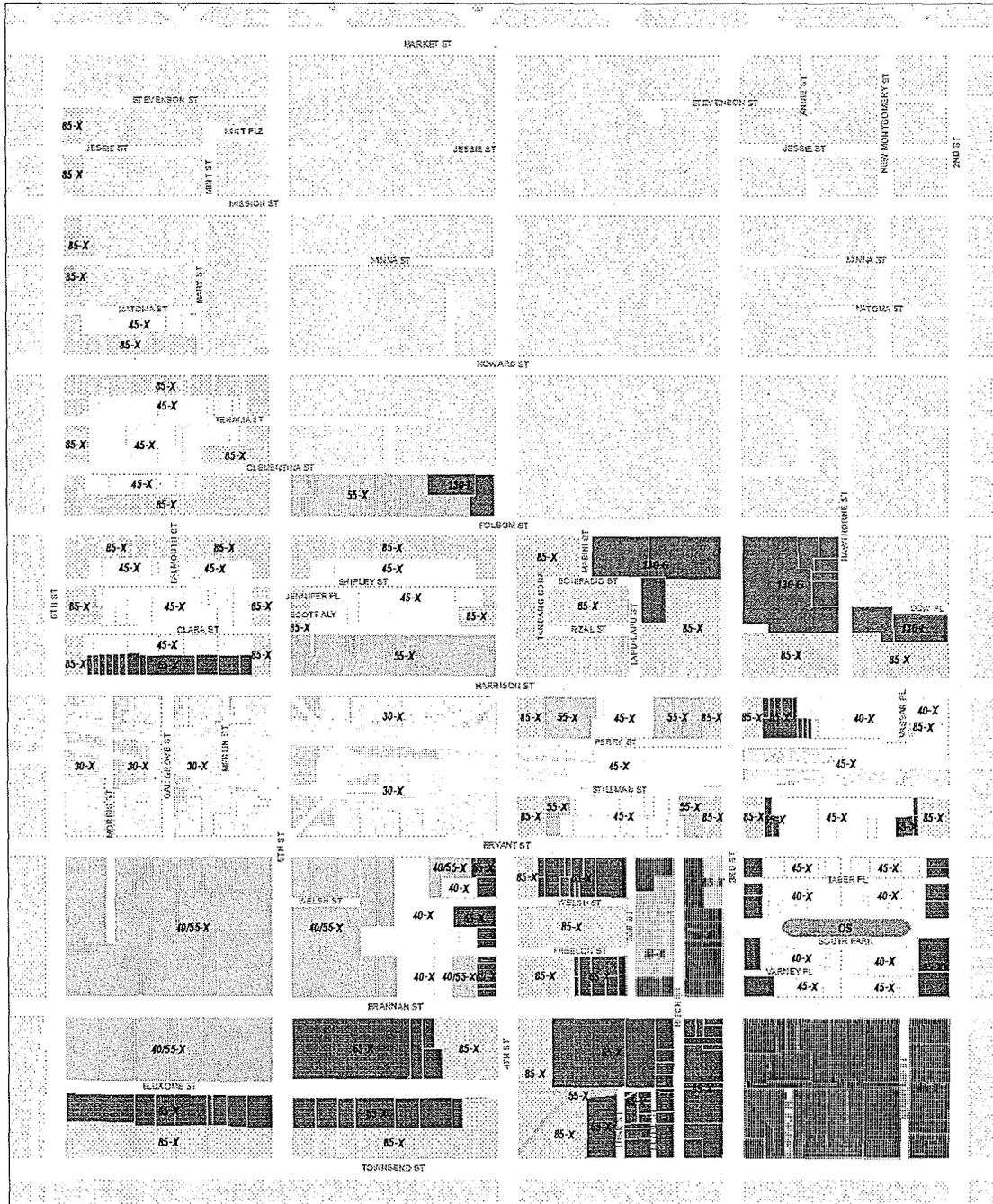


Central SoMa Plan  
Proposed Zoning Districts  
SAN FRANCISCO

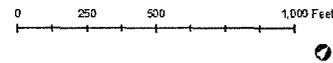


April 2018

FIGURE 2A – EXISTING HEIGHT LIMITS AND BULK DISTRICTS

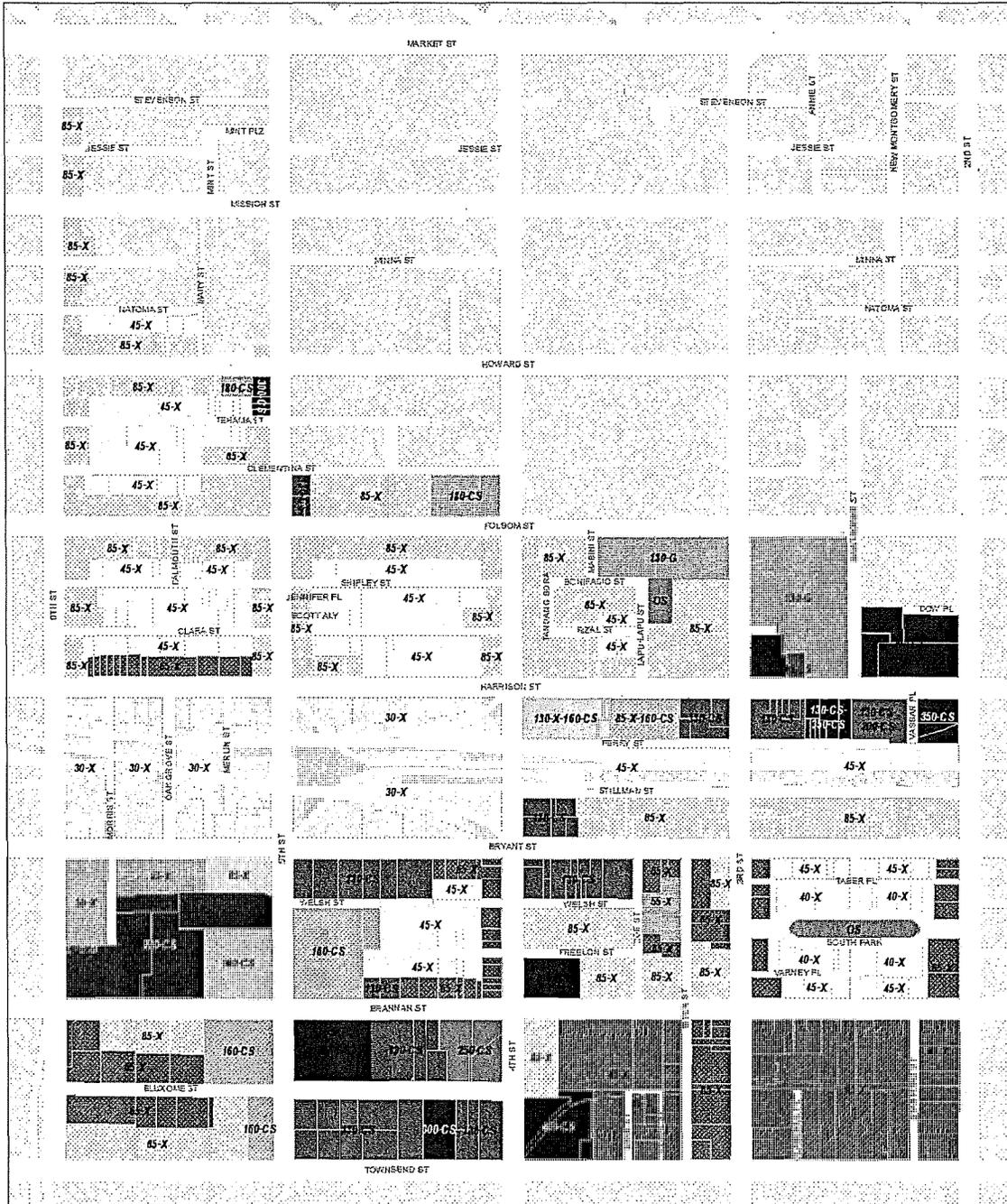


Central SoMa Plan  
 Existing Height/Bulk Districts  
 SAN FRANCISCO

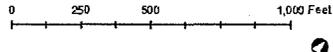


Renew700

FIGURE 2B – PROPOSED HEIGHT LIMITS AND BULK DISTRICTS



Central SoMa Plan  
Proposed Height/Bulk Districts  
SAN FRANCISCO



## RECOMMENDATION

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The Department recommends Commission approval of the proposed Ordinance because it will allow for the Central SoMa Plan effort to move forward. The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco – in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

## REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

## ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan and adoption of CEQA findings prior to consideration of this item at a hearing on May 10, 2018.

## RELATED ACTIONS

In conjunction with these Zoning Map amendments, the Department is proposing approval of amendments to the General Plan, Planning Code, and Administrative Code and approval of the Plan's Implementation Program. These proposed actions are covered in separate Staff Reports.

## ATTACHMENTS

- Exhibit IV.2 – Zoning Map Amendments Initiation Draft Resolution
- Exhibit IV.3 – Zoning Map Draft Ordinance
- Exhibit IV.4 – Changes to the Zoning Map Amendments Draft Ordinance since Introduction
- Exhibit IV.5 – Zoning Map – Issues for Consideration

**EXHIBIT V.1 -  
IMPLEMENTATION  
PROGRAM CASE REPORT**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Approval of Implementation Program Case Report

HEARING DATE: MAY 10, 2018

*Project Name:* Central SoMa Plan Implementation Program  
*Date:* May 3, 2018  
*Record Number:* 2011.1356EMTZU  
*Staff Contact:* Steve Wertheim, Principal Planner, Citywide Planning  
(415) 558-6612; [steve.wertheim@sfgov.org](mailto:steve.wertheim@sfgov.org)  
*Recommendation:* **Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### BACKGROUND

For background on the Central SoMa Plan, see the accompanying Executive Summary case report.

### IMPLEMENTATION PROGRAM

In addition to General Plan, Planning Code and Administrative Code, and Zoning Map amendments related to the Plan, the Planning Commission and Board of Supervisors will consider and adopt an Implementation Program for the Plan. This Implementation Program would facilitate the implementation of the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street.

The Implementation Program is comprised of five documents. The following is a summary of the each.

#### Implementation Matrix

The "Implementation Matrix" is a document that comprehensively conveys how each of the Plan's Policies would be implemented. Each Policy includes one or more Implementation Measures of discrete action(s) that will be undertaken. Each Implementation Measure contains detailed information on how the measure will be undertaken, when, and by whom. Overall, the Plan includes over 220 Implementation Measures. Collectively, this document is meant to facilitate accountability and transparency for present and future decision makers, stakeholders and City agencies.

#### Public Benefits Program

The "Public Benefits Program" is a document that comprehensively conveys the Plan's expenditure strategy for public benefits and the funding strategy to generate those public benefits, as well as

providing explanation of how the public benefits package was developed and how it will be administered and monitored.

The Central SoMa Plan is anticipated to raise nearly \$2.2 billion in public benefits over a 25-year period. This is over 400% more than the \$500 million in public benefits that would be expected to occur if the Plan were not adopted. All of these public benefits would be provided by new development, and would be directed back to the neighborhood. Additionally, it is anticipated that the General Fund would see \$1 billion in new revenues over this 25-year period from increased taxes in the neighborhood.

The Plan would deliver a wide range of public benefits. These are detailed thoroughly in Table 1.

**Table 1 - Central SoMa Public Benefits Package**

<b>BENEFIT</b>	<b>VALUE (\$2017)</b>
<b>Affordable Housing</b>	<b>\$940,000,000</b>
38% of new/rehabilitated housing is Below-Market Rate (BMR) (35% low/ moderate income and 3% middle income)	\$940,000,000
<b>Transit</b>	<b>\$500,000,000</b>
Local transit improvements to enhance convenience and safety	\$340,000,000
Regional transit capacity enhancement and expansion	\$160,000,000
<b>Parks &amp; Recreation</b>	<b>\$185,000,000</b>
Gene Friend Recreation Center Reconstruction/Expansion	\$25,000,000
Victoria Manalo Draves Park Programming	\$5,000,000
New 1-acre park in Southwest portion of Plan Area	\$35,000,000
New public recreation center	\$10,000,000
Park and greenery maintenance and activation	\$15,000,000
New large (2+ acre) SoMa park (initial site identification)	\$5,000,000
New Bluxome linear park	\$5,000,000
New under-freeway public recreation area	\$5,000,000
Privately-Owned Public Open Spaces (POPOS)	\$80,000,000
<b>Production, Distribution, &amp; Repair</b>	<b>\$180,000,000</b>
Preservation and creation of PDR space to ensure no net loss of PDR due to the Plan	\$180,000,000
<b>Complete Streets</b>	<b>\$110,000,000</b>
Redesign of all major streets in the Plan Area to be safe and comfortable for people walking, biking, and on transit.	\$110,000,000
<b>Cultural Preservation &amp; Community Services</b>	<b>\$109,000,000</b>
Restoration of the US Mint Building	\$20,000,000
Preservation and maintenance of historic buildings	\$20,000,000
New community facilities (e.g., health care clinics and job training centers)	\$20,000,000
Social and cultural programming	\$25,000,000
Capital for cultural amenities	\$15,000,000
Neighborhood cleaning	\$9,000,000

<b>Environmental Sustainability &amp; Resilience</b>	<b>\$70,000,000</b>
Enhanced stormwater management in complete street projects	\$32,000,000
Freeway corridor air quality and greening improvements	\$22,000,000
Living Roofs enhanced requirements	\$6,000,000
Other energy and water efficiency projects	\$10,000,000
<b>Schools &amp; Childcare</b>	<b>\$64,000,000</b>
New childcare centers	\$26,000,000
New schools serving K-12 population	\$32,000,000
Bessie Carmichael Supplemental Services	\$6,000,000
<b>TOTAL</b>	<b>\$2,160,000,000</b>

The \$2.2 billion would be generated through a combination of three mechanisms:

- Direct provision of benefit by specific development projects (e.g. on-site affordable housing units or the provision of Privately-Owned Public Open Spaces (POPOS)). These public benefits are typically provided at the same time as the new development or shortly thereafter.
- One-time impact fees paid when a project is ready for construction, such as citywide (e.g. Jobs-Housing Linkage Fee) and Area Plan fees (e.g. Eastern Neighborhoods Infrastructure Impact Fee).
- Ongoing taxation such as a Mello-Roos Community Facilities District (CFD).<sup>1</sup>

These mechanisms would be applied differently, based on 1) the type of development being built, and 2) the increase in the amount of development capacity that occurs through the Central SoMa Plan. This can be summarized as follows:

- All non-residential projects will need to abide by existing requirements, such as the Jobs-Housing Linkage Fee, Eastern Neighborhoods Infrastructure Impact Fee, Transportation Sustainability Fee, Childcare Fee, School Impact Fee, Public Art Fee, and replacement requirements for Production, Distribution, and Repair uses. Non-residential projects receiving an increase in development capacity via the Plan would also be subject to additional fees for transit and community facilities, be required to purchase Transferable Development Rights from historic buildings, and may participate in a Mello-Roos Community Facilities District depending on the size of the project and whether the project is opting to utilize greater zoning allowances provided by the Plan (i.e., rather than building under pre-existing zoning).
- All residential projects will need to abide by existing requirements, such as the provision of inclusionary housing, the Eastern Neighborhoods Infrastructure Impact Fee, Transportation Sustainability Fee, Childcare Fee, School Impact Fee, and replacement requirements for Production, Distribution, and Repair uses. Non-residential projects receiving a substantial increase in development capacity via the Plan would also be subject to additional fees for community facilities and may participate in a Mello-Roos Community Facilities District

<sup>1</sup> A Mello-Roos Community Facilities District which is not currently part of the Central SoMa legislation but is being proposed to come before the Planning Commission for consideration on May 10<sup>th</sup>, 2018

depending on the size of the project and whether the project is opting to utilize greater zoning allowances provided by the Plan (i.e., rather than building under pre-existing zoning).

Administration and monitoring of the Plan will be undertaken by a range of bodies and organizations in the manner than currently applies to the Eastern Neighborhoods. This includes oversight by the City's Controllars Office and Capital Planning Committee, with guidance from the City's Interagency Plan Implementation Committee and the Eastern Neighborhoods Citizens Advisory Committee, with ultimate funding oversight from the Board of Supervisors. The revenue allocations shown in the Public Benefits Program are for projection purposes only and represent proportional allocation to the various public improvements based on the revenues projected at the time of Plan adoption. Actual revenues will vary from these projections based on many factors, including the amount and timing of new development which cannot be predicted. The Board of Supervisors, with input from the Interagency Plan Implementation Committee and Eastern Neighborhoods Citizens Advisory Committee (or its successor), shall monitor and allocate revenues according to these proportional allocations based on actual revenues over time and the readiness of the various public improvements for expenditure. No improvement project listed in the Public Benefits Program is guaranteed to receive the absolute amounts shown in the Public Benefits Program. Allocations for all projects will be increased or decreased proportionally based on actual revenues received or revised projections over time

#### Guide to Urban Design

A "Guide to Urban Design" document containing design guidance that is specific to Central SoMa in a way that complements and supplements the requirements of the Planning Code and citywide Urban Design Guidelines. It is meant to help the architectural and development community better understand the intent of Plan Objective 8.6, "Promote high quality architecture that enhances the neighborhood." The Guide suggests strategies that are appropriate in this unique neighborhood, such as utilizing the long blocks to "enhance horizontality" and utilizing the wide streets and historic alleys to "support lots of sky." It suggests selecting contextual materials such that express the industrial legacy, historic character, and even the gritty character of the neighborhood. It asks that the architecture support public spaces, such as the alley experience. Finally, the Guide provides a series of diagrams to help visualize the Planning Code's numeric requirements.

#### Key Development Sites Guidelines

The Central SoMa Plan Area contains eight "key development sites" - large, underutilized development opportunities with lot areas ranging from 30,000 square feet to well over 100,000 square feet. The Key Development Sites Guidelines are meant to complement the Planning Code and inform the subsequent entitlement process for these sites. To do so, each site includes detailed context as well as an exploration of potential opportunities, challenges, and design guidelines.

By providing greater direction to the development of these sites, the City has an opportunity to maximize public benefits and to ensure that their development directly delivers critical public benefits, such as affordable housing, additional park and recreational amenities, and expansion of the alley network. Finding space on which to locate these kinds of public assets is tremendously difficult in a highly developed neighborhood like SoMa. But on these key development sites, the City can partner with the

developer to address the unique design challenges that could constrain the creation of these amenities in exchange for their provision.

#### Key Streets Guidance

The "Key Streets Guidance" document helps implementation of the Central SoMa Plan by providing street-specific guidance for the neighborhood's major streets: 2nd, 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets. This additional guidance will benefit City agencies, the community, and major development project sponsors as new designs for these "key streets" are considered and implemented over the 25-year Plan horizon.

Although the Central SoMa Plan area only includes four to five blocks of each key street, the visions and benefits described in this guidance could inform planning for the entire length of each roadway corridor. For ease of use, this document is organized by street, which is how most of these improvements will be implemented. As with much of the Plan, an underlying goal is to thoughtfully leverage each future investment to maximize quality of life for everyone living, working, and playing in Central SoMa. In the neighborhood, streets and sidewalks occupy in aggregate over 70 acres - nearly one-third of the Plan's land area. As such, our investments in these streets should emphasize creating healthy, vibrant, and green places for people to walk, gather, recreate, and experience nature.

#### **RECOMMENDATION**

The Department recommends that the Commission approve the proposed Implementation Program and adopt the attached Draft Resolution to that effect.

#### **BASIS FOR RECOMMENDATION**

The Department recommends that the Commission approve the proposed Implementation Program because it will allow for the Central SoMa Plan effort to move forward. The Plan is the result of a multi-year public and cooperative interagency planning process that began in 2011. Central SoMa is a 230-acre area that sits adjacent to downtown, has excellent transit access, and contains numerous underdeveloped sites. As such, the neighborhood is well positioned to accommodate needed employment, housing, and visitor facilities in the core of the city and Bay Area region. It is also a neighborhood with an incredible history and a rich, ongoing, cultural heritage. As it grows and evolves over the next 25 years, Central SoMa has the opportunity to become a complete, sustainable, and vital neighborhood without losing what makes it special and unique today. The Central SoMa Plan contains the goals, objectives, and policies to guide this growth and evolution such that the results serve the best interests of San Francisco - in the present and the future. This includes a public benefits package of over \$2 billion to serve the needs of the neighborhood.

#### **REQUIRED COMMISSION ACTION**

The proposed Implementation Program is before the Commission so that it may approve it, reject it, or approve it with modifications.

## **ENVIRONMENTAL REVIEW**

The Department published the Draft Environmental Impact Report in December 2016 and the Response to Comments in March 2018. The Planning Commission will consider certification of the Final Environmental Impact Report on the Central SoMa Plan and adoption of CEQA findings prior to consideration of this item at a hearing on May 10, 2018.

## **RELATED ACTIONS**

In conjunction with this Implementation Program, the Department is proposing approval of amendments to the General Plan, Planning Code and Administrative Code, and Zoning Map. These proposed actions are covered in separate Staff Reports.

## **ATTACHMENTS**

Exhibit V.2 – Implementation Program Draft Resolution

Exhibit V.3 – Implementation Program

Part A – Draft Implementation Matrix

Part B – Draft Public Benefits Program

Part C – Draft Guide to Urban Design

Part D – Draft Key Development Site Guidelines

Part E – Draft Key Streets Guidance

Exhibit V.4 – Proposed Changes to the Implementation Program since Introduction

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180185 10061  
180453

**To:** Mchugh, Eileen (BOS)  
**Subject:** RE: Old Mint Central SoMa Letter

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**From:** Son, Chanbory (CPC)

**Sent:** Tuesday, August 14, 2018 11:26 AM

**To:** Lau, Jon (ECN) <[jon.lau@sfgov.org](mailto:jon.lau@sfgov.org)>; Rahaim, John (CPC) <[john.rahaim@sfgov.org](mailto:john.rahaim@sfgov.org)>; Frye, Tim (CPC) <[tim.frye@sfgov.org](mailto:tim.frye@sfgov.org)>; Switzky, Joshua (CPC) <[joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)>; Chen, Lisa (CPC) <[lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)>; Ionin, Jonas (CPC) <[jonas.ionin@sfgov.org](mailto:jonas.ionin@sfgov.org)>; Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Andrew Wolfram <[andrew@tefarch.com](mailto:andrew@tefarch.com)>; Aaron Jon Hyland - HPC <[aaron.hyland.hpc@gmail.com](mailto:aaron.hyland.hpc@gmail.com)>; Black, Kate (CPC) <[kate.black@sfgov.org](mailto:kate.black@sfgov.org)>; Ellen Johnck <[Ellen@EllenJohnckConsulting.com](mailto:Ellen@EllenJohnckConsulting.com)>; Richard S. E. Johns <[RSEJohns@yahoo.com](mailto:RSEJohns@yahoo.com)>; Dianematsuda@hotmail.com; Jonathan Pearlman <[jonathan.pearlman.hpc@gmail.com](mailto:jonathan.pearlman.hpc@gmail.com)>; Rich Hillis (<[richhillissf@gmail.com](mailto:richhillissf@gmail.com)>) <[richhillissf@gmail.com](mailto:richhillissf@gmail.com)>; Melgar, Myrna (CPC) <[myrna.melgar@sfgov.org](mailto:myrna.melgar@sfgov.org)>; 'Rodney Fong' <[planning@rodneyfong.com](mailto:planning@rodneyfong.com)>; Johnson, Milicent (CPC) <[milicent.johnson@sfgov.org](mailto:milicent.johnson@sfgov.org)>; Koppel, Joel (CPC) <[joel.koppel@sfgov.org](mailto:joel.koppel@sfgov.org)>; Moore, Kathrin (CPC) <[kathrin.moore@sfgov.org](mailto:kathrin.moore@sfgov.org)>; Richards, Dennis (CPC) <[dennis.richards@sfgov.org](mailto:dennis.richards@sfgov.org)>; Brown, Vallie (BOS) <[vallie.brown@sfgov.org](mailto:vallie.brown@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Fewer, Sandra (BOS) <[sandra.fewer@sfgov.org](mailto:sandra.fewer@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Ronen, Hillary <[hillary.ronen@sfgov.org](mailto:hillary.ronen@sfgov.org)>; Safai, Ahsha (BOS) <[ahsha.safai@sfgov.org](mailto:ahsha.safai@sfgov.org)>; MandelmanStaff, [BOS] <[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>

**Cc:** Feliciano, Josephine (CPC) <[josephine.feliciano@sfgov.org](mailto:josephine.feliciano@sfgov.org)>; Chen, Lisa (CPC) <[lisa.chen@sfgov.org](mailto:lisa.chen@sfgov.org)>

**Subject:** Old Mint Central SoMa Letter

Everyone,

Please accept this letter on behalf of the Historic Preservation Commission regarding the Central SoMa Public Benefits Package and the Old U.S. Mint.

Sincerely,

**Chanbory Son, Executive Secretary  
Commission Affairs**

San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.6926 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)



# SAN FRANCISCO PLANNING DEPARTMENT

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August 14, 2018

Land Use and Transportation Committee of the Board of Supervisors  
City Hall, Legislative Chamber, Room 250  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: Central SoMa Public Benefits Package and the Old U.S. Mint

Chair Katy Tang and Members of the Land Use and Transportation Committee,

At its August 1, 2018 hearing the Historic Preservation Commission (HPC) discussed the proposal to reduce the amount of potential funding from the Central SoMa Public Benefits Program towards the rehabilitation of the Old U.S. Mint (Old Mint), City Landmark No. 236. While a much greater investment is needed to realize the full potential of the Old Mint, the HPC strongly encourages the Land Use Committee to recommend retention of the 1% allocation (potentially \$20,000,000) considering its potential as a facility that supports the community and the City's history.

Built in 1874, The Old Mint is not only a locally-designated Landmark; it is listed as a National Historic Landmark, the highest recognition bestowed upon only the most significant places in America. In 1997, the federal government sold the Old Mint to the City of County of San Francisco for one dollar on the condition that it would be rehabilitated for public use. In 2015 the Old Mint was listed by the National Trust for Historic Preservation on its America's eleven most endangered places due to lack of investment. Despite stops and starts to revive the Old Mint, the City Family has made significant progress over the last three years by actively working with community partners to reposition the structure as one that represents the activity, safety, and stability of the surrounding neighborhood.

The HPC supports the many goals of the Public Benefits Package and agrees that the Central SoMa Plan should not shoulder the entire cost of rehabilitating the structure. The 1% allocation is a fraction of the total resources required to bring the Old Mint to current safety standards but remains a critical contribution to realizing its potential. As one of the most significant public buildings in the West, our community partners, along with the City family, are committed to sharing the financial responsibilities to reimagine the Old Mint as an anchor of safety, utility, and in service to the many communities that make up Central SoMa. The HPC strongly urges the Land Use Committee and the Board of Supervisors to retain the opportunity for the Old Mint to potentially capture \$20,000,000 from the Public Benefits Package commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wolfram".

Andrew Wolfram  
President  
Historic Preservation Commission

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

cc: Board of Supervisors  
Angela Calvillo, Clerk of the Board of Supervisors  
Historic Preservation Commission  
Planning Commission  
Jonas Ionin, Office of Commission Affairs  
Jon Lau, Mayor's Office of Employment and Workforce Development  
John Rahaim, Planning Department  
Timothy Frye, Planning Department  
Josh Switzky, Planning Department  
Lisa Chen, Planning Department

# Central SoMa Area Plan: Economic Impact Report



**CITY & COUNTY OF SAN FRANCISCO**

Office of the Controller  
Office of Economic Analysis

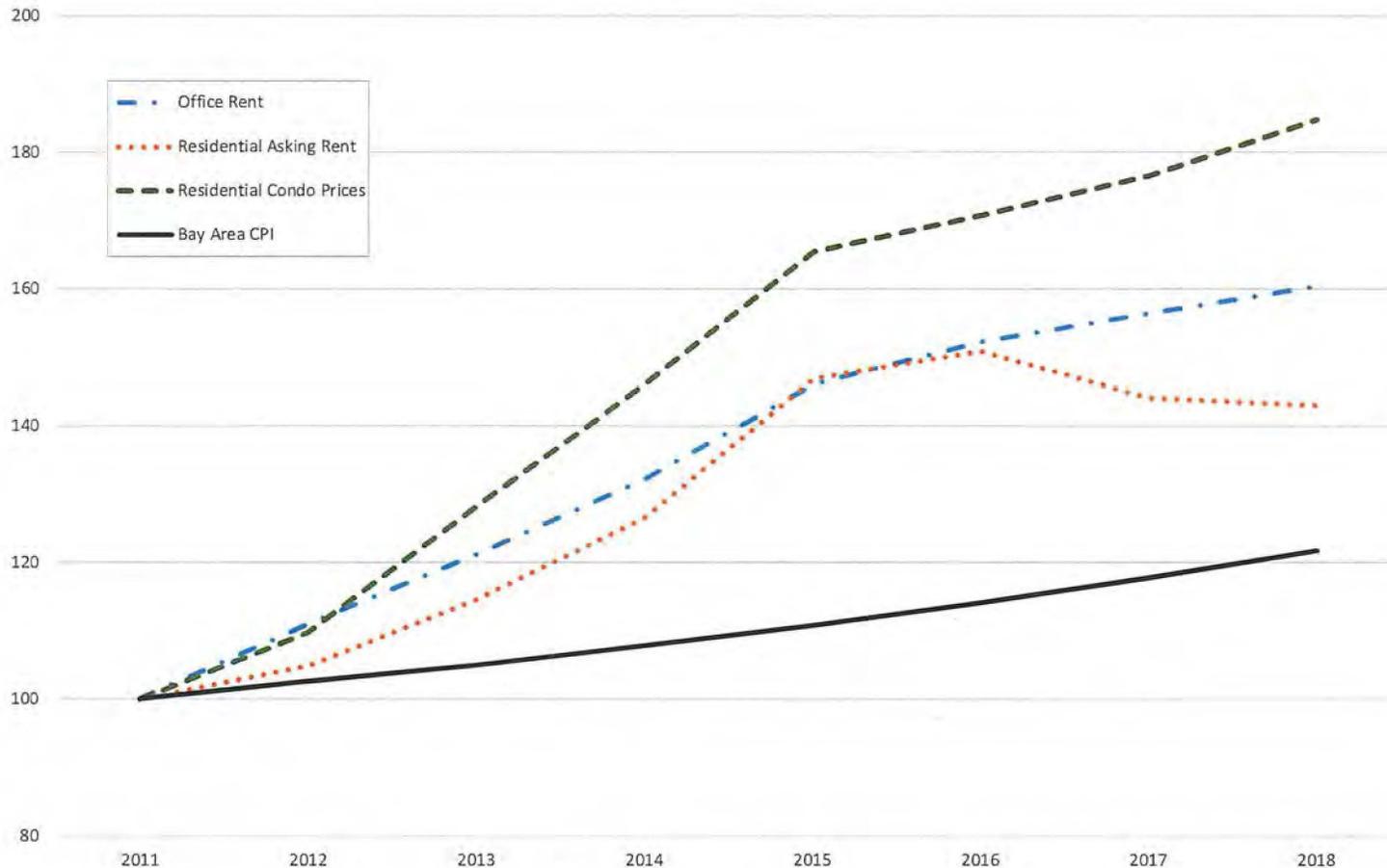
Items #180184 & #180185

07.24.2018

# Background: Housing Prices and Office Rents

3

Price Trends in San Francisco Real Estate, 2011-2018  
(2011=100)



The plan has been developed during a period of unprecedented growth in housing prices and office rents in San Francisco.

From 2011 to 2018, residential asking rates have grown twice the rate of inflation, office rents have grown three times, and condos have grown four times the rate of inflation.

This rapid price growth in both residential and commercial real estate is an indication of significant unmet demand in both sectors.

Sources: For condo prices and residential rents; Zillow. For office rents, REIS. For CPI, Bureau of Labor Statistics.

# Amount of New Development

5

- The proposed plan would increase potential development in the area through a combination of relaxed of land use controls, an increase of height limits, and changes to bulk limits.
- The Planning department conservatively estimates that approximately 5.8 million additional square feet of non-residential space (including office, retail, replacement PDR, and hotels), and 5.4 million square feet of additional residential space, could be accommodated through the plan.
- This is not the total amount that would be built, but the difference between what will likely be built under the new zoning controls, and what would likely have been built under the old zoning controls.

# REMI Model Estimate

7

- The OEA's REMI model was used to estimate the combined impact of the following changes to the San Francisco economy. Each impact was considered to phase in gradually over a 25-year period beginning in 2019:
  - 15,000 office and retail jobs created, distributed across 10 different office-using industries and retail trade, associated with \$5.0 billion in new non-residential development.
  - 12,200 new residents who are be expected to occupy the new housing, created by \$6.6 billion in new residential investment.
  - \$940 million in affordable housing subsidy, reducing the housing burden of low-income households, and freeing up additional consumer spending in the local economy.
  - \$500 million in transit spending and investment.
  - \$538 million in other facility and infrastructure construction.
- The REMI model calculates the multiplier effects associated with each of these direct impacts, to estimate the total economic impact of the plan.

# REMI Model: Wages, Prices, & Incomes

9

- The growth in office space and employment will raise the demand for labor in San Francisco, particularly in office and closely-related industries.
- Since growth in the labor force is constrained, new employment demand will raise wages. As shown on the next page, average earnings of all workers in San Francisco are projected to be 0.8% higher as a result of this plan, at build-out.
- At the same time, this will also raise demand for housing in the city, leading to higher housing prices, although this will be partially offset by the new housing provided for in the plan.
- As shown on the next page, wage growth is expected to outweigh the effect of higher housing prices. The real per capita income of San Francisco residents, in today's dollars and including the effect of housing prices, is expected to be \$539 more than it would be without the plan.

# REMI Model: Impacts by Industry

11

- As a growing, high-paying industry, the technology industry is likely to occupy a significant share of new office space developed in the Central SoMa plan area.
- However, the total number of technology industry jobs in the city is not projected to grow disproportionately because of the plan. While the industry may prefer new space in an area where it is already concentrated, it can also more easily afford high rents, and would likely continue to grow rapidly, even in the absence of new office space in the plan area.
- As shown on the next page, on a percentage basis, retail trade, administrative services, and construction are expected to add the most jobs citywide. Professional, scientific, and technical services, the city's largest sector which includes most technology employment, will add the most jobs in absolute terms, but not in percentage terms.
- The manufacturing industry is the only industry not expected to add jobs, mainly because of its sensitivity to labor costs. Other PDR industries, like wholesale trade and transportation, are projected to add more jobs than manufacturing would lose.

# The Balance of Housing and Office Uses

13

- The emphasis on office has led to suggestions that the imbalance between jobs and housing harms city residents, by raising housing prices.
- The results of this analysis suggest that, while housing prices will rise because of the employment growth, this is only half of the story.
- Housing affordability depends on incomes, as well as housing prices. Increasing employment, in a constrained housing market, will make the labor market more favorable to workers, and put upward pressure on wages.
- The growth real per capita incomes, after accounting for housing price inflation, indicates that the plan will make housing more affordable in San Francisco, on average.
- The fact both office rents and housing prices have grown much faster than inflation this decade is an indication of unmet demand for both types of real estate.

# Staff Contact

15

Ted Egan, Ph.D., Chief Economist

[ted.egan@sfgov.org](mailto:ted.egan@sfgov.org)



# CENTRAL SOMA

**PLAN & IMPLEMENTATION STRATEGY**

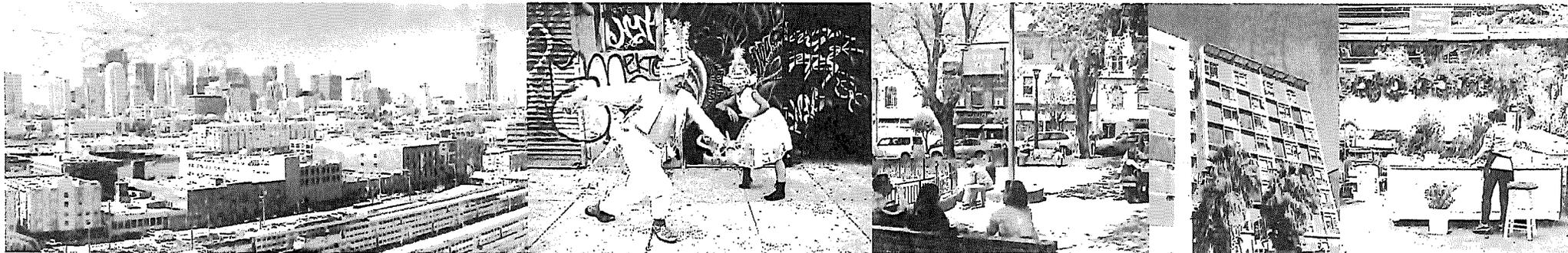
**Land Use & Transportation Committee**

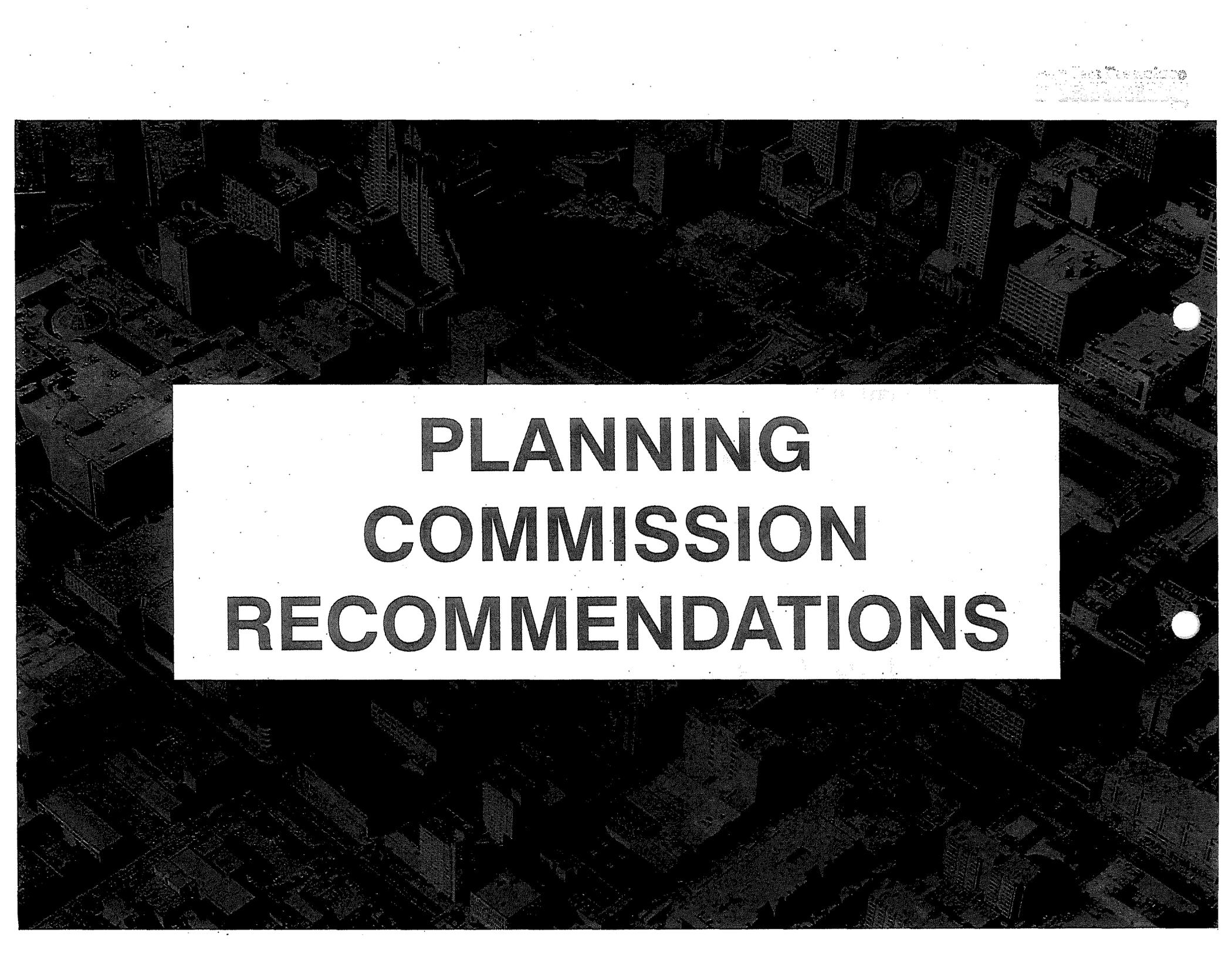
**October 1, 2018**

180490  
180155  
180473  
180154  
180010

# TODAY'S ACTIONS

1. **Amendments to the General Plan (180490)**
2. **Amendments to the Planning & Administrative Code (180184)**
3. **Amendments to the Zoning Map (180185)**
4. **Approval of the Housing Sustainability District (180453)**
5. **Amendments to the Special Tax Financing Law (180612)**



An aerial, black and white photograph of a dense urban skyline, likely New York City, showing numerous skyscrapers and buildings. The image is centered around a white rectangular box containing the title text. Two hole-punch marks are visible on the right side of the page.

**PLANNING  
COMMISSION  
RECOMMENDATIONS**

## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

- **Hotels on proposed MUR sites:** allow projects that submitted a development application or environmental application before 1/1/18 to proceed, subject to Conditional Use Authorization
- **PDR design standards**
  - **Transparency:** Require 30% transparency for facades >50' in length; no transparency required for shorter facades
  - **Floor-to-floor height:** Require 17' height for PDR uses, regardless of location in building

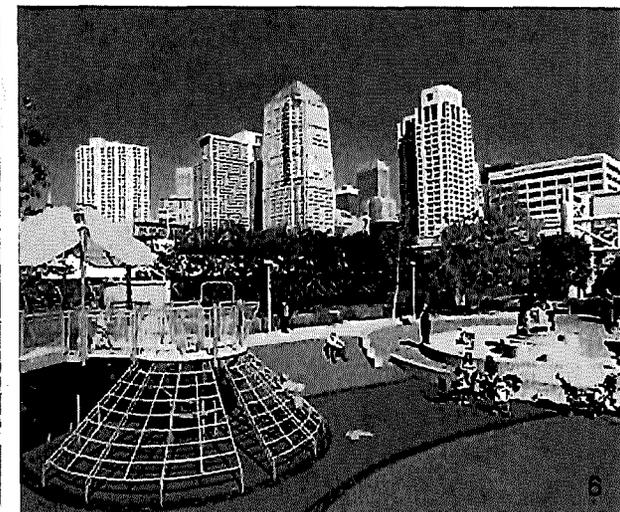
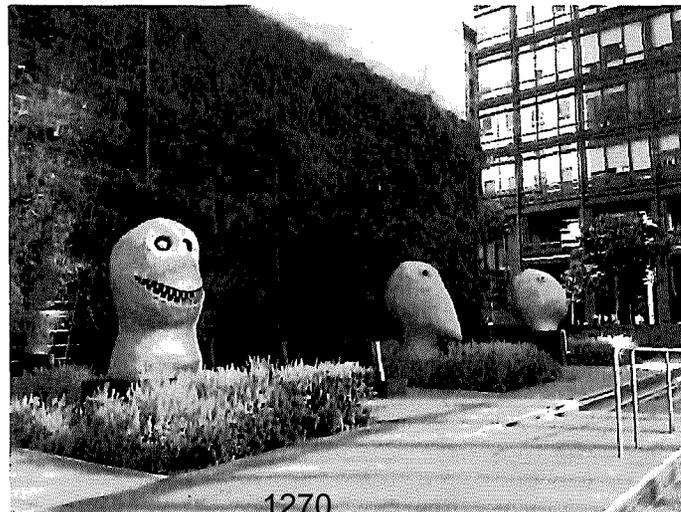
## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

- **Key Site Exceptions:** exceptions crafted to each site
- **Special Height Exception for 1 Vassar:** condition the extra height at the residential project on additional public benefits (ex: on-site BMR units or higher affordability)
- **Bulk requirements on Stillman Street:** lessen the bulk reduction requirements to reflect the alley's adjacency to the freeway



## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

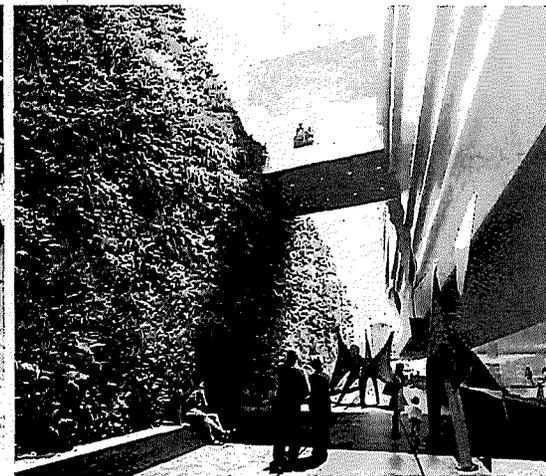
- **POPOS Design & Approval Process:** Establish that the Commission shall consider the open space of diverse inhabitants of the Plan area, including but not limited to: youth, families, seniors, workers, and residents
- **Green/living walls:** Require new developments to provide green or living walls, subject to further exploration on feasibility



## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

### PUBLIC BENEFITS PROGRAM

- **Old Mint:** Restore funding to \$20 million (from \$15 million)
- **Regional Transit Capacity Enhancement & Expansion:** reduce funding by \$5 million, to \$155 million
- **Maintain other categories as amended:** PDR Relocation Assistance Fund (\$10 million) and Environmental Sustainability & Resilience (\$65 million)



## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

### OTHER RECOMMENDATIONS (may require trailing legislation)

- **Live/Work Lofts:** Explore legalization as a source of revenues to fund community stabilization and affordable housing acquisition and rehabilitation
- **Privately-Owned Public Open Spaces (POPOS):** Explore the development of design guidelines



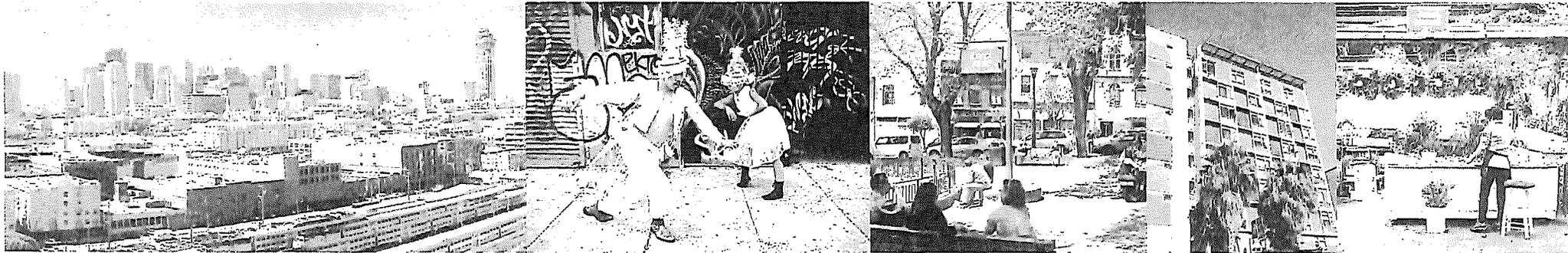
## NOTABLE PLANNING DEPARTMENT RECOMMENDATIONS

### ITEMS ADOPTED BY COMMISSION ON 5/10/18

- **TDM Grandfathering:** Require projects that submitted applications before September 4, 2016 to meet 75% of the TDM requirements
- **505 Brannan Street:** Add the project as a Key Site
- **598 Brannan Street (Park Block):** Allow Commission to grant a waiver that allows land dedication of space for construction of a public park to count against various fees, including the TSF and Central SoMa Fee

# TODAY'S ACTIONS

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An aerial, black and white photograph of a dense city skyline, likely San Francisco, viewed from a high angle. The buildings are packed closely together, and the streets form a grid pattern. A large, white rectangular box is superimposed over the center of the image, containing the text 'THANK YOU'.

**THANK YOU**

**LISA CHEN**

**415.575.9124**

**LISA.CHEN@SFGOV.ORG**



# CENTRAL SOMA

## PLAN & IMPLEMENTATION STRATEGY

Board of Supervisors - Land Use & Transportation Committee Hearing  
July 9, 2018

Submitted  
in copies

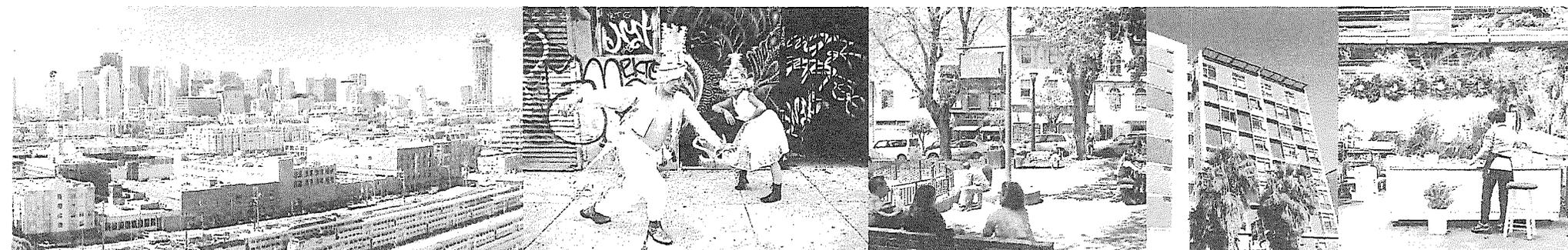
7/16/18  
180492  
180185  
180453  
180184  
180618

# TODAY'S PRESENTATION

- 1 **Overview of the Central SoMa Plan**
  - » Plan vision & goals
  - » Public Benefits package
- 2 **Plan Evolution**
  - » Changes from 2016 Draft Plan through May 10th Planning Commission Adoption
- 3 **Planning Commission Recommendations**
- 4 **Conclusion**

# TODAY'S ACTIONS

1. Amendments to the General Plan (180490)
2. Amendments to the Planning Code and Administrative Code (180184)
3. Amendments to the Zoning Map (180185)
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# CENTRAL SOMA PLAN - CONTENTS

<b>General Plan</b>
<b>Planning Code &amp; Administrative Code</b>
<b>Zoning Map</b>
<b>Implementation Program</b> <i>(adopted by reference)</i>

- Creation of the Central SoMa Plan
- Amendments to East SoMa & Western SoMa Plans
- Planning Code: creation of the Central SoMa Special Use District (SUD)
- Admin Code: PDR protection
- Amendments to Height and Bulk District Maps
- Amendments to Zoning Use District Maps
- Implementation Matrix
- Public Benefits Program
- Guide to Urban Design
- Key Development Sites Guidelines
- Key Streets Guidelines

(continued on next page)

# CENTRAL SOMA PLAN - CONTENTS

## Special Tax District

- Amendments to Administrative Code Special Tax Financing Law
- Resolutions of Intention (ROIs) and Ordinances to establish the Central SoMa Special Tax District\*

## Housing Sustainability District

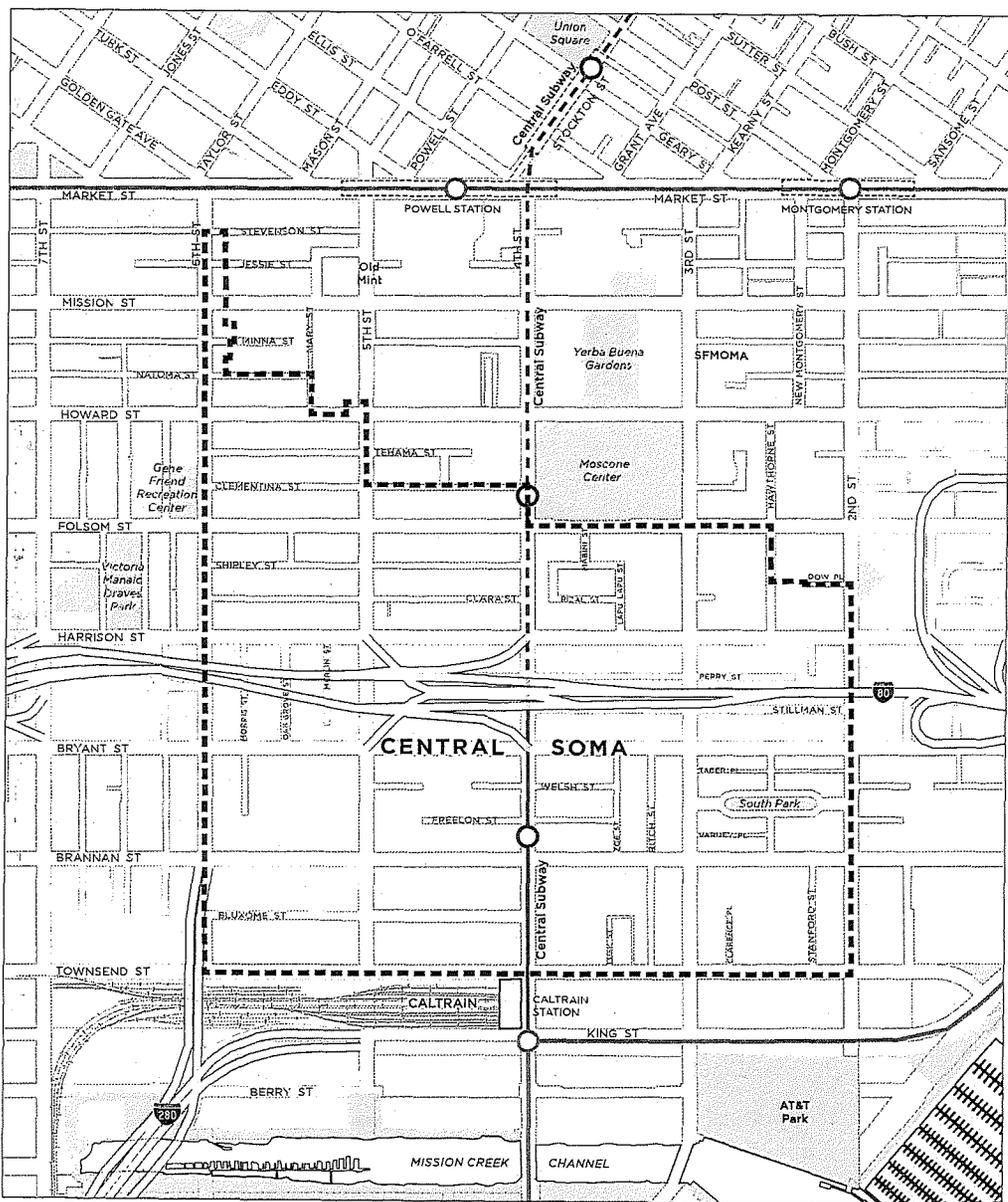
- Amendments to Business & Tax Regulations and Planning Codes to create a Central SoMa Housing Sustainability District (HSD), pursuant to California AB73

\* Trailing legislation

An aerial, black and white photograph of a dense urban area, likely a city center. The image shows a complex grid of buildings, streets, and structures. A prominent white rectangular box is centered horizontally across the middle of the image, containing the text 'PLAN OVERVIEW' in a bold, sans-serif font. The background image is a high-angle, top-down view of the city, showing various building footprints, courtyards, and street layouts. The overall tone is monochromatic and architectural.

# PLAN OVERVIEW

**PLAN AREA**



**PLAN VISION**  
**A sustainable neighborhood:  
 socially, economically,  
 environmentally**

- — — Central Subway under construction, expected to open in 2019
- BART/Muni Metro Subway
- Muni Metro (Surface)

# PLAN STRATEGY

Accommodate  
Demand



Provide  
Public Benefits



Respect and  
Enhance  
Neighborhood  
Character

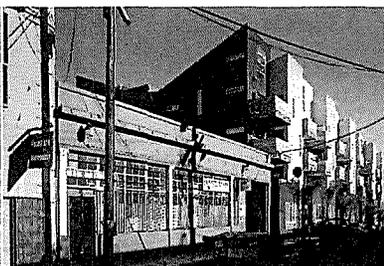


**PLAN PHILOSOPHY**

keep what's great



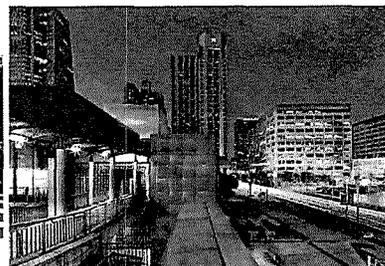
**Diversity of Residents and Jobs**



**Diversity of Buildings and Architecture**



**Abundant Local and Regional Transit**

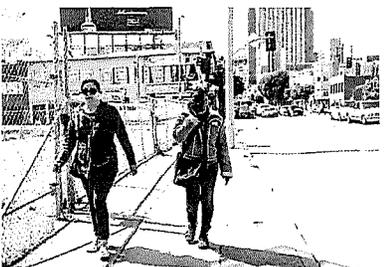


**Renowned Culture and Nightlife**

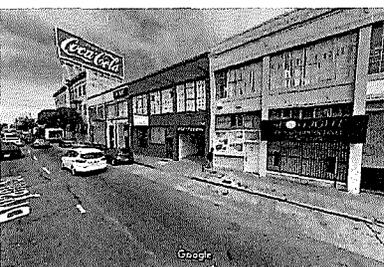
address what's not



**Unaffordable Rents**



**Unsafe and Unpleasant Streets**



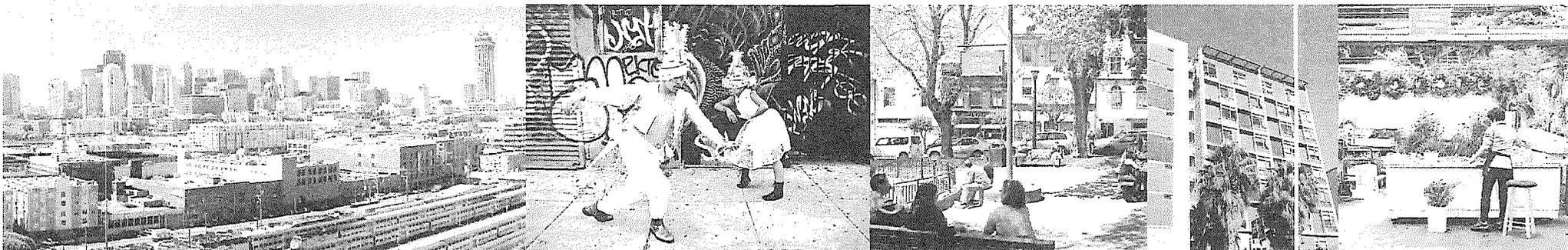
**Lack of Public Parks and Greenery**



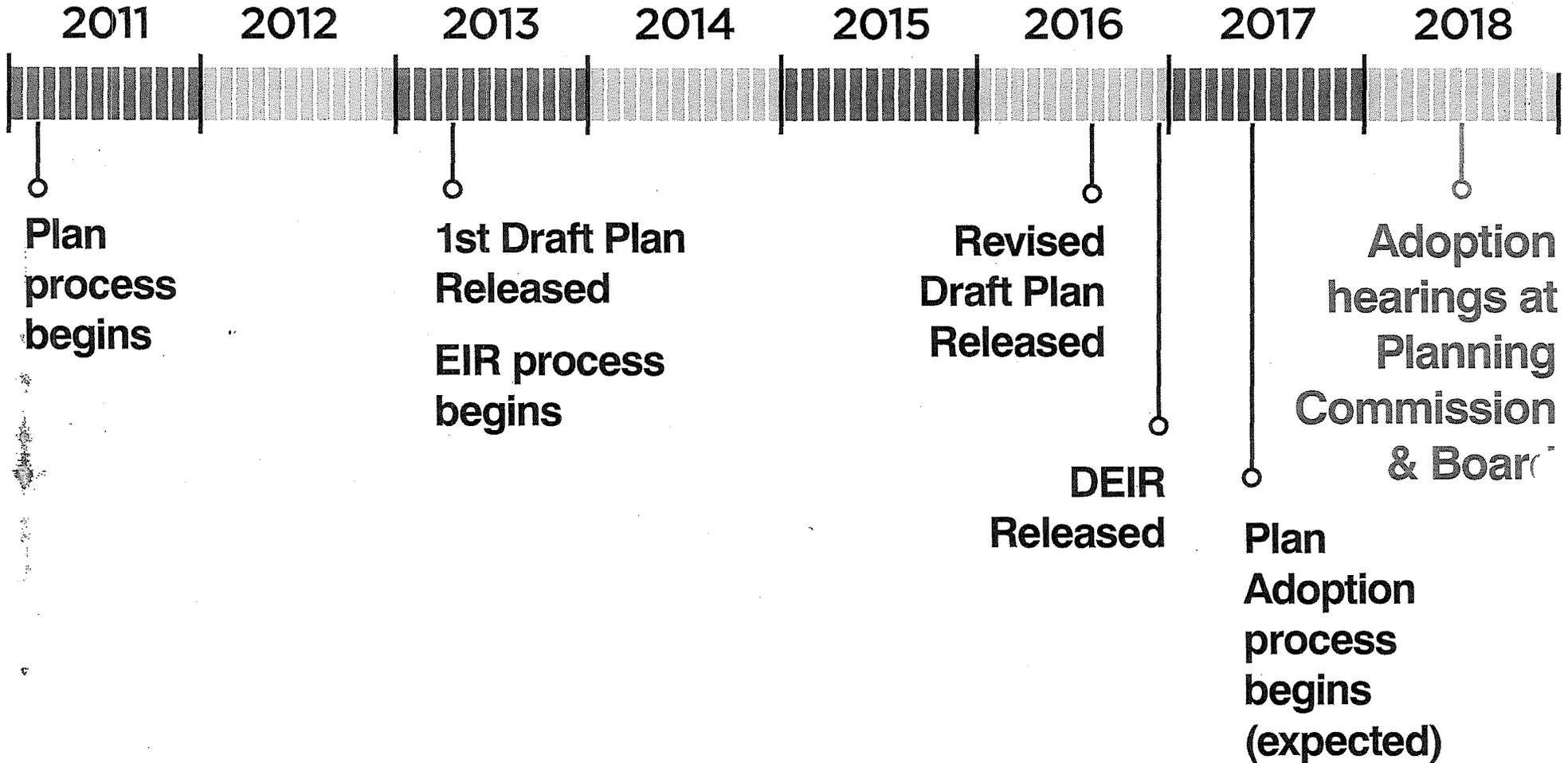
**Inefficient Zoning and Insufficient Funding**

# PLAN GOALS

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City



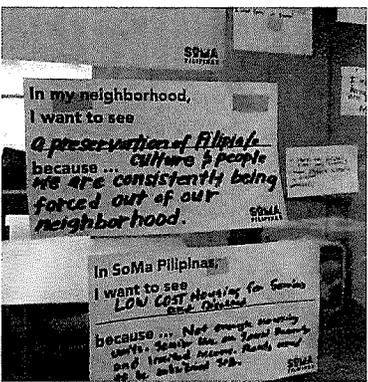
**PLAN TIMELINE**



# OUTREACH PROCESS: 2011 - 2018



- 15 public workshops, office hours, charrettes, walking tours
- Public surveys
- 17 hearings at Planning Commission & Historic Preservation Commission
- 2 informational hearings at Board of Supervisors (Land Use Committee)



## OUTREACH: ADVOCACY GROUPS (PARTIAL LIST)

<b>77 Dow Place HOA</b>	<b>SF BLU HOA</b>
<b>Alliance for Better District 6</b>	<b>SoMa Community Coalition</b>
<b>Arden HOA</b>	<b>SoMa Community Collaborative</b>
<b>Asian Neighborhood Design</b>	<b>SoMa Community Stabilization Fund Citizens Advisory Committee</b>
<b>California Culture and Music Association</b>	<b>SoMa Pilipinas</b>
<b>Central City SRO Collaborative</b>	<b>South Beach/Mission Bay Merchants Association</b>
<b>Central Subway Outreach Committee</b>	<b>South of Market Action Network (SOMCAN)</b>
<b>Clementina Cares</b>	<b>South of Market Business Association (SOMBA)</b>
<b>Eastern Neighborhoods Citizens Advisory Committee</b>	<b>South of Market Leadership Council</b>
<b>Filipino-American Development Foundation</b>	<b>South of Market Project Area Committee (SOMPAC)</b>
<b>Good Jobs for All</b>	<b>TODCO</b>
<b>Housing Action Coalition (HAC)</b>	<b>Walk SF</b>
<b>One Bluxome HOA</b>	<b>We Are SoMa</b>
<b>Rincon Hill /South Beach/Mission Bay Neighborhood Association</b>	<b>Western Soma Taskforce</b>
<b>San Francisco Bicycle Coalition</b>	<b>Yerba Buena Alliance</b>
<b>San Francisco Planning and Urban Research (SPUR)</b>	<b>Yerba Buena Community Benefit District</b>
<b>San Francisco Senior and Disability Action</b>	<b>YIMBY Action</b>
<b>San Francisco Youth Commission</b>	

# VISUALIZATION - EXISTING DEVELOPMENT



3-D Model of Existing Buildings (2016)<sub>1289</sub>

Digital Model by Skidmore, Owings, & Merrill

**VISUALIZATION - POTENTIAL DEVELOPMENT**

Central SoMa Development Potential

Anticipated Projects Outside of Central SoMa

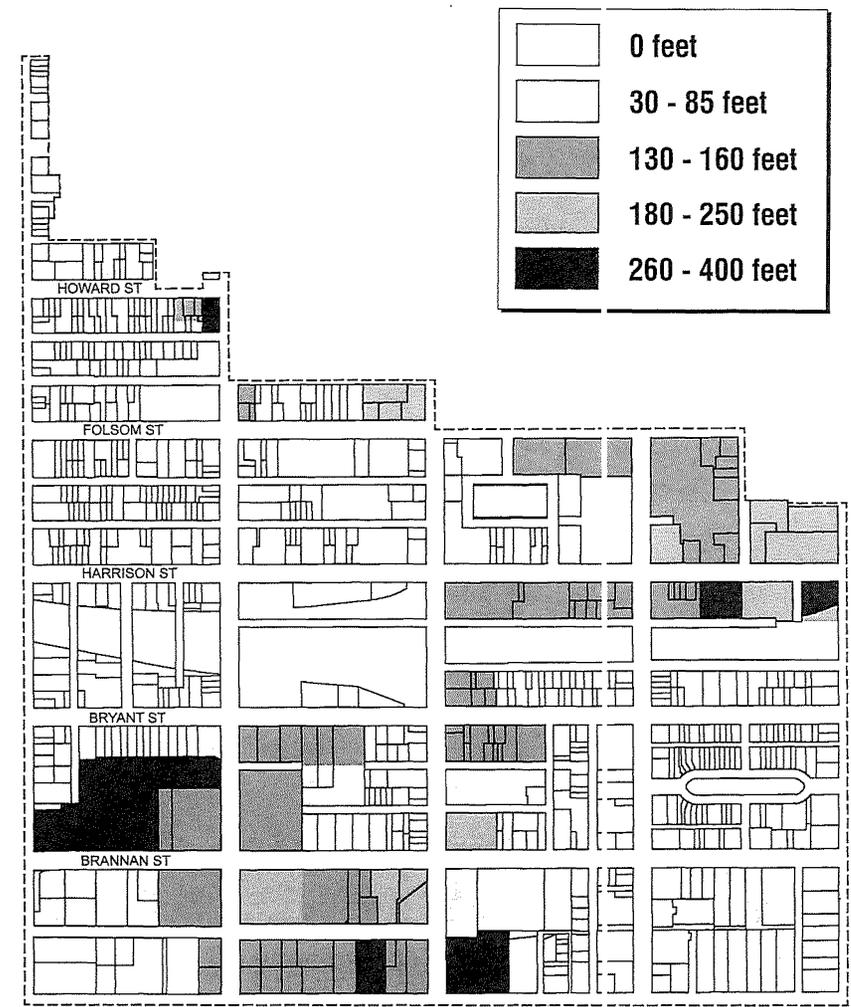
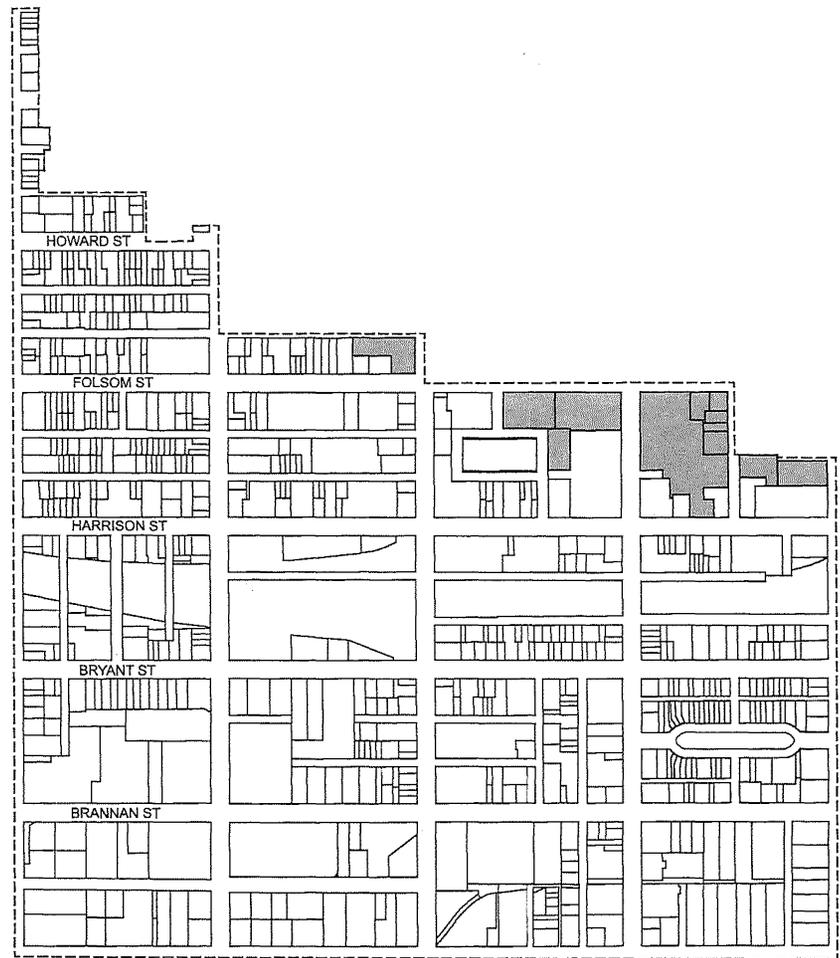
- 33,000 jobs
- 8,300 housing units



3-D Model of Potential Development 1290

Digital Model by Skidmore, Owings, & Merrill

# EXISTING AND PROPOSED DEVELOPMENT CAPACITY



	0 feet
	30 - 85 feet
	130 - 160 feet
	180 - 250 feet
	260 - 400 feet

Existing Development Capacity

Proposed Development Capacity

**PUBLIC BENEFITS PACKAGE**

**No Plan = \$500 million in Public Benefits**

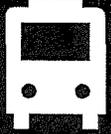
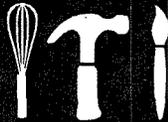
**Central SoMa Plan = \$2.2 Billion in Public Benefits**

**400% increase due to the Plan**

**Plus ~\$1 billion in increased General Fund tax revenues**

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS PACKAGE**

	<p><b>Affordable Housing</b> 33 percent of total units</p>	<p><b>\$940 million</b></p>
	<p><b>Transit</b> investment in both local and regional service</p>	<p><b>\$500 million</b></p>
	<p><b>Parks and Recreation</b> transformative improvements such as parks, plazas, and recreation centers</p>	<p><b>\$185 million</b></p>
	<p><b>Production, Distribution, &amp; Repair</b> (including Arts) no net loss of PDR space due to the Plan</p>	<p><b>\$180 million</b></p>
	<p><b>Complete Streets</b> safe and comfortable streets for people walking and biking</p>	<p><b>\$110 million</b></p>

(continued on next page)

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS PACKAGE (CONTINUED)**

	<p><b>Community Services &amp; Cultural Preservation</b>          funding towards community facilities and programs (e.g. health clinics, job training) and preservation of the Old Mint and other historic buildings</p>	<p><b>\$110 million</b></p>
	<p><b>Environmental Sustainability</b>          a healthy, resilient, green, and resource-efficient neighborhood</p>	<p><b>\$70 million</b></p>
	<p><b>Schools and Childcare</b>          funding to support growing population</p>	<p><b>\$65 million</b></p>
	<p><b>TOTAL</b></p>	<p><b>\$2.16 billion</b></p>

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS: FUNDING SOURCES**

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
Direct provision of benefits (e.g. on-site BMR units)	\$836 million
Central SoMa Special Tax District (NEW)	\$354 million
Eastern Neighborhoods Infrastructure Fee	\$240 million
Transportation Sustainability Fee	\$220 million
Jobs-Housing Linkage Fee	\$210 million
Affordable Housing Fee	\$180 million
Central SoMa Infrastructure Fee (NEW)	\$40 million
School Impact Fee	\$26 million
Child Care Fee	\$32 million
Central SoMa Community Facilities Fee (NEW)	\$20 million
<b>TOTAL</b>	<b>\$2.16 billion</b>

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

## NEW FUNDING SOURCES: RESIDENTIAL (2018 RATES)

NEW REQUIREMENT	TIER A (15'-45' height increase)	TIER B (50'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	\$0	\$10	\$0
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	<b>CONDO:</b> \$3.30 (2% escalation)	<b>CONDO:</b> \$5.50 (2% escalation)
Community Facilities Fee (\$/GSF)		<b>RENTAL:</b> \$0	<b>RENTAL:</b> \$0
		\$1.30	

**NOTE:** Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

**NEW FUNDING SOURCES: NON-RESIDENTIAL (2018 RATES)**

NEW REQUIREMENT	TIER A & B (15'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	Office >50k sq ft: \$21.50 All other projects: \$41.50	Office >50k sq ft: \$0 All other projects: \$20
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	\$2.75 (4% escalation annually for 25 years, 2% thereafter)
Transferable Development Rights (Floor Area Ratios)	0	1.25 FAR
Community Facilities Fee (\$/GSF)		\$1.75
POPOS	1 sq ft for every 50 GSF of development	
Production, Distribution, and Repair (PDR)	Office >50k: greater of 0.4 FAR or Sec. 202.8 (Prop X)	

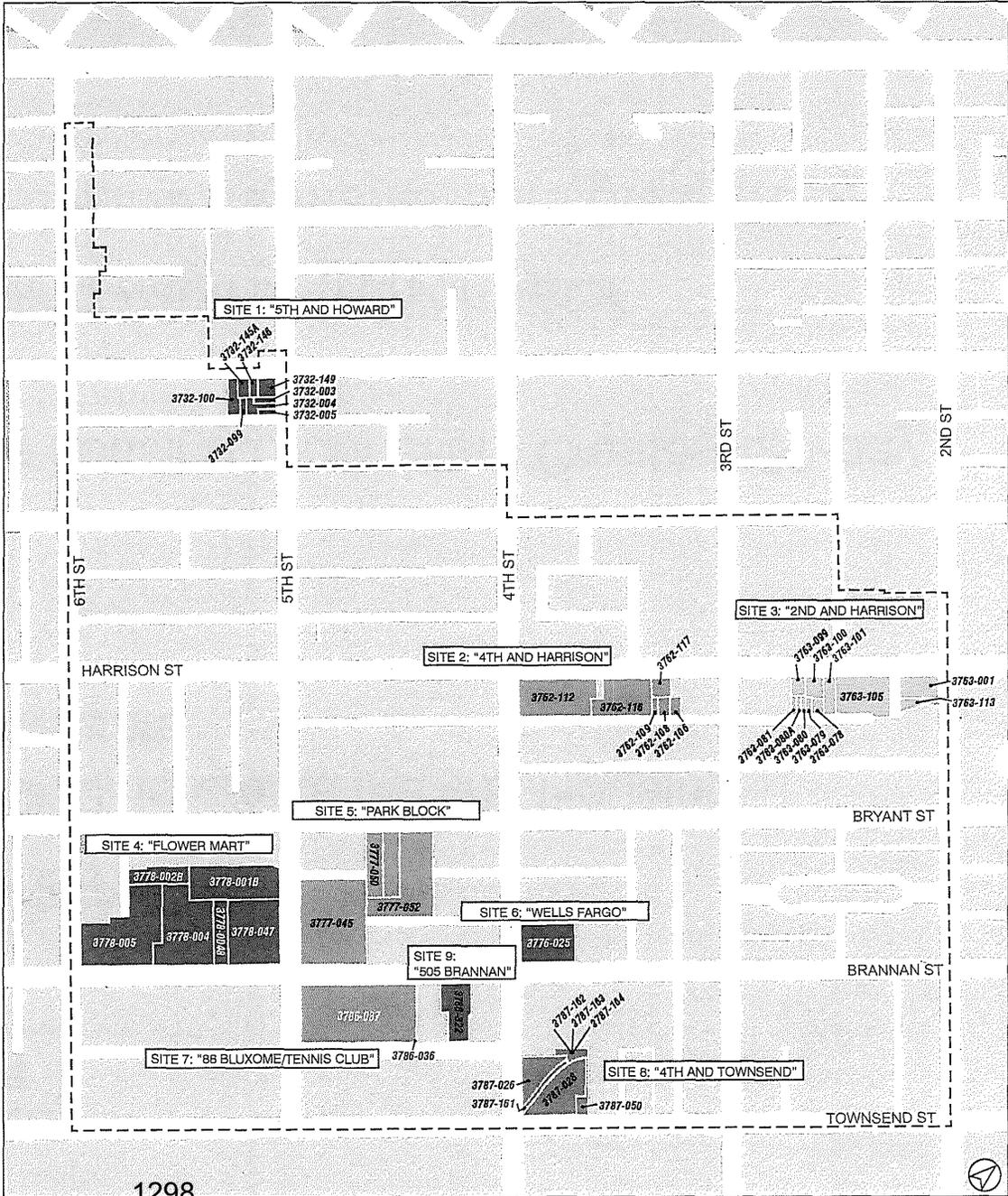
**NOTE:** Projects must meet all existing requirements (e.g. affordable housing, Eastern Nohds Fee, etc.)

# KEY DEVELOPMENT SITES

## PURPOSE

Larger sites where we have crafted more flexible / site-specific zoning in exchange for a greater amount of public benefits, including:

- affordable housing
- parks & recreational facilities
- community facilities
- low-rent / extra PDR
- bike & ped improvements



## HOUSING SUSTAINABILITY DISTRICT

### CENTRAL SOMA HSD OVERVIEW

- Enacts California AB73 (Chiu) to create the first Housing Sustainability District in the state

### BENEFITS

- Incentivizes & streamlines housing production: Creates 120-day ministerial process
- Incentivizes use of prevailing wage and union labor
- Qualifies SF for 'zoning incentive payments' from State (TBD)

**HOUSING SUSTAINABILITY DISTRICT**

**CENTRAL SOMA HSD MEETS AB73 REQUIREMENTS**

- District must provide 20% BMR units (Central SoMa provides 33%)
- District must have an approved EIR to address environmental impacts
- Projects must provide 10% on-site BMR units
- Projects must meet wage and labor standards
  - » Pay prevailing wages (projects <75 units)
  - » Use skilled and trained workforce (projects 75+ units)

## HOUSING SUSTAINABILITY DISTRICT

Page 26 of 26  
February 2016

### CENTRAL SOMA LOCAL PROGRAM (Sec. 343)

- Projects that are NOT eligible:
  - » Projects over 160 ft (unless 100% affordable)
  - » Article 10 or 11 historic properties
  - » Properties containing existing units
  - » Projects with >25,000 GSF of office space

## HOUSING SUSTAINABILITY DISTRICT

### CENTRAL SOMA LOCAL PROGRAM (Sec. 343)

- 120-Day Review Process:
  - » Before applying: demonstrate compliance with EIR Mitigation Measures
  - » Design review
  - » Informational hearing
  - » Progress requirement: once approved, must seek a site/building permit within 36 months of approval, or seek an extension

## SPECIAL TAX DISTRICT - LEGISLATIVE ACTION

### **Administrative Code Chapter 43, Section 10: Special Tax Financing Law**

Proposed amendments would enable the City to spend Central SoMa Special Tax revenues on eligible Facilities and Services\*, which may include, but are not limited to:

- Grants to nonprofit/public social service organizations
- Environmental sustainability, including air quality mitigation and technical studies/guidelines
- Park programming and activation

\*NOTE: As identified in the forthcoming Resolutions of Intention, or ROIs

An aerial, black and white photograph of a dense urban skyline, likely New York City, featuring numerous skyscrapers and buildings. A large white rectangular box is centered over the image, containing the title text. Two white circular punch holes are visible on the right side of the white box.

# **PLAN EVOLUTION: 2016 DRAFT THROUGH CPC ADOPTION**

## PLAN EVOLUTION DURING ADOPTION PROCESS

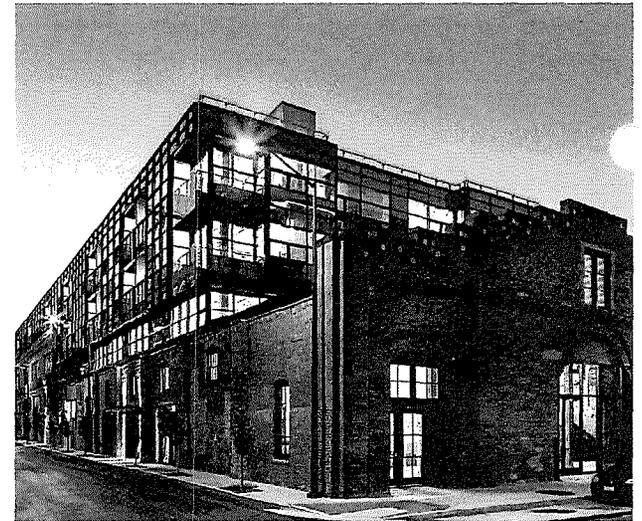
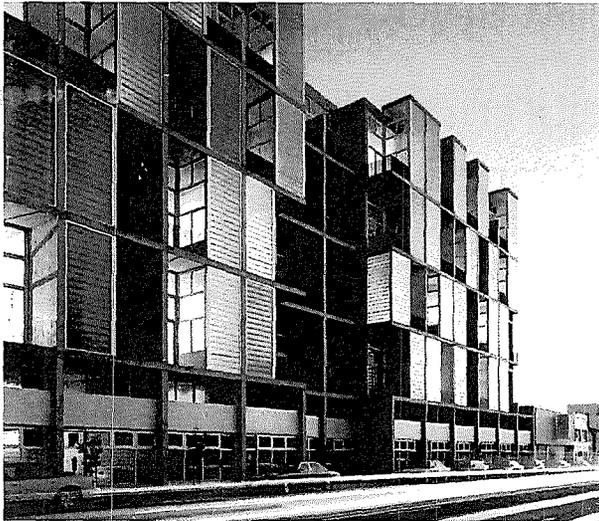
### KEY AREAS

- Jobs-Housing Balance
- Public Benefits Package
- Development Requirements

## JOBS - HOUSING BALANCE

### WHAT WE HEARD

- Maximize housing production, especially affordable units
- Streamline the production process
- Produce / protect affordable housing units upfront through aggressive site acquisition



## JOB - HOUSING BALANCE

### HOW THE PLAN EVOLVED

- Housing production is now maxed out at the EIR cap (+17%, from 7100 to 8300 units)
- Central SoMa will be the state's 1st Housing Sustainability District (HSD) under AB73
- Some Key Sites are pursuing land dedication for affordable housing
- Continuing to work with MOHCD to leverage City programs:
  - » Acquisition / rehabilitation to stabilize existing units
  - » Securing additional housing locations in the broader SOMA neighborhood

**PUBLIC BENEFITS**

**WHAT WE HEARD**

- Maximize affordable housing (also see previous section)
- Provide funding for social/cultural programming (not just facilities)
- Plan for future capital needs at Yerba Buena Gardens
- Fund neighborhood cleaning & maintenance
- Work with SFUSD to support existing schools and plan for future growth
- Support development of Good Jobs (e.g. living wage and/or unionized) for low-income households
- Keep the Prop X Conditional Use for PDR replacement

**PUBLIC BENEFITS**

**HOW THE PLAN EVOLVED**

- Increased housing = +230 more affordable units (2900 total)
- Additional \$70 million for public benefits from CFD (see below)
- A Good Jobs goal was added to General Plan amendments:

<b>ADDITIONAL FUNDING CATEGORIES</b>	<b>\$/YR</b>	<b>\$/25 YRS</b>
<b>Social &amp; cultural programming (continue SoMa Stabilization Fund)</b>	<b>\$1,000,000</b>	<b>\$25 million</b>
<b>Park and greenery maintenance and activation</b>	<b>\$600,000</b>	<b>\$15 million</b>
<b>Capital for cultural amenities (e.g. Yerba Buena Gardens)</b>	<b>N/A</b>	<b>\$15 million</b>
<b>Neighborhood cleaning</b>	<b>\$350,000</b>	<b>\$8.75 million</b>
<b>Bessie Carmichael School supplemental services</b>	<b>\$250,000</b>	<b>\$6.25 million</b>
<b>TOTAL</b>		<b>\$70 million</b>

## PUBLIC BENEFITS

### OTHER TOPICS REQUIRING DISCUSSION

- Eastern Neighborhoods Community Advisory Committee (CAC) & SoMa Stabilization CAC
  - » Because adjusting the CAC will require significant consideration of responsibilities and allocation of funding from projects, this will return to the Planning Commission and the Board as trailing legislation.
- Staff are working with SFUSD to assess future school capacity needs and how growth here and Citywide may be accommodated
- The Good Jobs goal may need to be fleshed out through trailing legislation

## PUBLIC BENEFITS

Planning

### OTHER TOPICS REQUIRING DISCUSSION (CONT.)

- **NOTE:** There is no need for a Conditional Use requirement for PDR replacement under Prop X, since PDR replacement is explicitly required.
  - » In addition, any CU requirement applied to housing would make them ineligible for the Housing Sustainability District, affecting ~75% of units impacted (up to 1/2 of total units)

## DEVELOPMENT REQUIREMENTS

### WHAT WE HAVE HEARD

- Changing financial market has made some projects less feasible, particularly rental housing
- Want greater flexibility / exceptions (e.g. similar to a Planned Unit Development)

## DEVELOPMENT REQUIREMENTS

### HOW THE PLAN EVOLVED

- Dropped the Mello-Roos Special Tax on rental housing to improve financial feasibility (\$1.75/sq ft)
- NOTE: Kept current zoning structure (no PUD-type exceptions possible)
  - » However, site-specific exceptions were crafted for individual Key Sites in Section 329(e).

An aerial, black and white photograph of a dense urban cityscape, likely New York City, showing numerous skyscrapers and buildings. A white rectangular box is superimposed over the center of the image, containing the title text. The image has a grainy, high-contrast appearance.

# **PLANNING COMMISSION RECOMMENDATIONS**

**PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING**

<b>Change</b>	<b>Rationale</b>
<b>POPOS Design Exceptions</b>	To allow greater flexibility and diversity of POPOS design.
<b>Passenger &amp; Freight Loading</b>	To streamline and improve processes for reviewing passenger and freight loading.
<b>Transportation Demand Management</b>	To allow some relief for projects that have been designed assuming the same level of grandfathering as the citywide TDM ordinance.
<b>Active Uses on Ground Floors</b>	To allow some flexibility for micro-retail and hotel uses.
<b>Alternate Uses in PDR Replacement Space</b>	To support other desirable uses that cannot pay high rents.

**PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING**

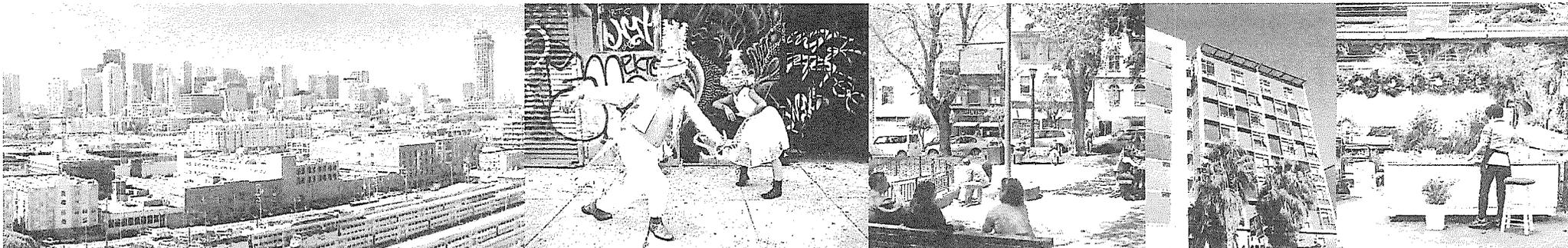
<b>Change</b>	<b>Rationale</b>
<b>Key Development Sites</b>	To craft exceptions to specific key sites, and to add an additional key site (505 Brannan Street)
<b>Park Fee Waiver at 598 Brannan Street</b>	To enable construction of a park on land currently owned by SFPUC.
<b>Central SoMa Mello-Roos Special Tax District</b>	To establish the purpose and application of the proposed Mello-Roos Special Tax District in Central SoMa.
<b>SoMa Stabilization Fund</b>	To allow Mello-Roos tax revenues to accrue to the fund.
<b>Community Advisory Committee (CACs)</b>	To split the existing Eastern Neighborhoods CAC into two more manageable geographies.
<b>Other Clarifying Amendments</b>	To correct and clarify the code amendments.

An aerial, black and white photograph of a dense urban landscape, likely a city center. The image shows a grid of streets, numerous buildings of varying heights, and some green spaces. A prominent white horizontal banner is overlaid across the middle of the image, containing the word "CONCLUSION" in a bold, sans-serif font. The overall tone is high-contrast and grainy, typical of a halftone or high-contrast print.

# CONCLUSION

## TODAY'S ACTIONS

1. **Amendments to the General Plan (180490)**
2. **Amendments to the Planning Code and Administrative Code (180184)**
3. **Amendments to the Zoning Map (180185)**
4. **Approval of the Housing Sustainability District (180453)**
5. **Amendments to the Special Tax Financing Law (180612)**



**THANK YOU**

**LISA CHEN**

**415.575.9124**

**LISA.CHEN@SFGOV.ORG**

November 13, 2018

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

RE: November 13, 2018 Agenda Items Nos. 52 through 56  
**Central SoMa Plan Amendments** to the General Plan, Planning Code, Zoning Maps,  
Business & Tax Regulations, Administrative Code (Board File Nos. 180490, 180184,  
180185, 180453, 180612)

Dear Board President Cohen and Supervisors:

**Thank you for the opportunity to weigh in with SPUR's support for the Central SoMa Plan, with two caveats below (on page 2).** We are pleased to see that the approval of the Central SoMa Plan and its implementing actions are finally before you. The city has been working with the community for several years to get this ambitious plan completed, and we urge you to approve it.

Why should the Central SoMa Plan be approved? What do we see are its merits?

1. **Central SoMa is the right location for jobs:** Central SoMa is an area that is key to San Francisco and to the region. It lies adjacent to the Financial District, an existing dense jobs center, and it holds the most links to regional transportation infrastructure. Downtown San Francisco is the area in the region with the lowest rate of driving to work and one of the few places within the region where people can and do commute by public transportation.

This is therefore the right place — from an environmental standpoint, a jobs agglomeration standpoint and others — for accommodating a significant amount of growth for both jobs and housing, but particularly for the 40,000+ jobs this Plan contemplates.

2. **The Central SoMa Plan helps to address the housing shortage and the affordability crisis:** With recent amendments, this plan now accommodates 8,300 homes, which is an increase from what was originally planned. Additionally, the housing sustainability district, which uses David Chiu's AB 73 from last year, will help expedite the production of these units which have already been considered through this planning process.

We would support future efforts to add more housing in the Central SoMa Plan and elsewhere in San Francisco and the region without coming at the expense of jobs in regional-transit locations.

- 3. The Central SoMa Plan provides for unprecedented public benefits:** The growth accommodated by this Plan is expected to one day fund up to \$2 billion in public benefits towards affordable housing, transportation, open space, sustainability and many other needs for the city and this neighborhood. These benefits will be transformative...once the Plan is approved and once that development moves forward. But we have been waiting for the plan's completion for long enough. In the meantime, the economy has been shifting, construction costs have been rising and the feasibility of development moving forward is now shakier than it was a few years ago.

In that spirit, now is better than later. Displacement of both residents and businesses from San Francisco is happening in part because there is more competition for homes and office space. Quote unquote "normal" office jobs for nonprofits, engineering and architecture firms and other businesses are being shifted to downtown Oakland in the best case, but also to more suburban locations or other regions, because of the increased cost to lease office space in San Francisco.

**While we are extremely supportive of the Central SoMa Plan overall, SPUR has concerns about two of the amendments under consideration:**

- 249.78(c)(7) and 249.78(c)(8): Prohibition on Market-Rate SRO and Group Housing  
We oppose the prohibition on new construction, market-rate SRO housing or group housing in Central SoMa. Given the scope of the housing shortage and the fact that housing models are already evolving across the country, this seems like the wrong move to make today. We need more places for people to live, and it's clear that people are choosing to live in many different ways in cities today, particularly in places like South of Market. The development of market-rate group or SRO housing does not harm the current or future residents of existing SRO housing. While we think that the city should closely monitor trends in housing development to understand how it is impacting the city and its residents, we strongly disagree with precluding a whole category of housing types, when what we need today is more creativity, not less, and more options, not fewer.
- Uncodified: Non-Severability/Effect of Litigation  
Lastly, we are very concerned about the clauses proposed and deleted on the topic of non-severability and litigation. We agree that the uponings in the Central SoMa Plan should remain tied to the benefits promised with the plan, but we suggest not throwing the baby out with the bathwater. The CFD is only responsible for generating \$400 million out of a potential \$2 billion in benefits. We must protect the broader benefits of the plan and leave this clause out of the final approved legislation.

The Central SoMa Plan is a thoughtful and ambitious plan to improve the neighborhood for residents, workers and visitors. It will increase housing opportunities, provide significant affordability, expand green space, transform the experience of being on the street, maintain a vital mix of uses, allow a diverse mix of businesses to remain in San Francisco and more. SPUR urges you to support this Plan and set in motion the processes that will bring these benefits to Central SoMa, San Francisco and the region.

Thank you for your consideration. Let me know if you have any questions.

Best,

A handwritten signature in black ink, appearing to read 'KWang', with a stylized flourish at the end.

Kristy Wang  
Community Planning Policy Director

cc: SPUR Board of Directors  
Mayor London Breed and staff  
Planning Department staff

**CENTRAL SOMA PLAN**

**Amendments Introduced at 10/22 Land Use & Transportation Committee Hearing**

180184  
10/22/2018  
SUBMITTED  
PRESENTED

#	Section	Page/Line	Change
1	128.1	page 22, lines 7-11	Clarifying language on calculation of land subject to Transferable Development Right (TDR) requirements.
2	138(d)(2)	page 37, lines 18-20	Clarifying language on payment of the in-lieu fee in satisfaction of privately-owned public open space (POPOS) requirements, pursuant to Section 426.
3	138(d)(2)	page 38, lines 12-13	Add that the Commission's evaluation of the design of privately-owned public open spaces (POPOS) shall include whether landscaped areas incorporate plantings which include, but are not limited to, living walls, stormwater gardens, and drought-tolerant landscaping.
4	138(e)(2)(C)	page 40, lines 15-28	Add language specifying that the Commission's determination of the adequacy of the location, amount, amenities, design and implementation of privately-owned public open spaces (POPOS) shall take into consideration the open space and recreational needs of the diverse inhabitants of the Plan Area, including, but not limited to: residents, workers, youth, families, and seniors.
5	169.3	page 56, lines 9-21	Amend the TDM language to require projects that submitted applications before September 4, 2016 to meet 75% of the TDM requirements. Projects that submit after this date are required to meet 100% of the TDM requirements.
6	249.78(d)(1)	page 71, line 17 through page 72, line 10	Prevailing Building Height and Density: For projects subject to 434 (the Central SoMa CFD tax), the following height and Floor Area Ratio controls shall apply (notwithstanding the height limit indicated on the Zoning Map): (i) For all projects on lots where the Zoning Map indicates a height limit of 85 feet or greater, the height of the project shall be limited to 85 feet in height and the project lot or lots shall be limited to a maximum Floor Area Ratio of 4.0:1. (ii) For projects on lots where the Zoning Map indicates a height limit of less than 85 feet, the project lot or lots shall be limited a maximum Floor Area Ratio of 3.0:1. In order to exceed this development capacity, up to the amount specified in the Zoning Map, the project must elect to develop a project subject to 434.
7	249.78(d)(4)(C)(vii)	page 38, lines 12-13	Add that the Project sponsors are encouraged to incorporate plantings on vertical surfaces into projects, which may include green and/or living walls, stormwater gardens, and drought-tolerant landscaping.
8	249.78(d)(10)	page 77, line 16	Require that PDR space provided subject to the requirements of Section 202.8 or 249.78(c)(5) have a minimum floor-to-floor height of 17 feet, regardless of location in the building.
9	249.78(e)(4) (and conforming edits in Sec. 414.4)	page 79, lines 7-17	Require that Key Sites developing an office or hotel project provide on-site child care facilities in satisfaction of their fee requirements under Sections 414.4, unless the project can demonstrate that it is infeasible to provide such facilities. Feasibility may be determined by, among other things, the sufficiency of the existing supply of child care facilities in the Central SoMa SUD, the inability to provide suitable space that would meet childcare licensing requirements, a determination by the Commission that the site is not a suitable location for child care provision, and financial feasibility.
10	263.33	page 90, lines 6-19	If the development on Assessor's Block 3763, Lot 105 (1 Vassar / Second and Harrison) elects to build residential instead of, or in addition to, a hotel, add the option that it may exceed the affordable housing requirement pursuant to Section 415 in order to receive the special height exception.
11	263.34	page 90, line 23 through page 91, line 25	Allow the project (Fourth and Harrison) to provide a minimum 14' floor-to-floor PDR ground floor height, and reduce the apparent mass reduction controls in Section 270(h) to 50% on Harrison Street and 0% on Fourth Street, contingent on the project providing land for affordable housing.
12	329(e)(3)(A)	page 104, line 17 through page 105, line 2	Permit land dedication that is valued at less than the subject project's Jobs-Housing Linkage Fee or Affordable Housing Fee obligation to be considered a Qualified Amenity in order to be a Key Site, pursuant to Sections 413.7 and 419.6, respectively. Projects would be required to pay the balance of the fee obligation, subject to the land value calculation in Section 413.7.
13	329(e)(2)(b)(ii)	page 106, line 2-3	On the Key Site identified in 329(e)(2)(C) (1 Vassar / 2 <sup>nd</sup> & Harrison), allow an exception to the controls in Sections 135(h) and 135.3, to allow the project to include indoor POPOS in satisfaction of its residential publicly-accessible usable open space requirement.
14	413.7	page 110, line 2-9	Specify that the land value for land dedication sites in fulfillment of Jobs-Housing Linkage Fees shall be determined by the Director of Property, not to exceed the acquisition cost incurred by the subject project for the portion of land dedicated. This determination shall take into account any circumstances that may impact the value of the property.
15	433.2	page 139, lines 10-15	Lower Central SoMa Community Infrastructure Impact Fee rates to reflect the modifications to the CFD Tax (as described in Section 434 below): (i) Lower the fee rate for rental residential projects from \$20 to \$10 (keep Condominium residential rates at \$20). (ii) Lower the fee rate for Tier B non-residential projects to \$0.
16	434	page 144, lines 6-11	Add Tier B Non-Residential projects to the CFD Tax (at a rate of \$2.00/GSF) and remove Tier B Condo Residential projects (currently proposed at \$3.30/GSF), as specified in the Rate and Method of Apportionment document (part of the CFD formation legislation)
17	753; 814; 840; 841; 846; 848	various; pages 148-230	Require a Conditional Use Authorization for Cannabis Retail and Medical Cannabis Dispensary uses in the Central SoMa SUD.
18	uncodified section	page 234, lines 6-14	Add language specifying that if the City is unable to apply any new development requirement that would generate revenue for the Public Benefits Program, the other provisions of the Planning and Administrative Code amendments would not apply.

**CENTRAL SOMA PLAN**

**Amendments Introduced at 10/1 Land Use & Transportation Committee Hearing**

180184  
10/6/18  
SUBMITTED  
PRESENTED

#	Section	Page/Line	Change
1	134	p. 27, line 22-23	Clarify that projects in the Central SoMa SUD must meet the applicable lot coverage requirements in Sec. 249.78(d)(4) and that the rear yard requirements of this Section 134 do not apply.
2	135.3	p. 34, line 1-2	Clarify that open spaces provided to satisfy the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 can satisfy the nonresidential usable open space requirement in Section 135.3.
3	249.78(c)	p. 43, line 9-12	Clarify that projects subject to the Privately Owned Public Open Spaces (POPOS) requirement in Section 138 and the required ground floor commercial uses in Section 145.4 may locate the POPOS along the street frontage subject to 145.4, provided it is lined with active commercial uses.
4	249.78(c)(1)(F)	p. 67, line 1-10	Reduce the ground floor transparency requirement for new PDR businesses from 60% (which is equivalent to the requirement for ground floor retail) to 30% on facades >50' linear feet, and 0% for shorter facades.
5	249.78(c)(5)	p. 69, line 3-5	Clarify that projects with multiple buildings or lots may locate the required PDR uses or community building space anywhere on the subject project site.
6	249.78(d)(3)	p. 72, line 16 through p. 73, line 7	Clarify the standard for 100% greenhouse-gas free electricity and the process for review, and specify that the requirement shall apply to newly constructed commercial or residential buildings, or major renovations to an existing building, as defined by San Francisco Green Building Code Section 202.
7	263.32(b)	p. 86, line 15 and 20	Specify that MOHCD shall review land proposed to be dedicated for affordable housing, and the Director of Planning shall review land proposed to be dedicated for parks and open space.
8	263.32(c)	p. 87, line 3-21	Clarify the method of calculating the development capacity of the primary project allowable with the Special Height Exception.
9	263.33	p. 88, line 15-16	If the development on Assessor's Block 3763, Lot 105 seeks a special height exception to build residential instead of a hotel, require that it meet the entirety of its inclusionary housing requirement through the On-Site Affordable Housing Alternative pursuant to Section 415.5(g)(1)(A).
10	270(h)	p. 93, line 17 through p. 94, line 5	Modify the bulk requirements to specify that sky plane controls will take precedence over 261.1 controls on Stillman Street. Reduce the sky plane apparent mass control along Stillman Street to 85%.
11	270(h)	p. 92, line 11 through p. 94, line 16	For projects that are required to provide PDR (pursuant to Sections 202.8 and 249.78(c)(5)), if such PDR is provided on the ground floor or above, add 3 vertical feet to: <ul style="list-style-type: none"> <li>The Base Height specified in the Apparent Mass Reduction Table 270(h).</li> <li>The height where the upper story setback is required pursuant to Section 261.1.</li> </ul>
12	329(d)(13)(D)	p. 100, line 10	Clarify that the wind exception is available for both wind comfort and wind hazard criterion, subject to Planning Commission review pursuant to 249.78(d)(7)(C)(iii).
13	329(e)(2)(b)	p. 103, line 18 through p. 104, line 11	On the Key Site identified in Section 329(e)(2)(F) (Flower Mart site), add a section to allow the Planning Commission to grant certain code exceptions, if agreed upon with the City in a development agreement, including: <ul style="list-style-type: none"> <li>Exception to off-street parking controls of Section 151.1 to allow additional PDR parking solely to serve the Flower Market tenants and customers.</li> <li>Exception to the requirement that POPOS be open to the sky in Section 138(d)(2)(E)(i) to allow a cumulative maximum of 20% of the POPOS to be covered by any combination of (a) an inhabitable portion of a building with a minimum clearance height of 20' and maximum depth from face of overhead building of 15', or (b) an inhabitable portion of a building with a minimum clearance height of 50' and minimum horizontal dimension in all directions of 20'.</li> <li>Exception to the transparency and fenestration requirements of Section 249.78(c)(1)(F) on 5th Street between Brannan and Bryant Streets.</li> <li>Exception to the protected street frontage requirements of Section 155.1(r) on 5th Street between Brannan and Bryant Streets.</li> </ul>
14	329(e)(2)(b)(iv)	p. 103, line 4-5	On the Key Site identified in Section 329(e)(2)(iv) (the Park Block), allow exception to the requirement that POPOS be open to the sky in Section 138.
15	329(e)(2)(b)(vi)	p. 103, line 11-12	On the Key Site identified in Section 329(e)(2)(vi) (the Creamery), allow exception to the requirement on protected street frontages in Section 155(r)
16	426	p. 124, line 22-25	Clarify that sponsors must pay an in-lieu fee for any open space that does not meet the conditions of Sections 135.3 or 138, unless a Key Site exception is specified in Section 329(e).
17	840 & 841	p. 189-202	Make conforming edits to the MUR and MUG zoning control tables to reflect the zoning map amendments introduced at the Board of Supervisors and to cross-reference the Central SoMa SUD.
18	Uncodified Section (Block 3786, Lot 035 / 636 4th Street)	p. 223	Staff recommends adding language that the Commission shall evaluate the project design through the Large Project Authorization process pursuant to Section 329 and make recommendations to address its urban design impacts, in order to: (1) limit the visual impact of the larger tower bulk and floorplate; and (2) address the impacts of the limited tower separation between this project and the adjacent development at Block 3786, lot 322 (505 Brannan Street).

**CENTRAL SOMA PLAN**

LEGISLATIVE AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/23 LAND USE & TRANSPORTATION COMMITTEE

180184  
180185  
180453  
7/23/18

SUBMITTED IN COUNCIL

#	Sec.	Legislation Page/Line	Change	Rationale
<b>HOUSING SUSTAINABILITY DISTRICT</b>				
[File no. 180453 - Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District]				
1	343(d)(7)	pg 10, lines 14-21	Modify project eligibility to require that projects seeking approval pursuant to this Section 343 elect the On-Site Affordable Housing Alternative under Sections 415.5(g)(1)(A). Projects not subject to Section 415 shall provide no less than 10% of dwelling units as units affordable to very low or low income families.	To incentivize production of on-site affordable housing units.
2	343(g)(5)	pg 13, line 25 to pg 14, line 3	Clarify the discretionary review requirement to specify that as long as the Planning Commission has delegated its authority to the Planning Department to review applications for projects subject to this Section 343, the Planning Commission shall not hold a public hearing for discretionary review of projects subject to this Section 343.	This clarifying amendment specifies that the Commission will not hold a hearing for discretionary review of these projects as long as the Planning Commission has delegated its review authority to the Planning Department. This amendment would clarify that the Board of Supervisors is not purporting to unilaterally delegate the Commission's permit review authority.
3	343(g)(6)	pg 14, line 18 to pg 16, line 2	Establish expiration of approval: Approval of a project pursuant to this Section 343 shall expire if the project sponsor has not procured a building permit or site permit for construction of the project within 30 months of the date of the Department's issuance of a written decision pursuant to subsection (g)(2) of this Section 343. If the Planning Director finds that the project sponsor has demonstrated good faith in its efforts to obtain the first site or building permit for the project, the Planning Director may extend the approval for the project for a maximum of six additional months. Such deadline shall additionally be extended in the event of any appeal of such approval for the duration of the appeal, and in the event of litigation seeking to invalidate the approval for the duration of the litigation.	To reduce delays in housing production by requiring approved projects to commence construction within a reasonable timeline.
<b>ZONING MAP</b>				
[File no. 180184 - Planning Code, Zoning Map - Central South of Market Special Use District]				
4	Section 2, subsection (c)	pg 15, line 13	Amend Height and Bulk District Map HT01 for the development on Assessor's Block 3777, Lot 052 to increase the permitted height/bulk from 45-X to 50-X.	With a special height exemption pursuant to Section 263.32 (eligible for properties that provide 100% affordable housing), this would allow the affordable housing building at 595 Brannan to achieve a height of 70', thus enabling an extra floor of affordable units.
<b>PLANNING CODE &amp; ADMINISTRATIVE CODE</b>				
[File no. 180184 - Administrative, Planning Codes - Central South of Market Area Plan]				
5	249.78(c)(5)(B)	pg 65, line 21; pg 67, lines 8-9 and 14-27	Amend the PDR Requirements to: (1) remove grocery stores from the definition of "community building space"; (2) require that the 25% space reduction for below market rate PDR space provide the lower rent for the life of the development project; and, (3) when a development application is submitted, require the project sponsor to demonstrate that they notified existing PDR tenants about the proposed project and provided them with information about the PDR Relocation Fund (as described in the Central SoMa Implementation Program Document) and PDR Sector Assistance for Displaced Businesses available from the Office of Economic and Workforce Development (OEWD) or its successor agency.	To incentivize provision of below market rate PDR space and to support existing PDR businesses with relocation.
6	263.33(c)(2)	pg 84, line 24	Allow the development on Assessor's Block 3763, Lot 105 to receive the special height exemption for residential use, in addition to hotel.	To encourage housing production by allowing flexibility for this site to be developed as housing in addition to, or instead of, a hotel.
7	329(e)(3)(A)	pg 98, lines 20-23	Include donation of land for satisfaction of Jobs-Housing Linkage fee pursuant to Section 413.7 as a qualified amenity provided by Key Sites, if the value of the land donated is equal to or greater than the fee amount owed.	Corrects oversight based on benefits proposed by Key Sites.

#	Sec.	Legislation Page/Line	Change	Rationale
8	329(e)(3)(B)(i v)	pg 99, lines 1-4	On the Key Site identified in Section 329(e)(2)(E), allow exception to the lot coverage limits in Section 249.78(d)(4), the street frontage requirements in Section 145.1, and the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r).	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
9	329(e)(3)(B)(v i)	pg 99, lines 7-10	On the Key Site identified in Section 329(e)(2)(H), remove the exception to the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r). Add possible exemptions to include the street frontage requirements in Section 145.1, and the required ground floor commercial uses in Section 145.4.	
10	413.7(a)	pg 101, lines 21-23	Clarify that projects that satisfy all or a portion of the Jobs-Housing Linkage fee via land dedication pursuant to Section 413.7 may receive a credit against such requirements up to the value of the land donated.	The code as introduced was contradictory, as it specified that projects could meet part or all of their Jobs-Housing Linkage fee obligation through land dedication, but later said the proposed land must be equal to or greater in value than the fee obligation. This clarification is consistent with our other land dedication policies.
11	840 (Table 840)	pg 186, line 22 to pg 190, line 13	Make conforming edits to the MUG General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
12	841 (Table 841)	pg 192, line 6 to pg 195, line 21	Make conforming edits to the MUR General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
13	848	pg 208, lines 1-6	Correct the residential off-street parking code references in the CMUO District Zoning Control Table.	Corrects cross-references.
14	Uncodified section	pg 216, lines 5-18	For a residential Tower on Block 3786, Lot 035, the following controls shall apply, provided the project meets its Inclusionary Housing requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site:(a) A 5-foot setback is required for the Tower Portion for the entire frontage along Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest property line frontage directly opposite the property at Block 3786, Lot 322.(b) The residential Tower may have a horizontal separation of not less than 40 feet from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322.(c) The maximum Gross Floor Area of any residential Tower floor shall be 12,500 gross square feet.(d) The maximum length of a Residential tower shall be 165 feet.	To facilitate an increase in residential units in the tower at 636 4th Street, provided the project provides affordable housing units on-site.
<b>IMPLEMENTATION PROGRAM DOCUMENT [ADOPTED BY REFERENCE]</b>				
15	Public Benefits Program	n/a	Amend the Implementation Program Document to: (1) In the Cultural Preservation and Community Services category, create a \$10million PDR Relocation Fund and subtract \$5million from the Restoration of the US Mint building; and, (2) subtract \$5million from the Environmental Sustainability & Resilience category (\$4 million from "Enhanced stormwater management in complete streets" and \$1million from "Water recycling and stormwater management in parks").	To support existing PDR businesses and mitigate the impacts of displacement by providing relocation assistance, including business services and support with rent and moving costs.
16	Key Development Site Guidelines	n/a	Edit the description of Key Development Site 3 to specify that the hotel may be developed as a residential building, and to remove the reference to 500 hotel rooms.	Conforming amendment with item #6 (Section 263.33) above.

**CENTRAL SOMA PLAN**

**AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/16 LAND USE & TRANSPORTATION COMMITTEE**

 = non-substantive edits

#	Sec.	Page / Line	Change	Rationale / Notes
1	Section 2, Finding (d)	pg 8, lines 1-16	Add a finding establishing intent for the Board of Supervisors to revise the jurisdiction and composition of Citizen Advisory Committees (CACs) to guide Plan implementation.	To advance future legislation to revise the Eastern Neighborhoods CAC and split it into two bodies, one serving the three SoMa Plan Areas (East, Central, and West SoMa), and one serving the southern Plan Areas (Mission, Showplace Square / Potrero Hill, and Central Waterfront). A process would be developed to incorporate the recommendations of neighborhood stakeholders and community members.
2	Section 2, Finding (e)	pg 8, lines 17-24	Add a finding establishing intent for the Board of Supervisors to develop a "Good Jobs Policy."	To advance future legislation to promote good jobs with living wages in the Plan area.
3	128.1(b)	pg 20, line 25; pg 21, line 1-2	Clarify the FAR definition for Transferable Development Rights to exclude: - lot area devoted to land dedicated to the City for public parks or recreation centers - lot area devoted to development of affordable housing buildings	Clarifying amendment
4	128.1(c)	pg 21, line 15	Reverse the terms "Development Lot" and "Transfer Lot"	Corrects drafting error in sequence of terms.
5	132.4(d)(1)(B)(iv)	pg 24, lines 1-2	Increase allowed streetwall architectural modulation from five feet to eight feet.	Preserves the sense of a substantial edifice while allowing for inset balconies.
6	135.3	pg 32, lines 10-12	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.	Corrects drafting error to properly cross-reference Section 138.
7	138(a)(2)	pg 33, lines 2-3	Clarify that retail uses are not required to provide POPOS.	Corrects drafting error to include retail uses. Retail uses (like institutional uses) would still need to provide usable open space per Section 135.3.
8	138(d)(2), subsections (A) & (B); 138(e)(2)	pg 35, line 14-19; pg 37, line 19-21	Update references to point to appropriate subsections.	Corrects drafting error in references within Section 138.
9	138(d)(2)(E)(i)	pg 36, lines 4-5	Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors.
10	138(d)(2)(F)(ii)	pg 36, lines 13-14	Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.	This change would facilitate the creation of mezzanines within the POPOS.
11	151.1	pg 42, lines 4-6	Change parking requirements to up to 0.25 spaces/unit principally permitted or up to 0.5 spaces/unit with a Conditional Use Authorization.	To limit parking in this transit-rich district, in keeping with the citywide TDM program.
12	155(f)(2)(J)	pg 51, line 7	Update reference to point to 329(e)(3)(B).	Corrects drafting error in references
13	155(u)	pg 52, lines 1-5	Add to the Driveway Loading and Operations Plan (DLOP) the requirement that projects include a Passenger Loading Plan. Whereas the DLOP focuses on issues within the building, the PLP would focus on on-street loading issues.	The Passenger Loading Plan is a new concept aimed at minimizing the impact of passenger drop-offs, particularly on high injury corridors. All of the projects required to do such a Plan would also be required to undertake the DLOP, so there's synergy in merging the two efforts.
14	249.78(c)(1)	pg 64, lines 18-23	Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as long there is a doorway every 25 feet.	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
15	249.78(c)(1)(D)	pg 64, line 16-17	Add that hotels are allowed as an active commercial use per 145.4.	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
16	249.78(c)(4)	pg 65, lines 6-9	Modify the Micro-Retail definition to require that spaces measure no less than 100 gross square feet, and modify the requirement so that it applies to new non-residential development only.	To provide a minimum micro-retail size to ensure usable retail space, and to allow maximum flexibility for residential projects.
17	249.78(e)(4)	pg 65, line 9, 12	Key site exception: Micro Retail requirements (c)(4) - make it clear that it refers to "lots" not "sites."	Clarifying amendment

18	249.78(c)(5)	pg 66 line 7-12	Clarify the PDR replacement language to include that the requirement would only apply to the nonresidential portion, and would exclude residential & POPOS.	Clarifying amendment
19	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 19	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses. Amend the eastern boundary of the area where the off-site PDR requirement may be satisfied from Embarcadero Street to Second Street.	Like PDR, these uses are beneficial to the community and can only pay limited rent. The eastern boundary for off-site PDR replacement is being amended to conform with the Plan area boundary.
20	249.78(d)(3)(C)	pg 69, lines 3-6	Allow projects the flexibility to provide their living and solar roof elements of subsections 249.78(d)(3)(C)(i)-(v) on any rooftops within the subject project, provided the equivalent amount of square footage is provided.	To allow some flexibility
21	249.78(d)(5)(C)	pg 70, lines 5-6	Clarify lot merger restrictions to exempt the Key Site identified in 329(e)(2)(C), consistent with the Key Development Site Guidelines.	Clarifying amendment
22	249.78(d)(7)	pg 72, line 1	Wind standard - clarify that projects must meet the Nine Hour Criterion <i>with mitigations</i>	Clarifying amendment
23	249.78(d)(9)	pg 72, line 16-25; pg 73, line 1-3	In the Central SoMa SUD, - allow units above 85' in height to meet exposure requirements if they are 15' back from the property line, - allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and, - do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor.	These changes would make a rule of commonly granted exceptions.
24	263.32, 263.33, 263.34	pg 83, line 6-7; pg 84, lines 16-17; pg 85, lines 6-7	Clarify that projects that comply with these Special Height Exception sections do not need a Conditional Use approval.	Corrects oversight such that dedicated affordable housing sites can receive the height bonus just as sites that build units or that dedicate land for open space.
25	263.32(b)(1)	pg 82, lines 21-24	Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception.	The purpose of this height bonus is to incentive projects to provide sites for affordable housing and open space - provide benefits that are otherwise difficult to site in a dense neighborhood. This change is in keeping with the intent of this section in that it maintains the benefit for projects in 160' height districts.
26	263.32(c)(3)	pg 83, lines 23-25	Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers.	Clarifying amendment
27	Table 270(h)	pg 90, line 11	For Perry Street, make the Base Height "none".	This is the correct change to effectuate the goal of treating Perry St. like current northern sides of alleys, as discussed in the Central SoMa Plan's Implementation Matrix.
28	329(d)	pg 96, lines 10-11	Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7).	Corrects drafting error to properly cross-reference 249.78(d)(7) and 329(d).
29	329(d)	pg 96, lines 4-5	Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B).	Corrects drafting error to properly cross-reference 132.4(d)(3)(B) and 329(d).
30	329(d)	pg 95, lines 18-21, pg 96, lines 6-7	Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155, and to allow the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to be used when evaluating this exemption.	These are commonly granted exceptions that are important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
31	329(d)	pg 96, lines 8-9	Add a subsection allowing for exceptions for exposure requirements under Section 140/249.78	This is a commonly granted exception that is important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
32	329(d)	pg 96, lines 12-13	Add a subsection allowing for exceptions to lot coverage requirements pursuant to 249.78 for projects that convert from nonresidential to residential.	Clarifying amendment

33	329(e)(2)(A)	pg 97, lines 20-23	Inclusion of land for affordable housing per Sec 419.6 (Alternatives to the Inclusionary Housing Component) as qualified amenities to be considered a Key Site.	Corrects oversight by Key Sites (for residential projects only).
34	329(e)(3)	pg 97, line 17	Clarify that Key Sites may utilize the exceptions granted in 329(d).	Extra language needed to make sure intent of this section is clear.
35	329(e)(3)(B)	pg 98, Lines 3-4	Clarify that Key Sites can have exceptions for tower separation even greater than the exception in 132.4	Clarifying non-substantive amendment
36	329(e)(3)(B)	pg 97, line 9-25; pg. 98, line 1-6	Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
37	Add new section 329(e)(3)(B)(i)	pg 98, lines 11-16	On the Key Site identified in Section 329(e)(2)(B), the ground floor non-residential height in Sections 145.1 and 249.78(d)(8) may be reduced to 14'. In addition, the apparent mass reduction controls in Section 270(h)(2) may be reduced as follows: (A) on the building frontage on Harrison Street: 50%; (B) on the building frontage on Fourth Street: None.	
38	Add new section 329(e)(3)(B)(ii)	pg 98, lines 17-21	On the Key Site identified in Section 329(e)(2)(C), exception to the lot coverage limits in Section 249.78(d)(4), the micro-retail requirement in 249.78(c)(4), the active use requirement in Section 145.1, and the ground floor commercial use requirements in Section 145.4. In addition, the site may be permitted to seek a Conditional Use Authorization to establish a Formula Retail Limited Restaurant, pursuant to Section 303.1.	
39	Add new section 329(e)(3)(B)(iii)	pg 98, lines 22-23	On the Key Site identified in Section 329(e)(2)(D), exception to the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.	
40	Add new section 329(e)(3)(B)(iv)	pg 98, lines 24-25	On the Key Site identified in Section 329(e)(2)(G), exception to the PDR space requirements of Section 249.78(c)(5).	
41	Add new section 329(e)(3)(B)(v)	pg 99, lines 1-6	On the Key Site identified in Section 329(e)(2)(H), exception to the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r) and to the required nonresidential use in Section 249.78(c)(6). In addition, the usable open space requirement pursuant to Section 135 may be reduced to 60 square feet of usable open space required for each dwelling unit if all private.	
42	413.7	pg 102, lines 8-13	Require the Director of Property to either conduct or approve the land appraisal for land dedication in satisfaction of the Jobs-Housing Linkage Fee requirement	Clarifying amendment
43	418.7(a)	pg 106 line 21 through pg 107, line 8; pg 108 lines 7-8	Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District.	Change necessary to legalize the funding structure proposed by the Plan.
44	418.7(b)(2)	pg 107, lines 20-23	Update SoMa Stabilization Fund to reference Central SoMa Implementation Program Document	Change necessary to legalize the funding structure proposed by the Plan.
45	426	pg 120, lines 4-9	Clarify that the POPOS in-lieu fee should not be charged where exceptions from design standards are granted.	Clarifying amendment

46	434	pg 132, line 9 through pg 134, line 4	Add a section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) include new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and/or non-residential development in Central SoMa Development Tier C; and, (3) the proposed project is greater in size than what would have been allowed without the Central SoMa Plan.	This language was always proposed for inclusion but was not ready for discussion until this time.
47	848	pg 202, lines 8-20	Add a cross-reference in the CMUC table to the residential lot coverage requirements in 249.78.	Non-substantive amendment but not included in the Case Report
48	Zoning map amendments & various conforming sections in Planning Code	Zoning map ordinance: pg 4, line 17-19; pg 5, line 4-5; p 6, line 20; pg 7, line 15 & 22	Modify the proposed zoning as follows: - Keep the MUR zoning on the portions of Assessor blocks 3725, 3732, 3750, 3751, 3752 and 3753 that are currently zoned MUR - Rezone the WMUG- and M-zoned parcels in block 3733 in the Plan Area and the WMUG-zoned parcels in block 3752 to MUR - With the exception of parcels that are part of Key Development Sites, rezone the SALI-zoned parcels on blocks 3777, 3778, 3785 to MUG	To increase housing development by limiting hotels and other non-residential uses.

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**From:** Patricia Valencia <glosunsunshine@gmail.com>  
**Sent:** Monday, October 01, 2018 10:59 AM  
**To:** Tang, Katy (BOS)  
**Cc:** Kim, Jane (BOS); Safai, Ahsha (BOS); Major, Erica (BOS)  
**Subject:** RE: San Francisco Flower Market

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sirs,

We have been a tenant in the San Francisco Flower Mart for 10 years.

We support the Flower Mart project with office and retail above the new wholesale flower market.

Our business starts very early in the morning with loud trucks loading/unloading as early as midnight.

I support housing in San Francisco, but the housing project units in the Flower Mart project does not seem feasible, because of the odd hours (very early in the morning) will conflict with our wholesale business.

If people are living right above or right next to the wholesale flower market, they will complain and it may not be a very good fit.

Patricia Valencia  
Patricia Araujo Clay  
Sunshine Flowers International

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180 612

**From:** Pin Nursery <pinnurseryinc@gmail.com>  
**Sent:** Monday, October 01, 2018 9:21 AM  
**To:** Major, Erica (BOS)  
**Subject:** New Flower Mart project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

- I am a tenant of the Flower Mart, have been for 30 years.
- I support the New Flower Mart project as an office and retail project above the new wholesale flower market.
- We are a late-night/early morning operation and I don't support any residential units in the New Flower Mart.
- I don't support residential units above or right next to the new wholesale flower market.
- Our work is noisy and if you put housing in the New Flower Mart it will hurt our operations and cause conflict with the new residents.

Charlie Cheng  
Pin Nursery  
7980 Holsclaw Rd  
Gilroy CA, 95020  
408-710-9338

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**From:** Jeanne <jeanne@sfflowermart.com>  
**Sent:** Sunday, September 30, 2018 8:12 PM  
**To:** Tang, Katy (BOS); Kim, Jane (BOS); Safai, Ahsha (BOS); Major, Erica (BOS)  
**Subject:** Letter from SFFM  
**Attachments:** 180928 Ltr from SFFM to BOS Land Use.docx

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

September 28, 2018

Chair Katy Tang  
Vice-Chair Jane Kim  
Supervisor Ahsha Safai  
San Francisco Board of Supervisors  
Land Use and Transportation Committee

Dear Supervisors Tang, Kim and Safai:

We represent the San Francisco Flower Mart, one of the oldest wholesale flower markets in the United States. We manage the wholesale marketplace which houses over 50 individual flower vendors. We support the Flower Mart Project in Central SoMa as an office and retail development above a new, state-of-the-art wholesale flower market. This has been the plan for the site for at least the past four years. However, it is important to note that we are absolutely opposed to any residential units on the site.

The San Francisco Flower Mart is an industrial business. We are heavily reliant on vehicles to both receive and deliver the products we sell in our wholesale marketplace, many of these vehicles are semi-trucks and box trucks. Our businesses operate late night and very early morning hours, as early as 12:00 AM, when our vendors begin receiving deliveries on semi-trucks and box trucks. Our customers arrive and begin buying our perishable products at 2:00 AM. Although we sell a beautiful product, we are extremely noisy and typically have trucks parked, sometimes double parked, in our alleyways and surrounding streets most days during the week. If housing were to be built on this site, it would conflict with these activities and cause a hardship for our wholesale vendors and customers to operate effectively. While we support housing being built in San Francisco in general, we very strongly request that you maintain the Flower Mart Project as it has been planned, with only office and retail space above and adjacent to the wholesale flower market.

Respectfully,

*Vance Yoshida*

Vance Yoshida  
President  
San Francisco Flower Mart LLC

*Jeanne Boes*

Jeanne Boes  
Chief Operations Officer and General Manager

San Francisco Flower Mart LLC

Jeanne Boes  
General Manager  
Chief Operations Officer  
SAN FRANCISCO FLOWER MART  
640 Brannan Street  
San Francisco, CA 94107  
415.392.7944  
415.637.8817 cell

[www.sfflowermart.com](http://www.sfflowermart.com)

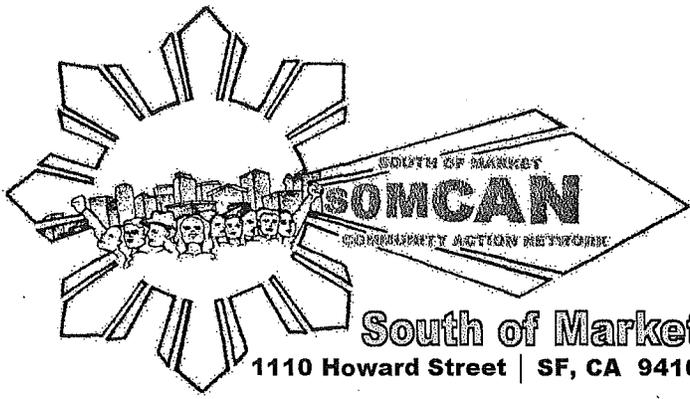
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PRESENT  
IN COMM



**South of Market Community Action Network**

1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | [www.somcan.org](http://www.somcan.org)

Clerk of the Board of Supervisors  
Environmental Review Officer  
#1 Dr. Carlton B. Goodlett Place  
Room #244  
San Francisco, CA 94102

June 11, 2018

*Via Hand Delivery*

**RE: Central SoMa Plan – Appeal of the 5/10/18 Planning Commission Decisions**

Dear Clerk of the Board and the Members of the Board of Supervisors:

The South of Market Community Action Network (SOMCAN) appeals the following decisions concerning the Central SoMa Plan (“the Plan”). The Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and an irregular border that goes along Folsom, Howard, and Stevenson Streets to the north.

- 1) Certification of the Environmental Impact Report (EIR) and Adoption of Findings and Evaluation of Mitigation Measures and Alternatives and a Statement of Overriding Considerations

The final resolutions for the relevant appeals are attached as **Exhibit A**. Evidence in support of the appeals is attached as **Exhibits A-D**.

**I. Citizens appeal the decisions made by the Planning Commission to certify the Environmental Impact Report (EIR) and adopt Findings and Evaluation of Mitigation Measures and Alternatives and a Statement of Overriding Considerations, State Clearinghouse No. 2013042070 (Exhibit A, Resolutions)**

The appeals related to CEQA are filed on the following bases.

- The EIR is inadequate, incomplete, and deficient
- Inadequate and incomplete analysis of and failure to disclose the severity of the level of impact for the following environmental impacts:
  - Creation of a Second Financial District
  - Existing Youth and Family Special Use District
  - Transportation and Ride Hailing Companies
  - State Density Bonus Laws
  - Economic Impacts from Displacement and Increase in Vehicle Miles Travelled

- Residential Units Not Being Used as Traditional Housing
- The 5M Project
- New Office Space and Lack of Local Hiring Requirements
- Consideration of Continued PDR Uses
- Lack of Affordability of Housing Incentivized by the Plan and Socioeconomic Makeup of New Residents
- Open Space
- Stabilization of Non-Profit Organizations
- Health Impacts
- Density of Workers Based on Square Footage of Office Space and Auxiliary Jobs is Under Calculated
- Failure to adopt all feasible mitigations and alternatives
- Strong disagreement with Responses to Comments on the Draft Environmental Impact Report
- Inadequate and incomplete Findings, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations

## **II. Exhibits (Attached)**

### **Exhibit A: Resolutions**

20182 EIR Certification

20183 CEQA Findings

**Exhibit B:** Letters (including comments submitted on the Plan EIR during the EIR comment period)

**Exhibit C:** Links to videos of hearings in which testimony was given on the Central SoMa Plan

**Exhibit D:** Transcript Planning Commission Hearing, May 10, 2018 on the Central SoMa Plan

Thank you,

Angelica Cabande  
Organizational Director, South of Market Community Action Network



**South of Market Community Action Network**  
1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | [www.somcan.org](http://www.somcan.org)

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February 13, 2017

Lisa M. Gibson  
Acting Environmental Review Officer  
1650 Mission Street  
Suite 400  
San Francisco, CA 94103  
and via e-mail [Lisa.Gibson@sfgov.org](mailto:Lisa.Gibson@sfgov.org)

Re: Planning Department Case 2011.1356E  
State Clearinghouse No. 2013042070

Dear Ms. Gibson:

The South of Market Community Action Network ("SOMCAN") is a multi-racial, community organization that educates, organizes, and mobilizes immigrant and low-income South of Market ("SoMa") residents to fight for improvements to their quality of life by engaging in the decision making processes that affect their neighborhood and greater San Francisco. Our mission is to build and support a strong, organized community that takes collective action to achieve equity, and social and economic justice. SOMCAN works to address gentrification and displacement issues in SoMa and San Francisco.

We respectfully submit this comment letter on the Central SoMa Plan Draft Environmental Impact Report (the "DEIR"), which encompasses the area of South of Market bounded by 2nd Street (east); 6th Street (west); Townsend Street (south); and an irregular border jogging between Folsom, Howard and Stevenson Streets (north).

### **Comment Period Extension Period Should Have Been Granted**

Firstly, we object again on the grounds that there has been insufficient time for the public to review this nearly 700 page long technical document. We, along with other community members, submitted a letter dated February 3, 2017 requesting for an extension of the comment period, which Planning denied.

Since 2000, SOMCAN has worked to educate and organize the community particularly around land use issues. With only 60 days from the release of the DEIR to the closing of the comment period, and the fact that the DEIR was released on December 14, 2016 just prior to the holidays, there has not been enough time for our organization to complete a thorough review, technical and otherwise, of the DEIR, as well as present the contents to community members, and compile their feedback. This a fatal flaw and fundamental deficiency of this DEIR that it has not sufficiently been available to the public for review and comment.

### **A More Extensive and Thorough Public Review Needed of DEIR Given Relaxing of Project Level Reviews**

This is not a project level EIR. This is a Plan Area EIR that comes to us in the new era of “by-right” development encouraged at the State level (there is once again legislation pending at the State level to allow development “by-right” without any project level environmental review or public hearings) and at our local level, with this Central SoMa Plan proposing a radical relaxing of development controls.

In the past, Area Plans have been written with the presumption that more detailed environmental review will be done as projects are proposed by developers during the implementation of the Area Plans. This will almost certainly not be the case here, yet the public has not been allowed a reasonable time to review this DEIR and provide comment; and Planning has ignored the fact that the City is reducing the public’s ability to comment on implementation of the Central SoMa Plan going forward.

The following are SOMCAN’s comments to the DEIR as we have best been able to compile them given the insufficient time Planning has afforded our organization to engage residents of SoMa in a thorough review and understanding of the contents of this DEIR.

#### **SOMCAN’s areas of concern are:**

- 1. The Central SoMa Plan Creates a Second Financial District at the Expense of Families, Youth and Seniors Living, Working and Going to School in SoMa.**
- 2. The Central SoMa Plan Disregards the *SoMa Youth and Family Special Use District***
- 3. The Inadequate Transportation Infrastructure and Impact of Ride Hailing Companies Within and Adjacent to the Plan Area of the DEIR are Not Fully Considered**
- 4. The Proposed Intensity of Development and Relaxing of Development Controls Have Not Been Evaluated With Respect to State Density Bonus Laws in the DEIR**
- 5. The Economic Impacts From Displacement Were Not Analyzed in the DEIR**
- 6. The DEIR Omits Analyses of the Current Trend of Residential Units Not Being Used as Traditional Housing**
- 7. The 5M Project Must be Included in the DEIR Analysis**
- 8. The Impacts of New Office Space and Lack of Local Hiring Requirements are Not Properly Presented or Studied in the DEIR**

9. **Consideration of Continued PDR Uses in Central SoMa is Inadequate**
10. **The DEIR Does Not Address the Lack of Affordability of Housing Incentivized By the Plan and the Socioeconomic Makeup of New Residents That Will Result**
11. **The Plan Continues to Provide an Inadequate Amount of Open Space in SoMa By Relying on POPOS**
12. **The Plan Does Not Address the Stabilization of SoMa based Non-Profit Organizations**
13. **The DEIR Does Not Adequately Study the Health Impacts from Increased Noise, Degraded Air Quality, Pedestrian Safety Hazards, and Increased Wind Speeds**

#### **EXPLANATION OF CONCERNS:**

1. **The Central SoMa Plan Creates a Second Financial District at the Expense of Families, Youth and Seniors Living, Working and Going to School in SoMa**

The area defined as the Central SoMa Plan Area is a neighborhood. While we are not opposed to further growth, we are opposed to Planning's proposed transformation of this neighborhood into a new Financial District. The scale of development and the mix of commercial, office and high end luxury development described in the Plan are not conducive to a healthy neighborhood.

There are many established aspects to what constitutes a healthy neighborhood that the DEIR should be studied against. We demand that this DEIR be studied against the City's Healthy Development Measurement Tool (HDMT), which was developed by Planning in partnership with the Department of Public Health and community organizations during the Eastern Neighborhoods rezoning<sup>1</sup>. Please refer to the Eastern Neighborhoods Community Health Impact Assessment (ENCHIA)<sup>2,3</sup>.

Youth, families and seniors in SoMa demand a family-friendly neighborhood, human scale, safety for pedestrians of all ages and abilities, with access to light and air, and neighborhood services close by. The Plan as proposed is completely out of character with the goal of sustaining Central SoMa as a neighborhood and a dynamic employment center co-existing in a mutually supportive way. Instead of building towards the long-established community and City goal of creating a family-friendly neighborhood in Central SoMa, the DEIR proposes a second Financial District, which will harm the health of existing and future populations.

2. **The Central SoMa Plan Disregards the *SoMa Youth and Family Special Use District***

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<sup>1</sup> [http://www.who.int/hia/conference/poster\\_bhatia\\_2.pdf](http://www.who.int/hia/conference/poster_bhatia_2.pdf)

<sup>2</sup> <http://www.pewtrusts.org/en/multimedia/data-visualizations/2015/hia-map/state/california/eastern-neighborhoods-community>

<sup>3</sup> <http://www.pewtrusts.org/~media/assets/2007/09/hiareportenchia.pdf?la=en>

The Central SoMa Plan incorporates areas that are covered under the *SoMa Youth and Family Special Use District*<sup>4</sup> was adopted by the Board of Supervisors in January 2009. The *SoMa Youth and Family Special Use District*'s purpose is to expand the stock of affordable housing, as well as protect and enhance the health and environment of youth and families in SoMa. The Central SoMa Plan does not adequately take into account the *SoMa Youth and Family Special Use District* and instead of strengthening its controls, the DEIR undermines its goals.

We demand that as part of the Central SoMa Plan, projects within the *SoMa Youth and Family Special Use District* are required to undergo review and approval by resident groups and community organizations before they are considered by the Planning Department. We are demanding that this community approval process function similarly to other Special Use Districts in the City such as the *Bernal Heights Special Use District*.<sup>5</sup>

Planning has abused the *SoMa Youth and Family Special Use District* since it was established during the Eastern Neighborhood rezoning. These abuses including the re-mapping of the *SoMa Youth and Family Special Use District* by the Hearst and Forest City's 5M development, which covers five city blocks near 5th and Mission Streets. The 5M project gained approval in December 2015 for a large office tower by re-mapping the boundaries of the *SoMa Youth and Family Special Use District* with justifications by the Planning Department that this Special Use District does not have strong controls. SOMCAN, along with several other community-based organizations, have been demanding strong controls since *before* 2009 for the *SoMa Youth and Family Special Use District* so we can protect youth, families and seniors in the neighborhood. Planning has ignored our calls to strengthen this *SoMa Youth and Family Special Use District* through the Central SoMa rezoning process. The Central SoMa Plan must be revised to address this deficiency.

The environmental impact of displacement is clear and further criticized in our point #5 below. As long as Planning continues to promote the displacement of youth, families and seniors from Central SoMa in favor of large scale office and luxury housing developments, there will be an increasing and compounding environmental impact which has not been studied or reported in the DEIR. We demand that Planning revises the Central SoMa Plan in partnership with the community to strengthen the controls of the *SoMa Youth and Family Special Use District* in order to stabilize and grow our economically and racially diverse community.

### **3. The Inadequate Transportation Infrastructure and Impact of Ride Hailing Companies Within and Adjacent to the Plan Area of the DEIR are Not Fully Considered**

The transportation infrastructure within and adjacent to the plan area of the Central SoMa DEIR lags far behind the infrastructure needs of both past and current growth. This is true, even if you factor in the transportation improvements that are underway, such as the Central Subway.

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<sup>4</sup> [http://sf-planning.org/sites/default/files/FileCenter/Documents/1479-SoMa\\_YFZ\\_SUD\\_Legislation.pdf](http://sf-planning.org/sites/default/files/FileCenter/Documents/1479-SoMa_YFZ_SUD_Legislation.pdf)

<sup>5</sup> [http://masonkirby.com/wp-content/uploads/2010/03/nwbhdrb\\_infopacket.pdf](http://masonkirby.com/wp-content/uploads/2010/03/nwbhdrb_infopacket.pdf)

The Central SoMa Plan is predicated on the construction of the Central Subway that connects Central SoMa with Chinatown. The Central Subway addresses a transit need that is long overdue as public transit for SoMa has been inadequate for decades. Because of years of lack of infrastructure improvements, the Central Subway is addressing a past need, not a present or future need. As State Senator Scott Wiener has said, "San Francisco's unfunded transportation needs are billions and billions of dollars" because "MTA has a long history of not moving quickly enough on important capital projects"<sup>6</sup> Thus, even with the new Central Subway, the transportation infrastructure will continue to be inadequate.

There is also mention of the construction of the new Transbay Terminal just to the east of the Central SoMa Plan Area. However, Transbay Terminal won't be completed for some time, and it is unclear whether it will connect with CalTrain. Also, proximity to BART should not factor into the Central SoMa Plan because it runs down Market Street which is two to three long blocks north of the Central SoMa Plan Area. BART is not only far from the Plan Area, it has its own issues with capital obsolescence, and is hardly in condition to accommodate dramatic growth.

The DEIR is also negligent in assessing the new impacts of ride-hailing/ Transportation Network Company (TNC) services like Uber and Lyft. The references in the DEIR on pages IV.D-65 and IV.D-76 are completely inadequate. Their impact can in no way be equated with bicycles in terms of traffic or environmental impact. Their vehicles circle endlessly as they aim to be proximate to the next person who orders their services such as rides and food deliveries. As more office space and more residences are built in the Plan Area, the volume and impacts from these services will increase dramatically. The DEIR completely ignores this environmental impact.

The increase in ride-hailing/ TNC traffic not only increases "Vehicle Miles Traveled" (the new CEQA standard in assessing traffic impacts) it will also impact the "Level of Service" (the CEQA previous standard) at many intersections. It will also impact pedestrian safety in ways that have not been studied. All of these omissions-- inadequately evaluating the transportation infrastructure needs of the current and increased future population and the lack of proper analysis of ride-sharing traffic-- make the DEIR dangerously deficient.

#### **4. The Proposed Intensity of Development and Relaxing of Development Controls Have Not Been Evaluated With Respect to State Density Bonus Laws in the DEIR**

In 2016, the City passed the "Density Done Right" legislation allowing 100% affordable housing developments to apply for a significant increase in height and number of units without any rezoning. Also during 2016, legislation passed at the State level to enable developers throughout California to more easily take advantage of State Density Bonus incentives.

The DEIR references these laws on p. II-22 but only in reference to increased heights. It's unclear how the State Density Bonus will or will not be applied to heights and to unit counts for

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<sup>6</sup> <http://www.sfexaminer.com/wiener-proposes-major-fundraising-legislation-for-transportation-agencies-statewide/>

market rate developments, especially in light of Planning's approval of the project at 333 12th Street, the first housing development in San Francisco to be approved with applying the State Density Bonus. The DEIR also references the Density Bonus for affordable housing projects on p. VI-2 but says that the increased number of units has not been considered for the DEIR. The DEIR is incomplete if it does not completely study the impacts of increased heights and increased number of units for both affordable and market rate housing.

The DEIR must also completely disclose to the public where developers are eligible to use either the State Density Bonus Program, or the San Francisco "Density Done Right" program. The DEIR must clearly indicate on maps where those sites are located, and must compare the new proposed zoning and its resulting intensity of use with the potential intensity of use if developers take either the State or Local density bonus. The DEIR must compare the relative impacts of these two scenarios on the environment. Without these analyses for each project within the plan area, as well as the overall impacts, the DEIR is inadequate.

#### **5. The Economic Impacts From Displacement Were Not Analyzed in the DEIR**

Regardless of the assertions in the DEIR, there are environmental impacts due to displacement of residents from their homes or small businesses in SoMa, especially when considering the huge increase in "Vehicle Miles Traveled" that will result with this proposed Central SoMa Plan.

There are several ways that the Central SoMa Plan encourages displacement in an area already suffering from increased no-fault evictions and skyrocketing rents. A UC Berkeley study in collaboration with UCLA shows that SoMa is undergoing "advanced gentrification."<sup>7</sup> Gentrification happens when more affluent people replace less wealthy people. The DEIR encourages luxury, high end housing in SoMa, which in turn encourages the price of other housing to increase. Landlords of adjacent properties begin to charge more rent to cash in on the new populations in the nearby luxury condos or new high-end shops.

The DEIR upzones large swaths of Central SoMa. Upzoning of property increases the values of the underlying land, which leads to increased costs for residential and commercial tenancies and increased sale prices. Therefore existing residents or small businesses that are paying less than the new market rate will be forced out. Upzoning incentivizes tearing down existing housing and existing small businesses so that developers can maximize the new build-out potential of that property. Coupled with the relaxing of local controls and push to have less local approval hearings, there will be less incentive for developers to provide "right to return" or provide increased levels of affordability to existing residents or businesses that will be forced out when the buildings are torn down.

There are no new protections being implemented by the DEIR for existing tenants and community serving institutions and businesses. Other than the push to preserve certain historic areas and buildings, there are no new protections in place to prevent displacement that the City

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<sup>7</sup> <http://www.urbandisplacement.org/map/sf>

knows will occur due to the new development that will be incentivized by this Central SoMa Plan (as exhibited in Plan Bay Area “Communities of Concern”). As shown in a University of California Berkeley report on transit oriented development and gentrification<sup>89</sup>, areas in the Bay Area that have convenient access to transit are areas most likely to suffer gentrification and displacement, including SoMa.<sup>10</sup> The Central SoMa Plan talks about increasing land values as a primary reason for the underlying elements of the Central SoMa Plan, yet it does not adequately take into account the fact that increased land values cause speculation and displacement. The increased land values presented in the Central SoMa Plan’s various “menu” options is a recipe for massive displacement of existing residents and small businesses.

Large-scale displacement creates a significant environmental impact when considering CEQA’s “Vehicle Miles Travelled” standard. Working class and lower income households get displaced outside San Francisco and their commutes increase, increasing their “Vehicle Miles Travelled.” When people who work in SoMa are displaced, they will often retain their employment in SoMa, therefore their “Vehicle Miles Travelled” will increase. Many existing residents in SoMa can not afford the luxury homes that are and will be built in SoMa and access to affordable housing is extremely limited, so if for any reason they need to move out, it’s highly unlikely they will move be able to stay in the neighborhood.

Furthermore, much of the luxury housing that gets built doesn’t provide housing even though it’s approved by Planning to be residential housing units. When these units are used as “pied-a-terres” or “short term rentals” or “corporate rentals” or “student housing”, they are not helping to alleviate any housing shortage, because although they are approved by Planning as residential use, they are not in fact used for residential purposes. Therefore people are being displaced and commuting farther for work, meanwhile the new housing units aren’t necessarily supporting residents being able to live in homes close to their work.

Replacing low income residents with higher income residents replaces a population with lower car ownership with a population that has a higher rate of car ownership.<sup>11 12</sup> More affluent people are also more likely to use ride-hailing/ TNC services than public transit. They have access to the smartphone-based apps and can pay more for a ride than public transit riders. This puts more single vehicles on the road that are idling and circling in their competition for fare-paying customers. There are also tech shuttles that service SoMa residents to take them to their offices on the Peninsula. The impacts of the increased “Vehicle Miles Travelled” caused by the new, more affluent populations which is encouraged in the DEIR is not considered in the document.

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<sup>8</sup> <http://ucconnect.berkeley.edu/transit-oriented-development-and-commercial-gentrification-exploring-linkages>

<sup>9</sup> <http://www.urbandisplacement.org/map/sf>

<sup>10</sup> <http://communityinnovation.berkeley.edu/reports/Gentrification-Report.pdf>

<sup>11</sup> <http://socrates.berkeley.edu/~raphael/BerubeDeakenRaphael.pdf>

<sup>12</sup> <http://www.sciencedirect.com/science/article/pii/S0965856400000185>

This means that gentrification has a “quadruple” environmental impact by lengthening the commute times of people working in SoMa from their new place of residence outside of San Francisco; replacing these people with a population more likely to own and use automobiles; increasing the number of people living in SoMa as a “bedroom” community for their commute on a shuttle to the Peninsula; and increasing use of ride-hailing/ TNC services whose vehicles constantly idle and circle in competition for rides. None of these impacts of gentrification on the environment have been studied, which is a significant flaw in the DEIR.

## **6. The DEIR Omits Analyses of the Current Trend of Residential Units Not Being Used as Traditional Housing**

Cities across the US and even Canada are learning that developers are not producing housing units to be used for housing people. Many cities are now fully realizing the negative impacts of the push to “build, build, build”, an ideology fully embraced by this Central SoMa Plan. Footnoted here are examples of Vancouver<sup>13</sup> and New York City<sup>14</sup> that show that in a world where real estate is solely developed as a commodity and home-sharing is corporatized, often new condos are not being occupied by local residents, or any people at all. Also footnoted is a map of vacant units in San Francisco indicating that many of our City’s vacant units are in SoMa.<sup>15</sup>

We are not opposed to building new housing, but we feel that it is environmentally important to ask the question, who are we building new housing for? Without adequate controls and enforcement in place:

- SRO’s in SoMa will not continue to be used as open and accessible affordable housing options;
- new condos will be affordable only as high end luxury housing or sitting vacant because they are owned by investors who have no intention of living in these units;
- new condos will be used as commercial “short term rentals” instead of as residential use;
- new condos will be used as “corporate rentals” instead of as residential use; and
- other buildings will be used as “student housing” instead of residential use.

The inadequacy of the DEIR is that it studies the impacts of residential development as though it will be used for residences. The environmental impacts of corporate rentals, short term rentals and other commercial uses are different from residential uses. Without sufficient controls and enforcement, there is no way to ensure that new housing that is incentivized to be built under this new land use Plan will be used as housing.

## **7. The 5M Project Must be Included in the DEIR Analysis**

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<sup>13</sup> <http://www.theglobeandmail.com/real-estate/vancouver/dark-windows-illuminate-problems-in-vancouver-real-estate-market/article31822833/>

<sup>14</sup> <https://www.nytimes.com/2015/02/08/nyregion/stream-of-foreign-wealth-flows-to-time-warner-condos.html>

<sup>15</sup> <http://www.antievictionmappingproject.net/vacant.html>

The DEIR has moved 5M from being “Plan-induced growth to cumulative growth” per footnote on p. IV-5. The problem is that 5M is the largest single development within the boundaries of the Central SoMa Plan Area. It created new rules for development (its own Special Use District) that were based on recommendations from a draft version of the Central SoMa Plan.

Furthermore, new development in the Central SoMa Plan Area is being proposed in this Plan at a scale that is conversely driven by the scale of development that Planning pushed to approve for 5M. With 5M being the largest single development in Central SoMa, they must be considered together in the Central SoMa Plan. They have linked, not dissociated as separate, cumulative impacts. 5M is not built and its construction timeline is not clear. 5M should be studied as a principal contributor to the environmental impacts of the Central SoMa Plan. The omission of any analyses of the impacts of the 5M project in the DEIR is a critical flaw of the DEIR.

#### **8. The Impacts of New Office Space and Lack of Local Hiring Requirements are Not Properly Presented or Studied in the DEIR**

The DEIR is inadequate on the grounds that it does not incorporate all the City’s policies with respect to office space development controls. Page III-19 of the DEIR details the City’s pipeline of office developments with respect to Planning Code Section 321, which caps large office construction at 950,000 square feet per year. The way that this section III.C.2 is presented is unclear since there is additional office space development that is not subject to this cap because the cap only applies to “large office.” Furthermore, this section of the DEIR fails to incorporate the voter approved Proposition O passed in November of 2016, which significantly increased the large office cap to include an increased amount of office space at the Shipyard. The Plan is focused on constructing a massive amount of new office space and essentially makes SoMa a second Financial District (this is true for all the Project Alternatives as well). The DEIR’s lack of clarity on how it will comply with Prop M requirements, especially in light of the passage of Proposition O, is a critical flaw.

Given the intensity of new high-end office space that is being proposed, the fact that “local hiring and training goals” are still in the section of the DEIR called “Areas of Controversy and Issues to be Resolved” (p. S-79) is not only offensive to the community, but is potentially very damaging environmentally. With this approach, Planning is saying that new jobs in SoMa will be for people who are not current residents which indicates an in-migration of new people. Planning is also saying that current residents of SoMa will have to move somewhere else to find work. What are the environmental impacts of all this forced migration? This is not analyzed in the DEIR. Also, as new, more affluent people move into SoMa displacing current residents who live and work in SoMa, how much farther will those displaced workers have to travel and what is the resulting environmental impact? Again this is not analyzed in the DEIR.

#### **9. Consideration of Continued PDR Uses in Central SoMa is Inadequate**

Page S-4 of the DEIR clearly indicates that Planning has not created an actual plan for Production, Distribution and Repair (PDR) uses in its vision for Central SoMa. This has historically been one of San Francisco's most important areas for PDR uses, which ensured a diversification of the economic base of the city and job opportunities for people with trade credentials, not just advanced university degrees.

The DEIR indicates that it is removing "protective zoning" for PDR, but there is no complete report of how much PDR has been lost since the implementation of the Eastern SoMa Plan, which was in part intended to protect against the loss of PDR. Creating "incentives to fund, build, and protect PDR uses" is problematic since features that appear to be incentives today will quickly not be incentives tomorrow depending on land use, financial, and capitalization macro conditions that are driving the development market at any particular time.

There are many innovative mixed-use building types, but the prospect of "require(ing) PDR space as part of large commercial developments" seems to be a limited application. It would be important to understand what precedent there is for such a mix of uses in new developments and how likely it would be to have PDR on the ground level of a large commercial tower. What kind of PDR would it be? Who would be employed?

For all PDR, we are concerned that there be increasing job opportunities for SoMa residents and diversification of San Francisco's economy. This will protect San Francisco against "boom and bust" cycles; it will ensure that there is less regional impact on the environment that comes when sectors of the economy are segregated geographically; and will therefore result in less "Vehicle Miles Traveled."

The Plan calls for adding technology jobs to SoMa, yet these jobs are largely inaccessible to existing community residents. SoMa needs a diversity of job types in the neighborhood that are not only accessible to community residents but provide a living wage that can support workers to stay in the neighborhood. This is highlighted especially in the types of jobs provided by production, distribution, and repair businesses that provide jobs for working class residents and are jobs that cannot afford to be lost. PDR businesses also provide essential support to other industries and sectors so should be proximate to those other functions for them to be viable and effective. More consideration of continued PDR use is required in the DEIR.

#### **10. There is No Proof that the Plan will Accomplish its Goal of Alleviating Housing Prices or Maintaining a Diversity of Residents**

The Plan states as one of its main goals accommodating housing demand and addressing such demand to alleviate housing prices. The Plan, however, does not provide any studies or figures that support the claim that new development will drive down housing costs. As a result, the goal of the Plan of maintaining the diversity of residents, here in terms of socioeconomic makeup, appears empty. The Plan would cause a greater increase in the number of people living and working in the area than would be seen without the Plan, as shown in the DEIR. As the DEIR states on page V-10, "what effect development under the Plan would have on housing

affordability is a matter of considerable controversy,” and that “the influx of real estate investment and higher income, residents may increase gentrification of a neighborhood, with displacement of households being a negative outcome.”

Further study must be done regarding what effects new housing development will have on housing prices if the Plan is serious about its commitment to maintaining a diversity of residents in the area. If new housing development under the Plan-- the majority of which is market-rate-- cannot be proven to bring down housing prices, the Plan will then only work to exacerbate the gentrification and displacement crisis in the area. Studies must be done to address these facts if the Plan is to move forward in meeting its core goals, especially as they relate to affordability and maintaining a diversity of residents.

### **11. The Plan Continues to Provide an Inadequate Amount of Open Space in SoMa By Relying on POPOS**

The SoMa is the most open space deficient neighborhood in San Francisco<sup>16</sup>, along with the neighboring Tenderloin. Instead of providing sufficient, green and publicly accessible open space, Planning has been defaulting to providing new open space for SoMa through Privately Owned Public Open Spaces (POPOS)<sup>17</sup>. POPOS have a negative impact on the community for many reasons:

- These spaces aren't truly open to the public, activity is discouraged and hours are limited;
- POPOS are not protected by the Proposition K Shadow Ordinance because they are not open spaces owned by the City's Rec and Park Department;
- Because there's no Prop K protection, it's difficult to establish a standard of shadow protection for these open spaces because CEQA is not specific on this matter;
- These spaces do not represent the type of open space that is public and accessible for use by youth, families, and seniors (like a public park); and
- POPOS overly regulate the types of activities allowed and have restrictive hours that limit access;

SoMa has such a lack of places for public recreation and truly accessible open spaces that there must be a clear plan for creating new public open spaces that are owned and managed by Rec and Park.

### **12. The Plan Does Not Address the Stabilization of SoMa based Non-Profit Organizations**

The Central SoMa Plan has no provision for stabilizing nonprofit organizations in the neighborhood. As studied by Supervisor Kim, MOHCD, and the Northern California Community

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<sup>16</sup> [http://default.sfplanning.org/publications\\_reports/library\\_of\\_cartography/OpenSpaceMap.pdf](http://default.sfplanning.org/publications_reports/library_of_cartography/OpenSpaceMap.pdf)

<sup>17</sup> <http://sf-planning.org/privately-owned-public-open-space-and-public-art-popos>

Loan Fund, the escalation in property values, and the lack of commercial rent control has put nonprofit organizations at imminent risk of displacement.<sup>1819</sup>

By encouraging the construction of a second financial district, commercial rents will become increasingly more expensive placing nonprofit organizations even more at risk. Low income and immigrant communities in SoMa rely on many of these nonprofit organizations for basic services and to be able to survive in the community. Without these organizations, SoMa residents will be further at risk for displacement.

As noted elsewhere in this letter, displacement does result in environmental impacts. Therefore, the DEIR is deficient in that it does not recommend strategies for stabilizing nonprofit organizations in SoMa.

### **13. The DEIR Does Not Adequately Study the Health Impacts from Increased Noise, Degraded Air Quality, Pedestrian Safety Hazards, and Increased Wind Speeds**

On page V-3, section V.B.6 "Wind" it says that "Subsequent future development anticipated under the Plan could alter wind in a manner that substantially affects public areas." Organizations that work with seniors and people with disabilities in SoMa are concerned that any increase in wind speeds caused by the heights and bulk of the proposed buildings in Central SoMa will cause a hardship and injury to seniors and people with disabilities at both public open spaces and in the public rights of way.

Noise in SoMa is already the worst in the City.<sup>20</sup> Any increase in noise levels from construction incentivized by the Central SoMa Plan (p. VI-44 says it would be "significant" and that Mitigation Measure M-NO-2a "would be insufficient to reduce the construction-related noise impacts to a less than significant level" on p VI-45). Noise levels especially from construction activity have not been studied in the DEIR. Also after construction, the degraded air quality from increased traffic, increased idling from vehicles stuck in traffic or increased ride-hailing vehicles, or from increased truck traffic will all have detrimental impacts.

We are also concerned about the vulnerability of seniors and people with disabilities while walking in the neighborhood to injury from vehicle collisions. Providing sidewalk extensions may help in some areas, but the extent of increase in automobile traffic is under-reported in the DEIR, and the potential incidents of pedestrian injuries from automobiles is also under-estimated. These environmental impacts are not sufficiently studied in the DEIR.

### **Conclusion: Preparation of the DEIR Did Not Sufficiently Allow for Public Input**

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<sup>18</sup> <https://www.nccf.org/npdmitigation/>

<sup>19</sup> <https://sfgov.legistar.com/View.ashx?M=F&ID=2730532&GUID=77CFF0CE-7AC6-4569-ACEE-D2568711018F>

<sup>20</sup> [http://default.sfplanning.org/publications\\_reports/library\\_of\\_cartography/Noise.pdf](http://default.sfplanning.org/publications_reports/library_of_cartography/Noise.pdf)

The Central SoMa Plan DEIR is inadequate and should be revised with the additional suggested studies and recirculated to address the critical flaws we outlined above. Going forward, a version of the Central SoMa Plan that creates a family-friendly neighborhood would be SOMCAN's preferred alternative. We are recommending that Planning study a new alternative that supports growth of SoMa in a way that supports the needs of current and future youth, families and seniors. None of the alternatives currently outlined in the plan supports this vision or these needs, and instead will reshape SoMa to be San Francisco's second Financial District with little regard to the protection of the environment of existing residents, small businesses, non-profits and PDR spaces.

The preparation of this DEIR did not adequately allow for incorporation of community input. For example, the boundaries of the Central SoMa Plan changed significantly during 2016, and the public was not sufficiently noticed. Despite SOMCAN's history in engaging with a diverse and large constituency in SoMa, SOMCAN was not provided an opportunity to participate in TODCO's "community alternative", and therefore we can not endorse this alternative. While the Mid-Rise Alternative has intriguing elements, it does not come close to being a vision that we can embrace. The changes in boundaries, the brief public comment on the published DEIR all make it impossible for the SOMCAN, its members and the larger SoMa community to adequately assess the Plan or any of its proposed alternatives.

As a public disclosure document, the Central SoMa DEIR is wholly insufficient and a new alternative should be studied that fully supports families and seniors in SoMa, and the DEIR should be recirculated for public input and review.

*Sincerely,*

Angelica Cabande  
SOMCAN  
Organizational Director

Joseph Smooke  
SOMCAN  
Board Chair

CENTRAL SOMA PLAN  
 AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/16 LAND USE & TRANSPORTATION COMMITTEE

180184  
 180185  
 7/16/18  
 SUBMITTED IN  
 COMMITTEE

= non-substantive edits

#	Sec.	Page / Line	Change	Rationale / Notes
1	Section 2, Finding (d)	pg 8, lines 1-16	Add a finding establishing intent for the Board of Supervisors to revise the jurisdiction and composition of Citizen Advisory Committees (CACs) to guide Plan implementation.	To advance future legislation to revise the Eastern Neighborhoods CAC and split it into two bodies, one serving the three SoMa Plan Areas (East, Central, and West SoMa), and one serving the southern Plan Areas (Mission, Showplace Square / Potrero Hill, and Central Waterfront). A process would be developed to incorporate the recommendations of neighborhood stakeholders and community members.
2	Section 2, Finding (e)	pg 8, lines 17-24	Add a finding establishing intent for the Board of Supervisors to develop a "Good Jobs Policy."	To advance future legislation to promote good jobs with living wages in the Plan area.
3	128.1(b)	pg 20, line 25; pg 21, line 1-2	Clarify the FAR definition for Transferable Development Rights to exclude: - lot area devoted to land dedicated to the City for public parks or recreation centers - lot area devoted to development of affordable housing buildings	Clarifying amendment
4	128.1(c)	pg 21, line 15	Reverse the terms "Development Lot" and "Transfer Lot".	Corrects drafting error in sequence of terms.
5	132.4(d)(1)(B)(iv)	pg 24, lines 1-2	Increase allowed streetwall architectural modulation from five feet to eight feet.	Preserves the sense of a substantial edifice while allowing for inset balconies.
6	135.3	pg 32, lines 10-12	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.	Corrects drafting error to properly cross-reference Section 138.
7	138(a)(2)	pg 33, lines 2-3	Clarify that retail uses are not required to provide POPOS.	Corrects drafting error to include retail uses. Retail uses (like institutional uses) would still need to provide usable open space per Section 135.3.
8	138(d)(2), subsections (A) & (B); 138(e)(2)	pg 35, line 14-19; pg 37, line 19-21	Update references to point to appropriate subsections.	Corrects drafting error in references within Section 138.
9	138(d)(2)(E)(i)	pg 36, lines 4-5	Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors.
10	138(d)(2)(F)(ii)	pg 36, lines 13-14	Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.	This change would facilitate the creation of mezzanines within the POPOS.
11	151.1	pg 42, lines 4-6	Change parking requirements to up to 0.25 spaces/unit principally permitted or up to 0.5 spaces/unit with a Conditional Use Authorization.	To limit parking in this transit-rich district, in keeping with the citywide TDM program.
12	155(r)(2)(J)	pg 51, line 7	Update reference to point to 329(e)(3)(B).	Corrects drafting error in references
13	155(u)	pg 52, lines 1-5	Add to the Driveway Loading and Operations Plan (DLOP) the requirement that projects include a Passenger Loading Plan. Whereas the DLOP focuses on issues within the building, the PLP would focus on on-street loading issues.	The Passenger Loading Plan is a new concept aimed at minimizing the impact of passenger drop-offs, particularly on high injury corridors. All of the projects required to do such a Plan would also be required to undertake the DLOP, so there's synergy in merging the two efforts.
14	249.78(c)(1)	pg 64, lines 18-23	Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as long there is a doorway every 25 feet.	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
15	249.78(c)(1)(D)	pg 64, line 16-17	Add that hotels are allowed as an active commercial use per 145.4.	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
16	249.78(c)(4)	pg 65, lines 6-9	Modify the Micro-Retail definition to require that spaces measure no less than 100 gross square feet, and modify the requirement so that it applies to new non-residential development only.	To provide a minimum micro-retail size to ensure usable retail space, and to allow maximum flexibility for residential projects.
17	249.78(c)(4)	pg 65, line 9, 12	Key site exception - Micro Retail requirements (c)(4) - make it clear that it refers to "lots" not "sites."	Clarifying amendment

#	Sec.	Page / Line	Change	Rationale / Notes
18	249.78(c)(5)	pg 66 line 7-12	Clarify the PDR replacement language to indicate that the requirement would only apply to the nonresidential portion, and would exclude residential & POPOS.	Clarifying amendment
19	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 10	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses. Amend the eastern boundary of the area where the off-site PDR requirement may be satisfied from Embarcadero Street to Second Street.	Like PDR, these uses are beneficial to the community and can only pay limited rent. The eastern boundary for off-site PDR replacement is being amended to conform with the Plan area boundary.
20	249.78(d)(3)(C)	pg 69, lines 3-6	Allow projects the flexibility to provide their living and solar roof elements of subsections 249.78(d)(3)(C)(i)-(v) on any rooftops within the subject project, provided the equivalent amount of square footage is provided.	To allow some flexibility
21	249.78(d)(5)(C)	pg 70, lines 5-6	Clarify lot merger restrictions to exempt the Key Site identified in 329(e)(2)(C), consistent with the Key Development Site Guidelines.	Clarifying amendment
22	249.78(d)(7)	pg 72, line 1	Wind standard – clarify that projects must meet the Nine Hour Criterion <i>with mitigations</i>	Clarifying amendment
23	249.78(d)(9)	pg 72, line 16-25; pg 73, line 1-3	In the Central SoMa SUD, - allow units above 85' in height to meet exposure requirements if they are 15' back from the property line, - allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and, - do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor.	These changes would make a rule of commonly granted exceptions.
24	263.32, 263.33, 263.34	pg 83, line 6-7, pg 84, lines 16-17, pg 85, lines 6-7	Clarify that projects that comply with these Special Height Exception sections do not need a Conditional Use approval.	Corrects oversight such that dedicated affordable housing sites can receive the height bonus just as sites that build units or that dedicate land for open space.
25	263.32(b)(1)	pg 82, lines 21-24	Clarify that sites that donate land for affordable housing are eligible for this Special Height Exception.	The purpose of this height bonus is to incentive projects to provide sites for affordable housing and open space – provide benefits that are otherwise difficult to site in a dense neighborhood. This change is in keeping with the intent of this section in that it maintains the benefit for projects in 160' height districts.
26	263.32(c)(3)	pg 83, lines 23-25	Clarify that sites that utilize this Special Height Exception to exceed 160 feet are still subject to controls in Section 270 for mid-rise projects and not towers.	Clarifying amendment
27	Table 270(h)	pg 90, line 11	For Perry Street, make the Base Height "none".	This is the correct change to effectuate the goal of treating Perry St. like current northern sides of alleys, as discussed in the Central SoMa Plan's Implementation Matrix.
28	329(d)	pg 96, lines 10-11	Add a subsection referencing the ability to grant exceptions for wind per the controls contained in Section 249.78(d)(7).	Corrects drafting error to properly cross-reference 249.78(d)(7) and 329(d).
29	329(d)	pg 96, lines 4-5	Add a subsection referencing the ability to grant tower separation exceptions per the controls contained in Section 132.4(d)(3)(B).	Corrects drafting error to properly cross-reference 132.4(d)(3)(B) and 329(d).
30	329(d)	pg 95, lines 18-21, pg 96, lines 6-7	Add a subsection enabling exceptions for the freight loading requirements of Sections 154 and 155, and to allow the "Driveway and Loading Operations Plans" (DLOP) per Section 155(u) to be used when evaluating this exemption.	These are commonly granted exceptions that are important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
31	329(d)	pg 96, lines 8-9	Add a subsection allowing for exceptions for exposure requirements under Section 140/249.78	This is a commonly granted exception that is important to maintain but would otherwise be removed based on proposed changes to 329(d)(12).
32	329(d)	pg 96, lines 12-13	Add a subsection allowing for exceptions to lot coverage requirements pursuant to 249.78 for projects that convert from nonresidential to residential.	Clarifying amendment

#	Sec.	Page / Line	Changes	Rationale / Notes
33	329(e)(2)(A)	pg 97, lines 20-23	Include donation of land for affordable housing per Sec 419.6 (Alternatives to the Inclusionary Housing Component) as qualified amenities to be considered a Key Site.	Corrects oversight based on benefits proposed by Key Sites (for residential projects only).
34	329(e)(3)	pg 97, line 17	Clarify that Key Sites may utilize the exceptions granted in 329(d).	Extra language needed to make sure intent of this section is clear.
35	329(e)(3)(B)	pg 98, Lines 3-4	Clarify that Key Sites can have exceptions for tower separation even greater than the exception in 132.4	Clarifying non-substantive amendment
36	329(e)(3)(B)	pg 97, line 9-25; pg. 98, line 1-6	Limit certain exceptions to specific Key Development Sites, as discussed in the Key Development Sites Guidelines.	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
37	Add new section 329(e)(3)(B)(i)	pg 98, lines 11-16	On the Key Site identified in Section 329(e)(2)(B), the ground floor non-residential height in Sections 145.1 and 249.78(d)(8) may be reduced to 14'. In addition, the apparent mass reduction controls in Section 270(h)(2) may be reduced as follows: (A) on the building frontage on Harrison Street: 50%; (B) on the building frontage on Fourth Street: None.	
38	Add new section 329(e)(3)(B)(ii)	pg 98, lines 17-21	On the Key Site identified in Section 329(e)(2)(C), exception to the lot coverage limits in Section 249.78(d)(4), the micro-retail requirement in 249.78(c)(4), the active use requirement in Section 145.1, and the ground floor commercial use requirements in Section 145.4. In addition, the site may be permitted to seek a Conditional Use Authorization to establish a Formula Retail Restaurant or Limited Restaurant, pursuant to Section 303.1.	<i>• STRIKING LIMITED RESTAURANT ONLY FORMULA RETAIL RESTAURANT</i>
39	Add new section 329(e)(3)(B)(iii)	pg 98, lines 22-23	On the Key Site identified in Section 329(e)(2)(D), exception to the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.	
40	Add new section 329(e)(3)(B)(iv)	pg 98, lines 24-25	On the Key Site identified in Section 329(e)(2)(G), exception to the PDR space requirements of Section 249.78(c)(5).	
41	Add new section 329(e)(3)(B)(v)	pg 99, lines 1-6	On the Key Site identified in Section 329(e)(2)(H), exception to the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r) and to the required nonresidential use in Section 249.78(c)(6). In addition, the usable open space requirement pursuant to Section 135 may be reduced to 60 square feet of usable open space required for each dwelling unit if all private.	
42	413.7	pg 102, lines 8-13	Require the Director of Property to either conduct or approve the land appraisal for land dedication in satisfaction of the Jobs-Housing Linkage Fee requirement	Clarifying amendment
43	418.7(a)	pg 106 line 21 through pg 107, line 8; pg 108 lines 7-8	Update SoMa Stabilization Fund to allow funding to accrue from the Central SoMa Community Facilities District.	Change necessary to legalize the funding structure proposed by the Plan.
44	418.7(b)(2)	pg 107, lines 20-23	Update SoMa Stabilization Fund to reference Central SoMa Implementation Program Document	Change necessary to legalize the funding structure proposed by the Plan.
45	426	pg 120, lines 4-9	Clarify that the POPOS in-lieu fee should not be charged where exceptions from design standards are granted.	Clarifying amendment
46	434	pg 132, line 9 through pg 134, line 4	Add a Section that describes the purpose, applicability, and requirements of the Central SoMa Mello-Roos Community Facilities District	This language was always proposed for inclusion but was not ready for discussion until this time.

Item #	Sec.	Page / Line	Change	Rationale / Notes
47	848	pg 202, lines 8-20	Add a cross-reference in the CMUO table to the residential lot coverage requirements in 249.78.	Non-substantive amendment but not included in the Case Report
48	Zoning map amendments & various conforming sections in Planning Code	Zoning map ordinance: pg 4, line 17-19; pg 5, line 4-5; p 6, line 20; pg 7, line 15 & 22	Modify the proposed zoning as follows: <ul style="list-style-type: none"> <li>- Keep the MUR zoning on the portions of Assessor blocks 3725, 3732, 3750, 3751, 3752 and 3753 that are currently zoned MUR</li> <li>- Rezone the WMUG- and M-zoned parcels in block 3733 in the Plan Area and the WMUG-zoned parcels in block 3752 to MUR</li> <li>- With the exception of parcels that are part of Key Development Sites, rezone the SALI-zoned parcels on blocks 3777, 3778, 3785 to MUG</li> </ul>	To increase housing development by limiting hotels and other non-residential uses.

180184  
7/16/2018

SUBMITTED IN COMMITTEE

Requested Code Amendment under BOS File 180184

Proposed Planning Code Section 175.1

*(c) **Applicability.** A Code Conforming Project within the Central SoMa Special Use District may elect to be exempt from the Central SoMa Controls and instead be subject to those controls in place or legislation introduced but not yet adopted immediately prior to the effective date of the Central SoMa Controls, if at least one Development Application for such project was filed before February 15, 2018 and the project receives its first Project Approval by December 31, 2019.*

Contact information for amendment requestor:

Andrew Junius – Reuben, Junius & Rose, LLP  
(415) 567-9000  
ajunius@reubenlaw.com



# SAN FRANCISCO FLOWER MART

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SUBMITTED IN COMMENT  
7/16/18

June 29, 2018

Dear President Cohen and Members of the SF Board of Supervisors,

My name is Jeanne Boes, General Manager and Chief Operations Officer of the San Francisco Flower Mart LLC (SFFM). SFFM is the master tenant of the historic wholesale flower market at 6<sup>th</sup> & Brannan Streets in SoMa. I represent our members/ownership group and our 50+ tenants which make up the San Francisco Flower Mart. I am writing to express our support for the Central SoMa Plan and the Flower Mart Project.

To give you a brief history, the San Francisco Flower Mart has operated in the City of San Francisco since 1912. We were founded by groups of immigrant flower farmers to the Bay Area, Chinese, Italian and Japanese farmers of California cut flowers and plants. We have relocated our market four times over the years in SF, going from selling at the foot of Lotta's Fountain to our current location at 6<sup>th</sup> and Brannan Streets. These farmers even supported and worked their Japanese neighbors' farms during World War II, when Japanese Americans were relocated to internment camps. We have always stayed together in SF!

We are now at another transition in our life in the City, preparing to relocate to a temporary location at 2000 Marin Street, as our partner Kilroy Realty builds-out the new Flower Mart. We are eternally grateful for the support of both Supervisor Jane Kim, and Supervisor Aaron Peskin. These Supervisors worked tirelessly to assure that the temporary location of the SFFM will be at 2000 Marin Street and not at Piers 19 & 23 on the crowded, busy Embarcadero. This temporary site will assure the viability of our tenants during the buildout of the new Flower Mart at 6<sup>th</sup> & Brannan Streets.

Here is a snapshot of the SF Flower Mart. We are part of a \$26 billion US Industry; with retail sales in the US totaling \$7,500,000,000. This means we generate hundreds of millions of dollars annually in the City of San Francisco.

We house over 50 small businesses in the market (vendors), 26 of these vendors qualify as "Legacy Businesses" in SF. They are purveyors of cut flowers, potted plants, blooming plants and floral supply products. Products in our market at one time were only from the immediate Bay Area, now flowers come from all over the world. These products are delivered to our marketplace via the aid of the trucking and transportation industry. We are heavily reliant on semi-trucks and box trucks to receive and distribute our products.

In addition to showing our full support for the Plan and the Project, we want to bring attention to couple of very important issues as they relate to the viability of the wholesale flower market, parking and zoning requirements.



# SAN FRANCISCO FLOWER MART

We employ over 350 blue-collar workers in the Flower Mart, and most of these workers drive their vehicles to work. They currently park on the surrounding streets and alley ways, with no cost to them. Our business depends on the use of personal vehicles -- vans, and box trucks. We are heavily reliant on transportation; public transportation is not an option for our vendors. In addition to the inaccessibility of public transit during our early morning hours, our vendors often arrive with trucks full of product. We operate during the hours of:

12 am to 3 pm, Monday, Wednesday and Friday

5 am to 3 pm, Tuesday, Thursday and Saturday

Our peak hours of operation run from 5-6 am to 12-1 pm Monday-Friday.

We have over 4,300 registered buyers ("Badgeholders"), most of which are small business owners, who operate in every surrounding county of the Bay Area, including SF. Our customers load their vehicles with the product they purchase at the SFFM and deliver the product back to their businesses via personal vehicles, small trucks, or vans. Currently, our parking lot holds 144 customer cars and trucks and is often double parked to accommodate demand. Our vendors park their box trucks on the streets surrounding the market.

In the New Flower Mart Project we have been promised 150 car spaces and 25 truck parking spaces within the parking garage dedicated to the SFFM -- there is no way we can operate with less than that. In addition to those spaces within the project, we will also need to use the parking and loading spaces proposed on the streets surrounding the market for the early morning and late night hours.

Another issue that has been brought to our attention is the zoning requirement for PDR use to have transparent windows and doors on 60% of the ground floor street frontage. Looking at the current design and customer flow, either the windows would look into the refrigeration units causing temperature variations along with sunlight which would damage the product. Our perishable products need regulated stable environments to maximize shelf life. The other option would have the windows opening into the back-of-house of the vendor's operation, resulting in a lack of privacy and security. This requirement would negatively affect the operations of our vendors in the market.

We urge you to approve the Central SoMa Plan, and the Flower Mart Project, which will allow our vendors to continue to grow and thrive for another 100 years in SF. Please also consider the exceptions for the Flower Mart Project related to the two issues described above.

Respectfully,

Jeanne Boes  
General Manager, Chief Operations Officer  
SAN FRANCISCO FLOWER MART LLC

**Central SoMa Zoning Analysis – Suggested Planning Code Amendments**

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

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

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

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

180184

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**From:** Chloe V. Angelis <cangelis@reubenlaw.com>  
**Sent:** Thursday, July 05, 2018 11:36 AM  
**To:** Tang, Katy (BOS); Kim, Jane (BOS); Safai, Ahsha (BOS)  
**Cc:** Daniel Frattin; Ross Guehring; Scott Bastiani  
**Subject:** Central SoMa Zoning Amendments (File No. 180184) - 816 Folsom St  
**Attachments:** LTR to Land Use Committee\_Central SoMa Comments\_816 Folsom 7.5.18 with exhibits.pdf

Chair Tang and Supervisors,

On behalf of citizenM Hotels, attached please find a comment letter regarding the Central SoMa zoning legislation, which the Land Use Committee is scheduled to consider on Monday, July 9. CitizenM is proposing a new hotel at 816 Folsom Street, and this letter outlines our concerns regarding the impact of several Central SoMa zoning controls on this and other small sites.

Thank you.

## REUBEN, JUNIUS & ROSE, LLP

Chloe Angelis, **Attorney**  
Tel: (415) 567-9000  
Fax: (415) 399-9480  
[cangelis@reubenlaw.com](mailto:cangelis@reubenlaw.com)  
[www.reubenlaw.com](http://www.reubenlaw.com)

**SF Office:**  
One Bush Street, Suite 600  
San Francisco, CA 94104

**Oakland Office:**  
456 8th Street, 2nd Floor  
Oakland, CA 94607



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July 5, 2018

**Delivered Via Email and U.S. Mail**

Land Use & Transportation Committee  
Chair Katy Tang (Katy.Tang@sfgov.org)  
Supervisor Kim (Jane.Kim@sfgov.org)  
Supervisor Safai (Ahsha.Safai@sfgov.org)  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, Ca 94102-4689

**Re: Central SoMa Zoning Amendments  
BOS File No. 180184  
816 Folsom – citizenM**

Dear Chair Tang and Supervisors:

CitizenM proposes to construct a 180-foot-tall, 18-story hotel with 208 guestrooms (the "Project") at 816 Folsom Street (the "Property"), between 4th and 5th Streets within the Central SoMa Plan Area. The Central SoMa Plan permits heights up to 180 feet on the Property, but a number of complex design regulations set forth in the proposed ordinance to implement the Central SoMa Plan (the "Ordinance") result in a substantial loss of development potential and drive up already-steep construction costs. The tower setback and streetwall articulation requirements are the most problematic. **Absent modifications to allow minor exceptions from prescriptive Code requirements, a hotel at this site will be financially infeasible, and citizenM will be forced to walk away from the Project.**

CitizenM is an integrated hotel developer and operator with another San Francisco project entitled and underway at 72 Ellis Street. The company currently has 12 hotels operating worldwide and another 12 under construction in the US, with 5 in California alone. Construction of the hotel at 816 Folsom Street would provide 24-30 permanent employment opportunities and over 200 temporary ones. The company plans to work with Webcor Builders for construction of the Project, and will participate in the City's

**citizenM hotels support office**  
leidseweg 219  
2253 AE voorschoten  
the netherlands



First Source Hiring Program for both the construction phase and ongoing hotel operations. Additionally, citizenM has already executed agreements with UNITE HERE-Local 2 for hotel operations at 816 Folsom and with the Plumbers and Steamfitters Local 38, IBEW Local 6, Sheet Metal Workers Local 104, and Sprinkler Fitters Local 483 (the "Trade Unions") regarding construction of the Project.

CitizenM bought the Property a year and a half ago, and since then, construction costs have increased 10 percent. Prescriptive design standards imposed by the Ordinance effectively add up to an additional \$9.5 million in construction costs. If provisions for minor design flexibility are not incorporated into the legislation, the compounding effect of strict Code requirements on unprecedented construction costs will render the Project financially infeasible. The tower setback and streetwall articulation requirements are particularly difficult for a small site like 816 Folsom to comply with, as outlined below, and suggested redline modifications to address these concerns are attached to this letter.

- **Tower setback requirements would drastically limit development potential on small lots.** The Ordinance requires a 15-foot setback for towers above 85 feet. (Proposed § 132.4(d).) On a small lot like 816 Folsom, a 15-foot setback would limit the maximum floorplate size to only 3,500 square feet, resulting in substandard room sizes. (See massing diagrams attached at **Exhibit A**.) It may also be beneficial at certain properties to reduce setbacks on one side to benefit adjoining neighbors and regain lost area on another side where neighbors would not be impacted. The Ordinance should allow exceptions from the tower setback requirements on small sites: minor changes to the prescribed design may benefit neighboring properties and make it possible to realize additional density, while still achieving the design intent of the setback requirements.
- **Streetwall and tower setback requirements applied in tandem cause building misalignment and increase construction costs on small lots.** The Ordinance requires that buildings be built to the property line up to 65 feet and that towers include a 15-foot setback above 85 feet. On some sites, these requirements force misalignment of the building interior between the tower and podium and would necessitate a transfer of the risers and possibly the structure. This has two consequences for buildings: (1) the more complex structural requirements will increase construction costs, which have dramatically increased

citizenM hotels support office  
leidseweg 219  
2253 AE voorschoten  
the netherlands



in the last several years; (2) transferring risers and structures may take up additional space in the building, resulting in a loss of occupiable space (See section diagram at **Exhibit B.**)

At 816 Folsom, the net result of the tower setback and streetwall articulation requirements is to reduce hotel room count by 33 rooms and add a 15% cost premium over an efficient design that might be allowed with minor exceptions. Giving the Planning Commission flexibility to work within the site constraints to apply these requirements will help minimize critical inefficiencies and promote project feasibility in a very challenging market.

These losses to the development potential of the site make the construction of the Project cost-prohibitive, and citizenM may be forced to walk away from the Project if the Central SoMa legislation is not amended to provide some flexibility in the application of the tower setback and streetwall articulation requirements.

Thank you for your consideration and attention to these concerns.

Very truly yours,

**citizenM**

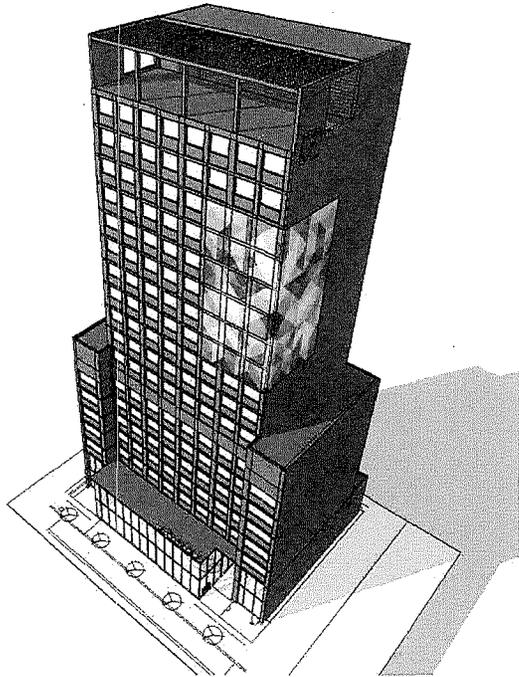
**Scott Bastiani**  
**Project Director USA**

cc:

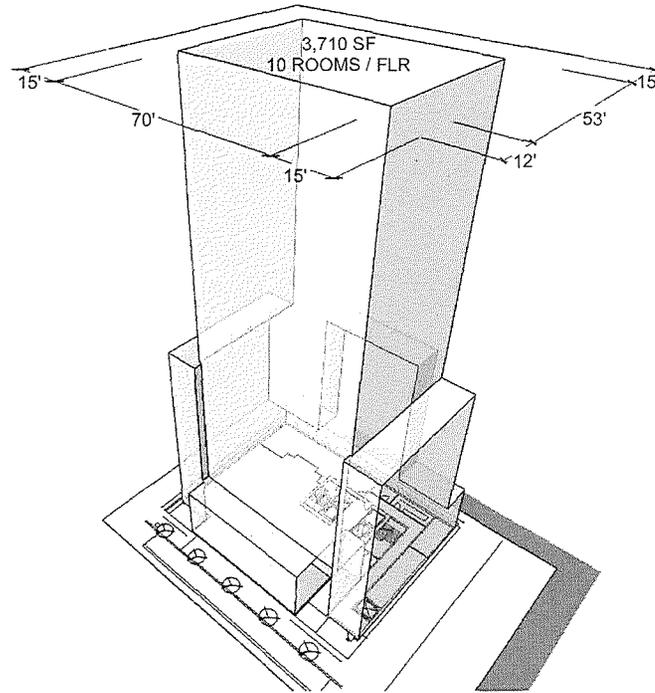
President Cohen (Malia.Cohen@sfgov.org)	Supervisor Ronen (Hillary.Ronen@sfgov.org)
Supervisor Breed (London.Breed@sfgov.org)	Supervisor Stefani (Catherine.Stefani@sfgov.org)
Supervisor Fewer (Sandra.Fewer@sfgov.org)	Supervisor Sheehy (Jeff.Sheehy@sfgov.org)
Supervisor Peskin (Aaron.Peskin@sfgov.org)	Supervisor Yee (Norman.Yee@sfgov.org)
Sarah Dennis Philips, OEWD (Sarah.Dennis-Phillips@sfgov.org)	Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)
Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)	

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**EXHIBIT A**  
**Massing Diagram**

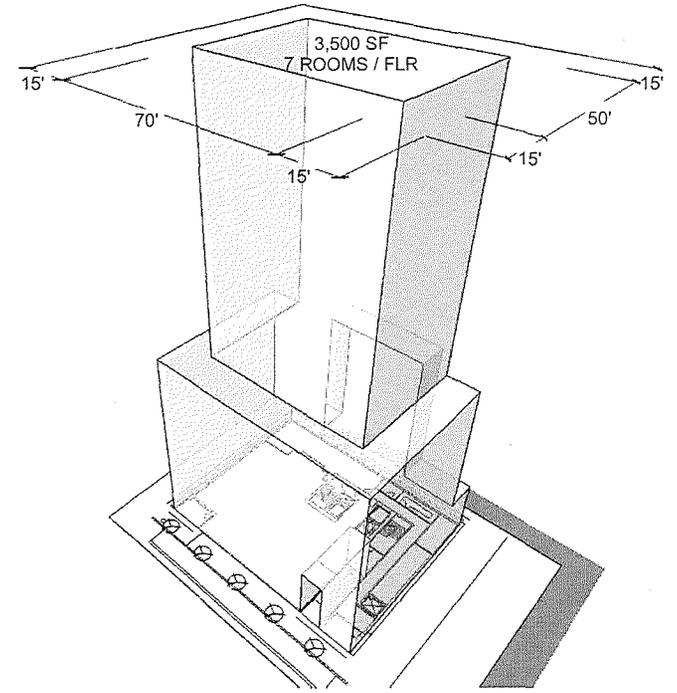


PROPOSED BUILDING



PROPOSED BUILDING (MASSING DIAGRAM)

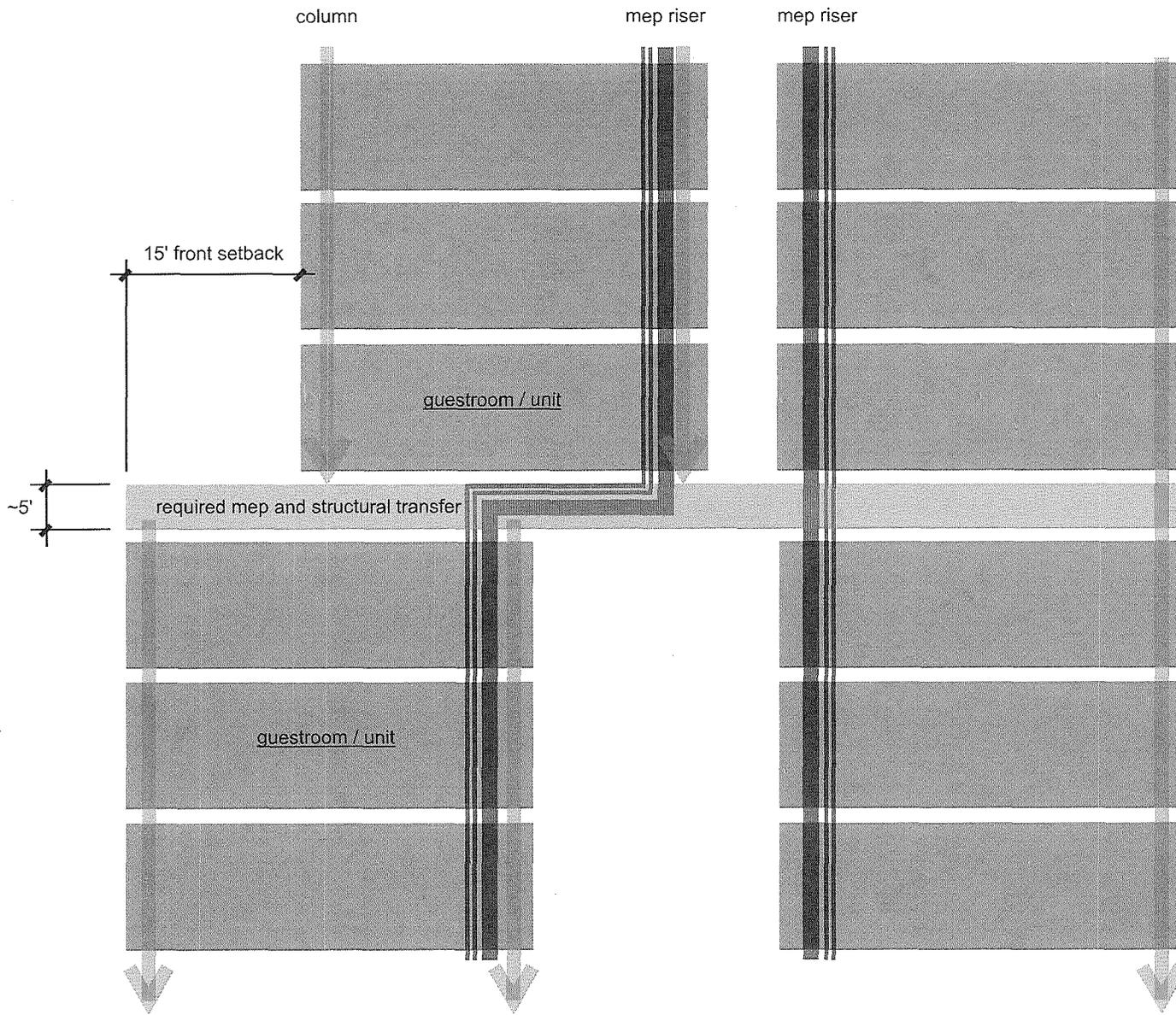
at tower:  
 11 floors at 10 rooms / floor = 110 rooms



PER CODE (MASSING DIAGRAM)

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

**EXHIBIT B**  
**Section Diagram**



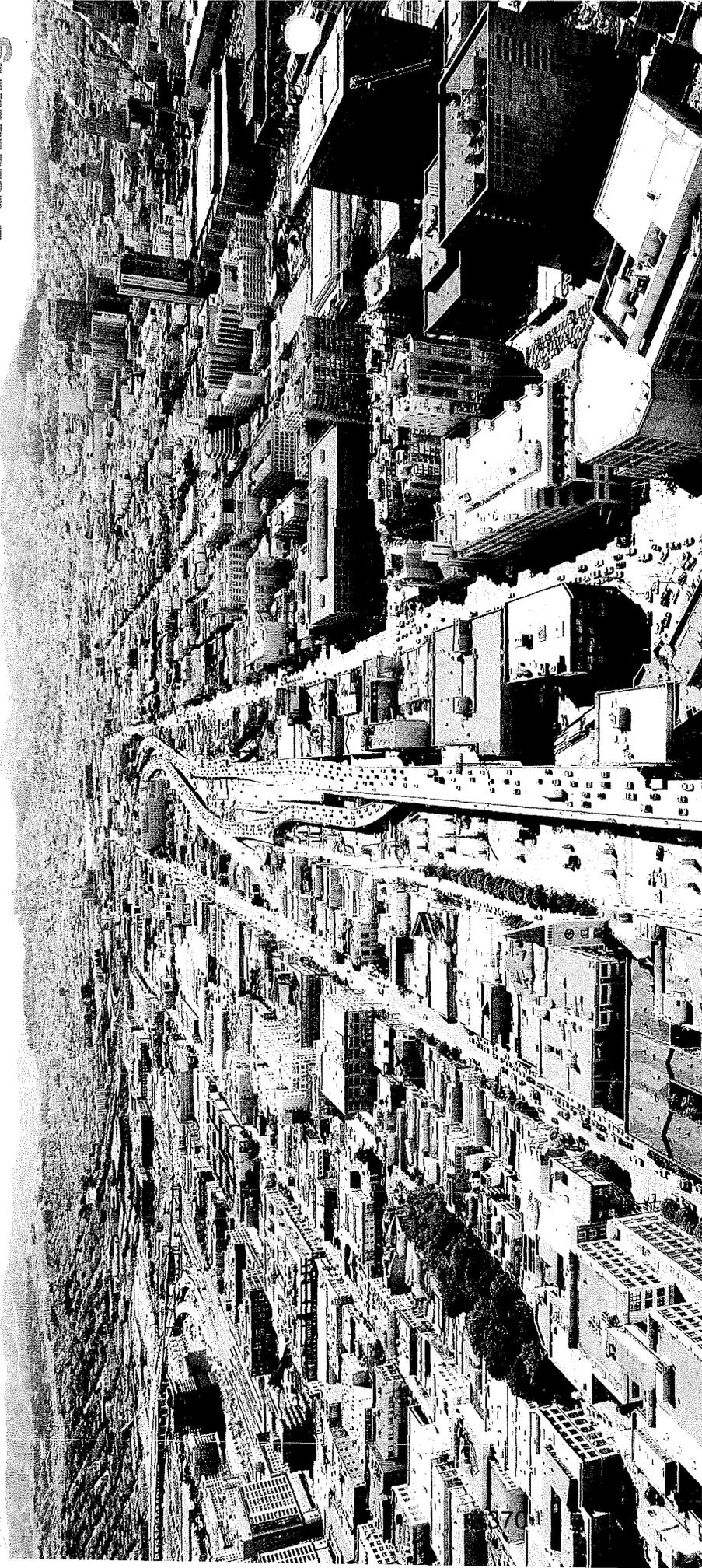
# **EXHIBIT C**

## **Suggested Code Modifications**

**Central SoMa Zoning Analysis – Suggested Planning Code Amendments**

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

Topic	Planning Code Section	Issue	Suggested Revision
Streetwall Articulation	Proposed § 132.4(d)(1)	The streetwall articulation requirements mandate that new projects be built up to the property line up to 65 feet in height. Application of the streetwall articulation requirements in tandem with the tower setback requirements creates building misalignment that drives up construction costs.	<p>Revise proposed § 132.4(d)(1)(B) to allow a permitted streetwall setback above the ground floor on sites that are less than 100 feet deep.</p> <p align="center"><i><u>(B) Permitted Streetwall Setbacks. Notwithstanding the requirements of subsection (A), any building may be recessed from the property line as follows:</u></i></p> <p align="center"><i><u>(i) To the extent necessary to accommodate any setback required by this Code;</u></i></p> <p align="center"><i><u>(ii) For portions of residential buildings with walk-up dwelling units that have setbacks in accordance with the Ground Floor Residential Guidelines;</u></i></p> <p align="center"><i><u>(iii) For publicly-accessible open space built pursuant to the requirements of Section 138; or</u></i></p> <p align="center"><i><u>(iv) For building façade architectural articulation and modulation up to a maximum depth of 5 feet;</u></i></p> <p align="center"><i><u>(v) Above the ground floor on parcels less than 100 feet deep, up to a maximum depth of 12 feet.</u></i></p>
Tower Setbacks	Proposed § 132.4(d)(2)(B)	The proposed language mandates a 15-foot setback for towers for the portion above 85 feet. On small parcels, this setback will drastically limit floorplate sizes and will prevent projects from shifting massing so as to avoid undesirable conditions for adjacent properties.	<p>Revise proposed § 132.4(d)(2)(B) to provide a reduced setback where the Commission finds that a 15-foot setback would unduly restrict the development potential of a site, so long as at least an 8-foot setback is provided.</p> <p align="center"><i><u>(B) For Towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the Tower Portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Pursuant to Section 329, the Planning Commission may grant a modification to this setback requirement as applied to a proposed project if it finds that (1) a 15-foot setback would unduly restrict the development potential of the site and (2) that a setback of no less than five (5) feet is provided along all property lines.</u></i></p>



# CENTRAL SOMA

## PLAN & IMPLEMENTATION STRATEGY

Board of Supervisors - Rules Committee Hearing

July 9, 2018

# TODAY'S ACTIONS

## Hearing to consider:

### 1. Amendments to Administrative Code

- **Section 35:** PDR and Residential / Hotel Compatibility
- **Chapter 43, Section 10:** Special Tax Financing Law

### 2. Amendments to Planning Code

- **Note:** this item is intended to be heard at Land Use & Transportation Committee



# TODAY'S PRESENTATION

- 1 **Overview of the Central SoMa Plan**
  - » Plan vision & goals
  - » Public Benefits package
- 2 **Central SoMa Plan: Administrative Code Amendments**
- 3 **Central SoMa Special Tax District**
  - » Special Tax District Overview
  - » Special Tax Financing Law Amendments

# CENTRAL SOMA PLAN - CONTENTS

<p><b>General Plan</b></p>	<ul style="list-style-type: none"> <li>• Creation of the Central SoMa Plan</li> <li>• Amendments to East SoMa &amp; Western SoMa Plans</li> </ul>
<p><b>Planning Code &amp; Administrative Code</b></p>	<ul style="list-style-type: none"> <li>• <b>Planning Code: creation of the Central SoMa Special Use District (SUD)</b></li> <li>• <b>Admin Code: PDR protection and Special Tax Financing Law</b></li> </ul>
<p><b>Zoning Map</b></p>	<ul style="list-style-type: none"> <li>• Amendments to Height and Bulk District Maps</li> <li>• Amendments to Zoning Use District Maps</li> </ul>
<p><b>Implementation Program</b></p>	<ul style="list-style-type: none"> <li>• Implementation Matrix</li> <li>• Public Benefits Program</li> <li>• Guide to Urban Design</li> <li>• Key Development Sites Guidelines</li> <li>• Key Streets Guidelines</li> </ul>

**Bold text = items considered at Rules Committee on 7/9**

(continued on next page)

# CENTRAL SOMA PLAN - CONTENTS

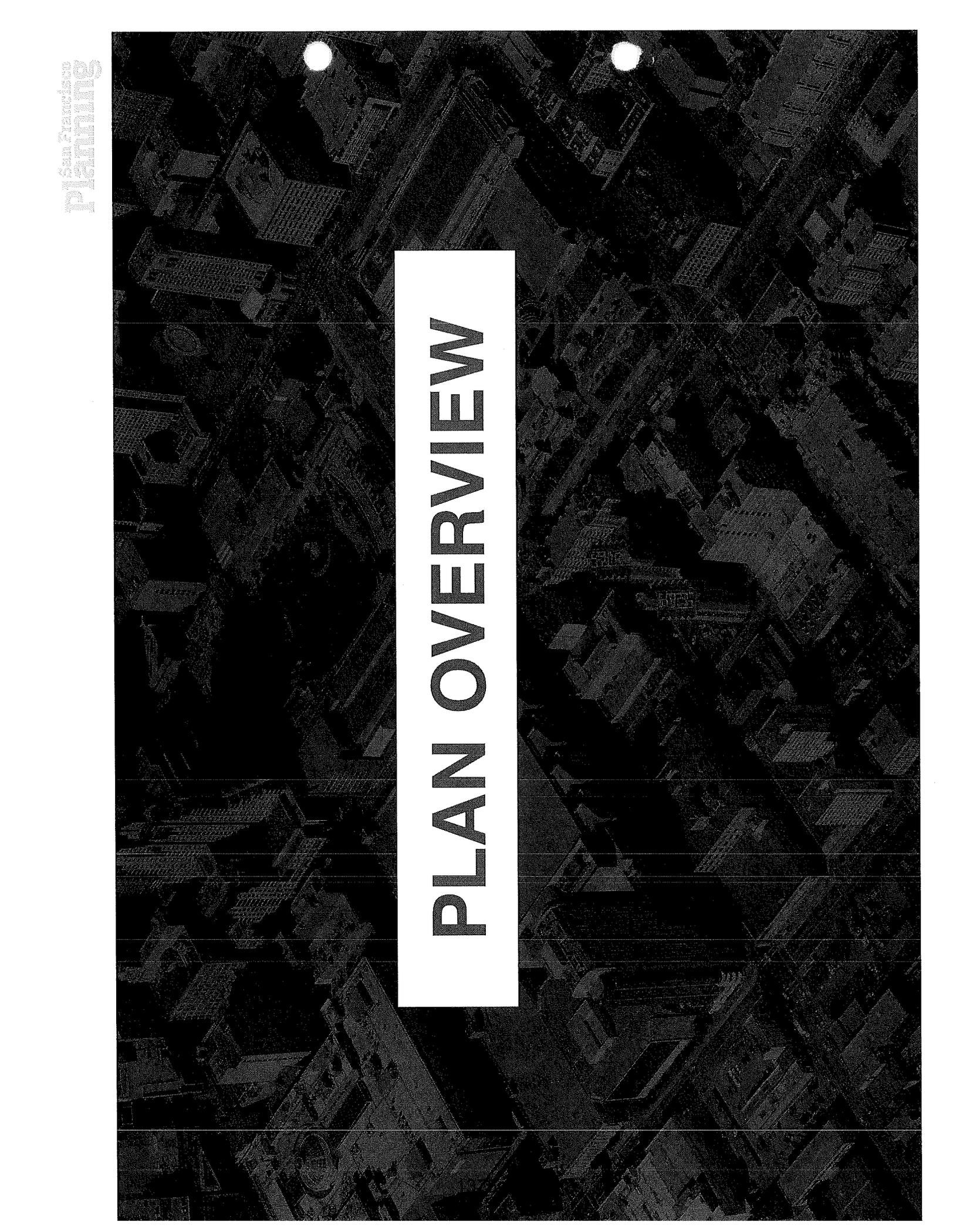
## **Special Tax District**

- Resolutions of Intention (ROIs) and Ordinances to establish the Central SoMa Special Tax District

## **Housing Sustainability District**

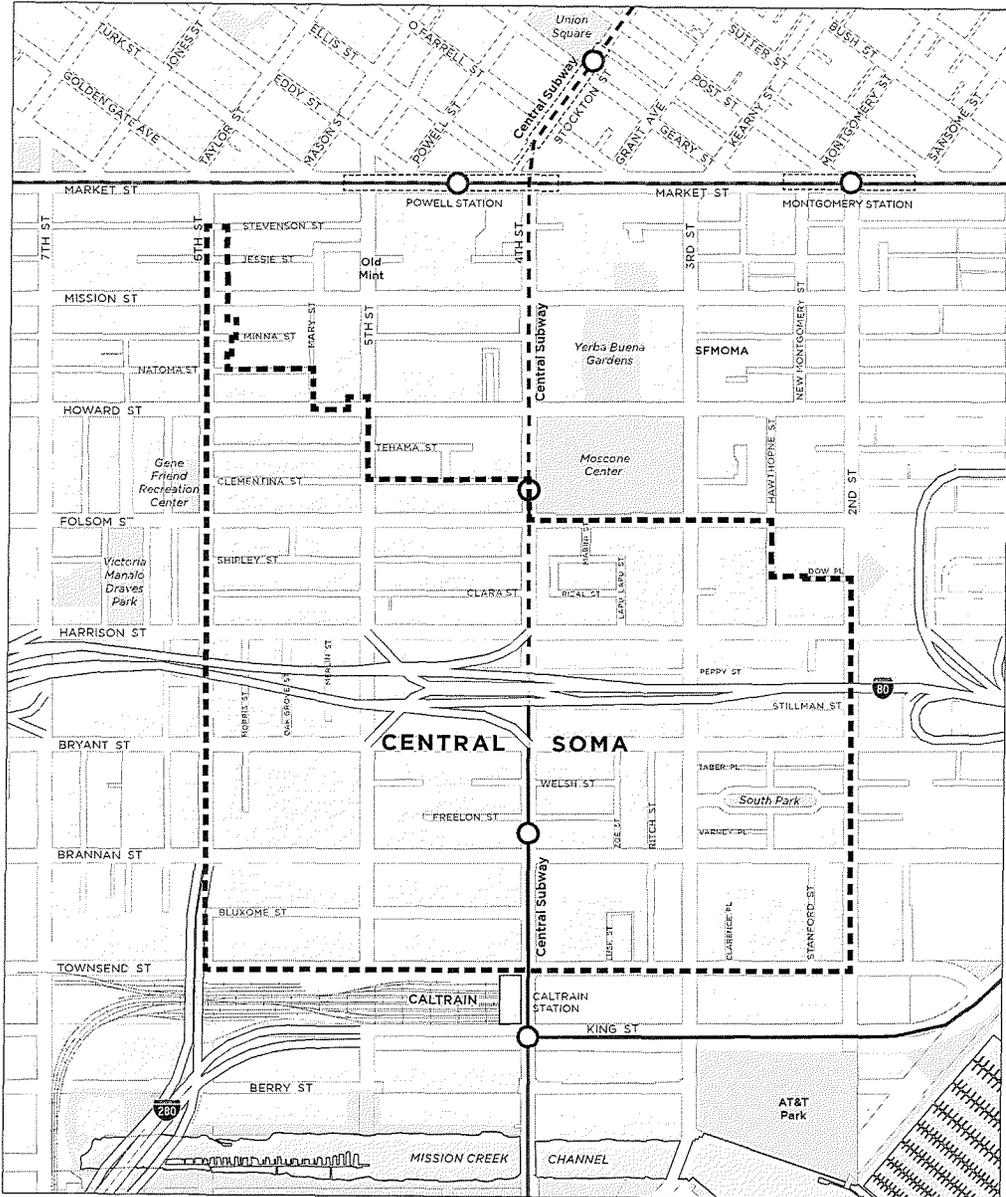
- Amendments to Business & Tax Regulations and Planning Codes to create a Central SoMa Housing Sustainability District (HSD), pursuant to California AB73

**Bold text = items considered at Rules Committee on 7/9**

An aerial, black and white photograph of San Francisco's city grid, showing a dense pattern of buildings and streets. Two circular punch holes are visible at the top of the page. A white vertical bar is centered on the page, containing the title 'PLAN OVERVIEW' in bold, black, uppercase letters.

# PLAN OVERVIEW

**PLAN AREA**



**PLAN VISION**  
**A sustainable neighborhood:**  
**socially, economically,**  
**environmentally**

- Central Subway under construction, expected to open in 2019
- BART/Muni Metro Subway
- Muni Metro (Surface)

PLAN STRATEGY

Accommodate  
Demand



Provide  
Public Benefits



Respect and  
Enhance  
Neighborhood  
Character



**PLAN PHILOSOPHY**

keep what's great



**Diversity of Residents and Jobs**



**Diversity of Buildings and Architecture**



**Abundant Local and Regional Transit**



**Renowned Culture and Nightlife**

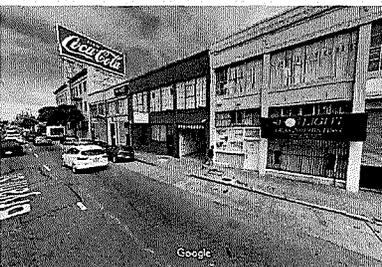
address what's not



**Unaffordable Rents**



**Unsafe and Unpleasant Streets**



**Lack of Public Parks and Greenery**



**Inefficient Zoning and Insufficient Funding**

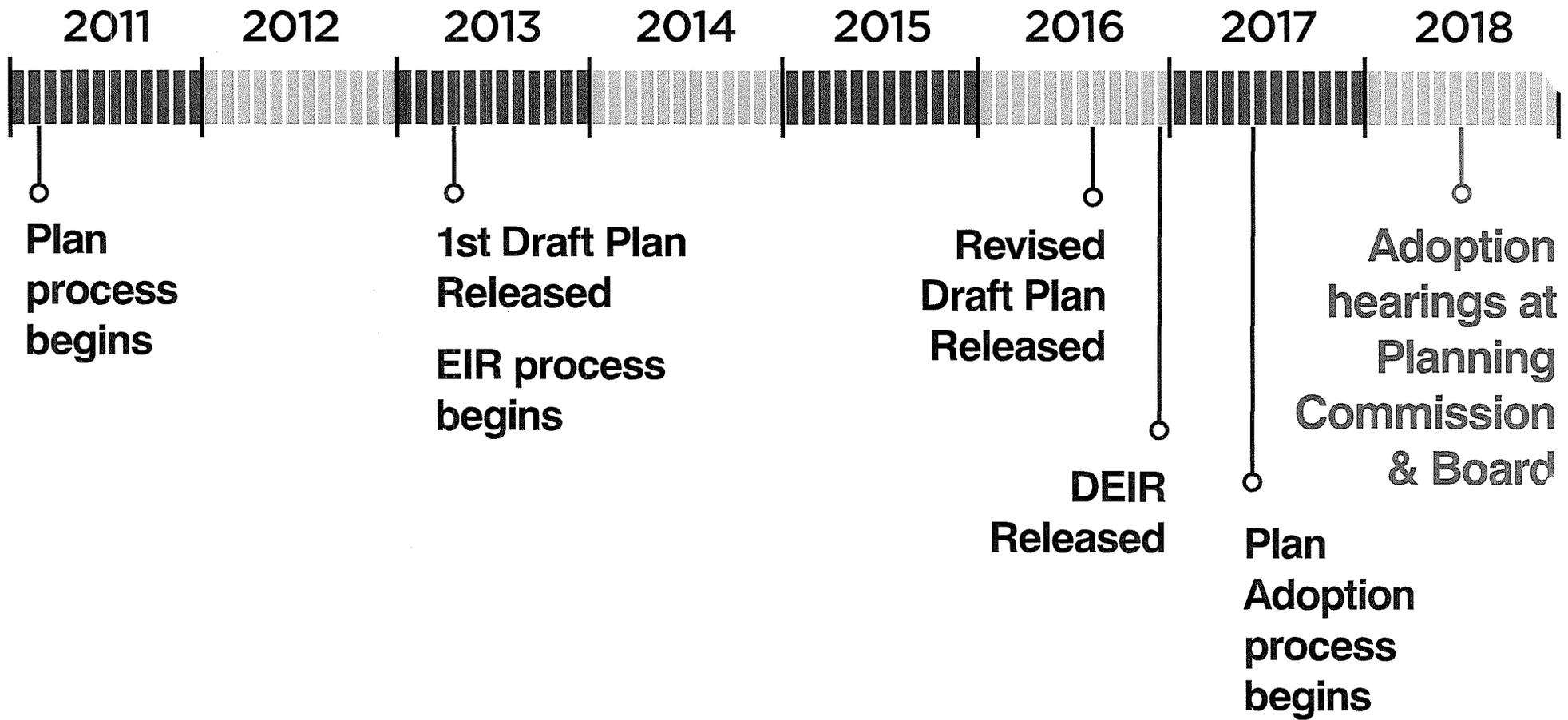
**PLAN GOALS**

- Goal 1 **Accommodate a Substantial Amount of Jobs and Housing**
- Goal 2 **Maintain the Diversity of Residents**
- Goal 3 **Facilitate an Economically Diversified and Lively Jobs Center**
- Goal 4 **Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit**

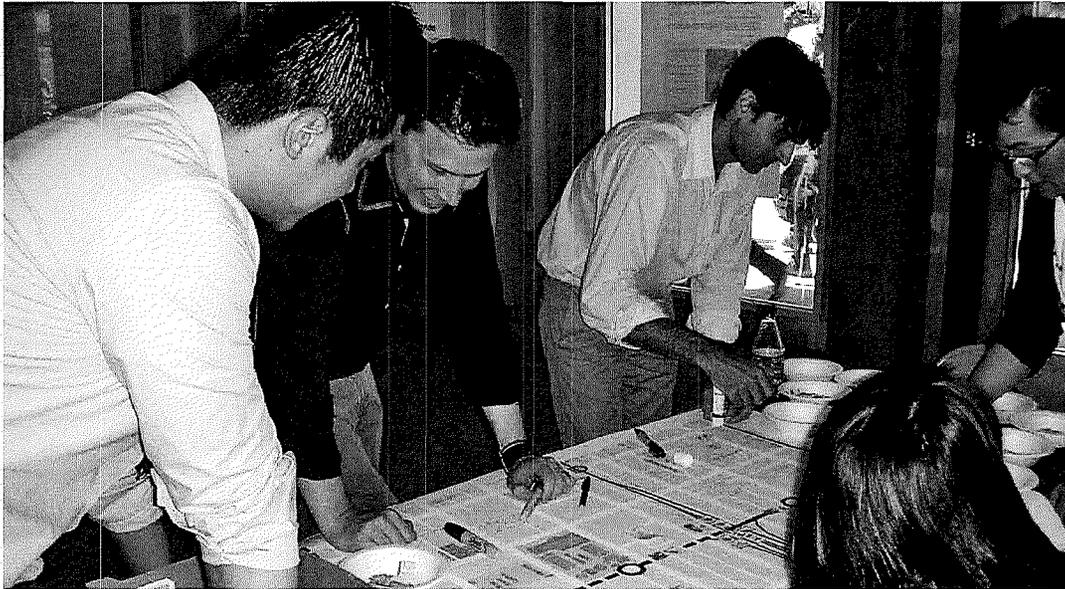
**PLAN GOALS**

- Goal 5 **Offer an Abundance of Parks and Recreational Opportunities**
- Goal 6 **Create an Environmentally Sustainable and Resilient Neighborhood**
- Goal 7 **Preserve and Celebrate the Neighborhood's Cultural Heritage**
- Goal 8 **Ensure that New Buildings Enhance the Character of the Neighborhood and the City**

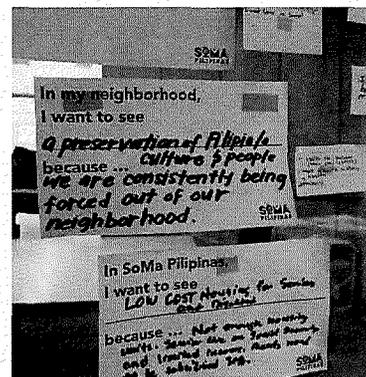
**PLAN TIMELINE**



**OUTREACH PROCESS: 2011 - 2018**



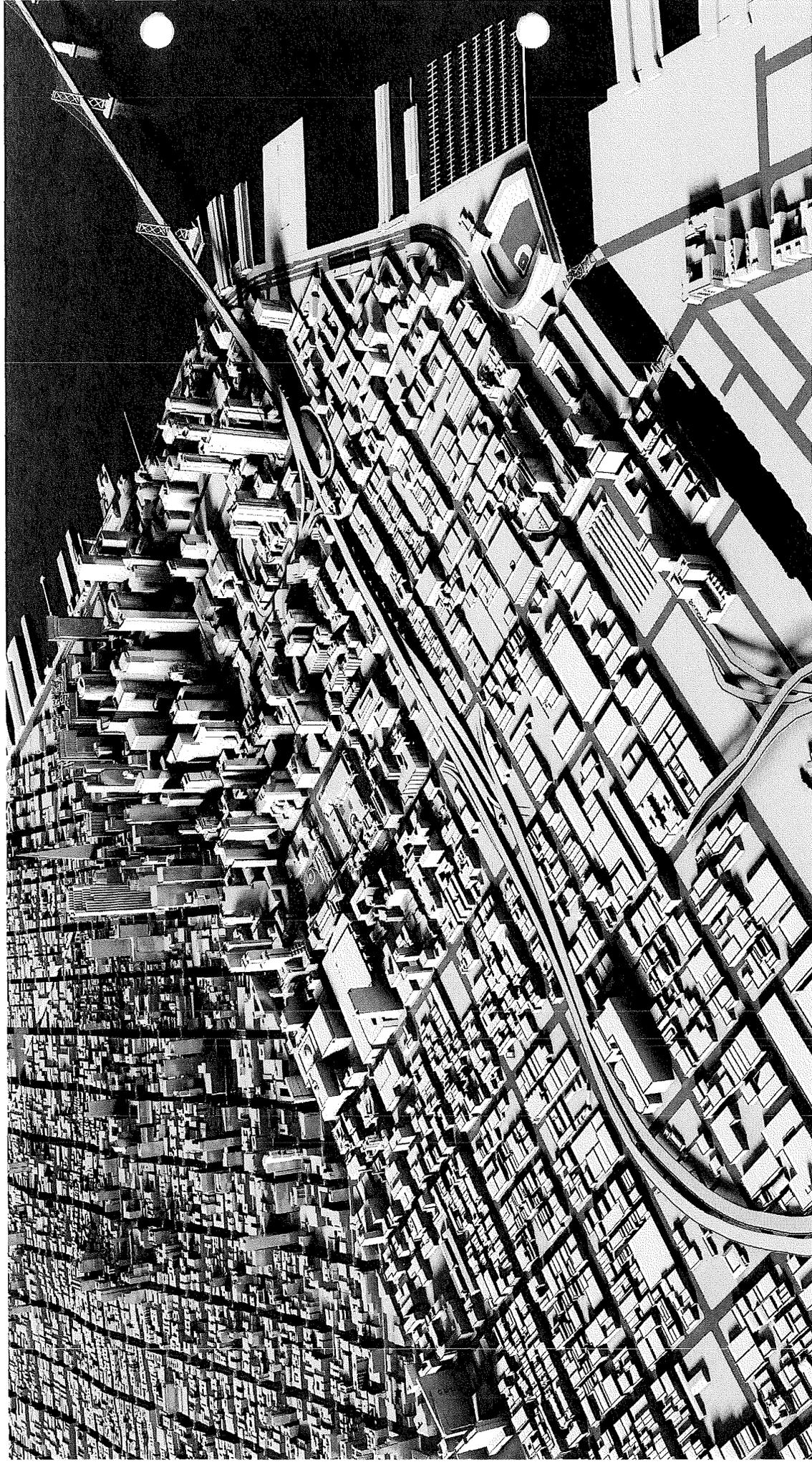
- 15 public workshops, public surveys, office hours, charrettes, walking tours
- 17 hearings at Planning Commission & Historic Preservation Commission
- 2 informational hearings at Board of Supervisors (Land Use Committee)



**OUTREACH: ADVOCACY GROUPS (PARTIAL LIST)**

- 77 Dow Place HOA
- Alliance for Better District 6
- Arden HOA
- Asian Neighborhood Design
- California Culture and Music Association
- Central City SRO Collaborative
- Central Subway Outreach Committee
- Clementina Cares
- Eastern Neighborhoods Citizens Advisory Committee
- Filipino-American Development Foundation
- Good Jobs for All
- Housing Action Coalition (HAC)
- One Bluxome HOA
- Rincon Hill /South Beach/Mission Bay Neighborhood Association
- San Francisco Bicycle Coalition
- San Francisco Planning and Urban Research (SPUR)
- San Francisco Senior and Disability Action
- San Francisco Youth Commission
- SF BLU HOA
- SoMa Community Coalition
- SoMa Community Collaborative
- SoMa Community Stabilization Fund Citizens Advisory Committee
- SoMa Pilipinas
- South Beach/Mission Bay Merchants Association
- South of Market Action Network (SOMCAN)
- South of Market Business Association (SOMBA)
- South of Market Leadership Council
- South of Market Project Area Committee (SOMPAC)
- TODCO
- Walk SF
- We Are SoMa
- Western Soma Taskforce
- Yerba Buena Alliance
- Yerba Buena Community Benefit District
- YIMBY Action

**VISUALIZATION - EXISTING DEVELOPMENT**



**3-D Model of Existing Buildings (2016)**

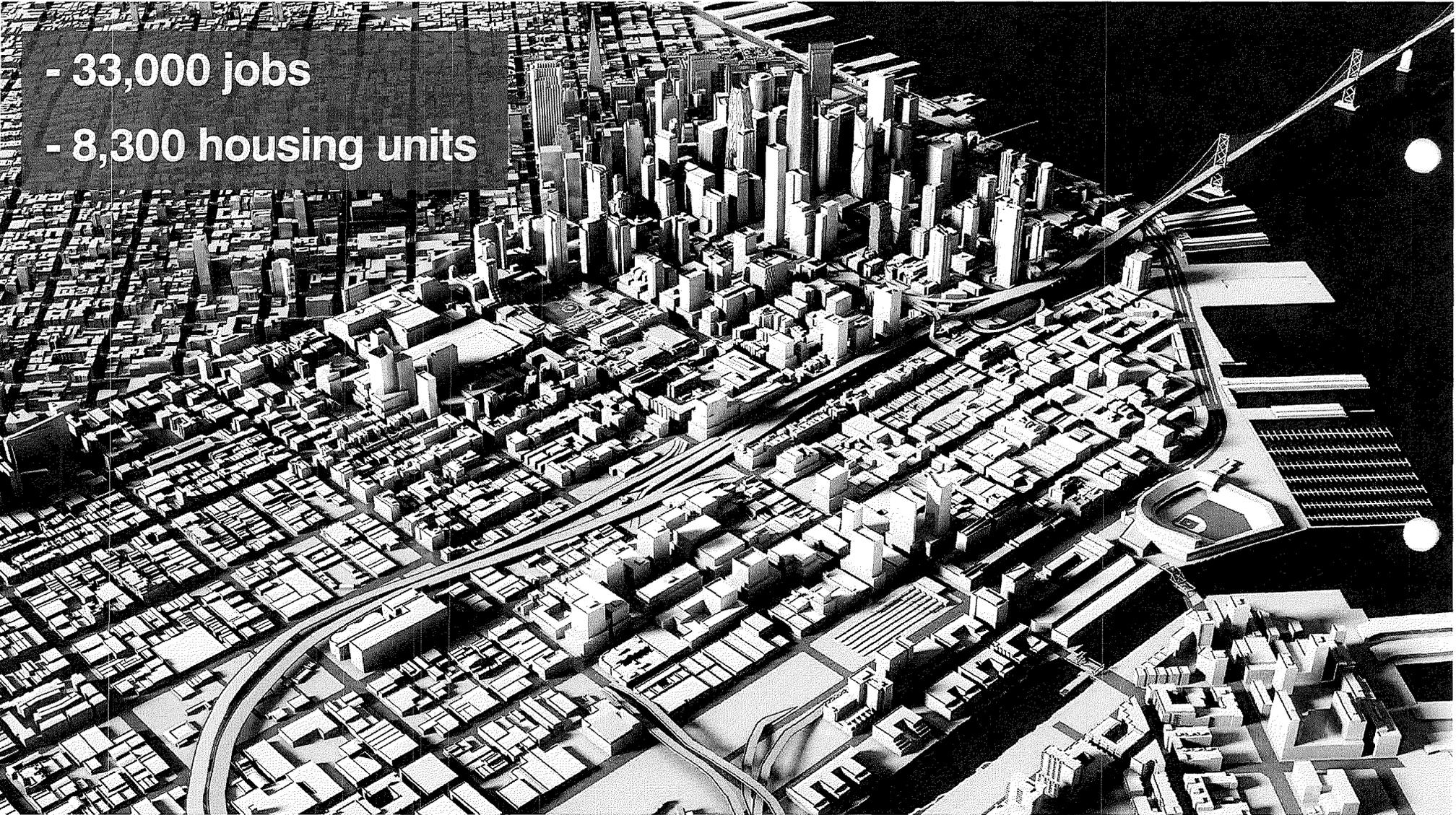
Digital Model by Skidmore, Owings, & Merrill

**VISUALIZATION - POTENTIAL DEVELOPMENT**

Central SoMa Development Potential

Anticipated Projects Outside of Central SoMa

- 33,000 jobs  
- 8,300 housing units

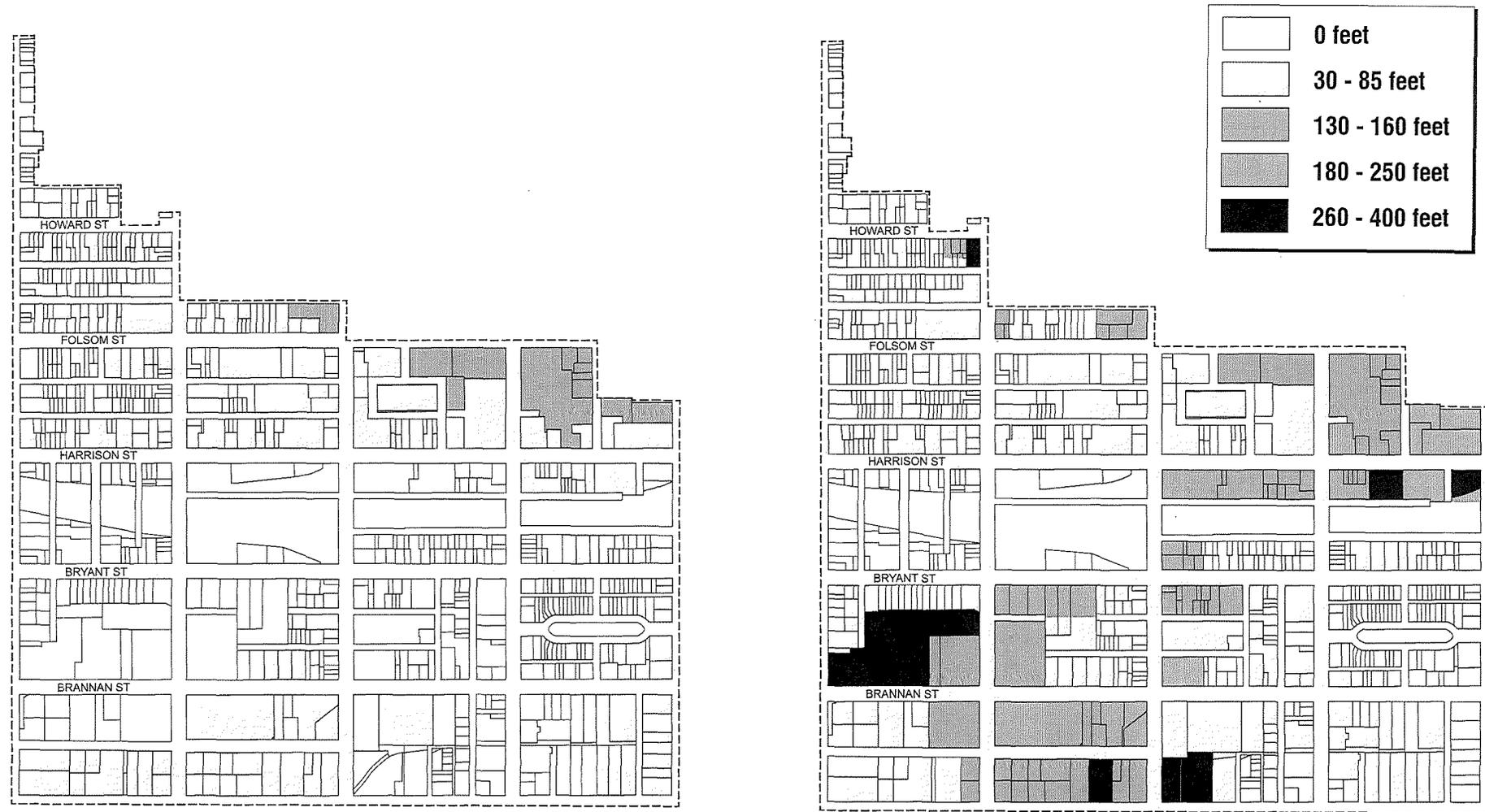


**3-D Model of Potential Development**

1385

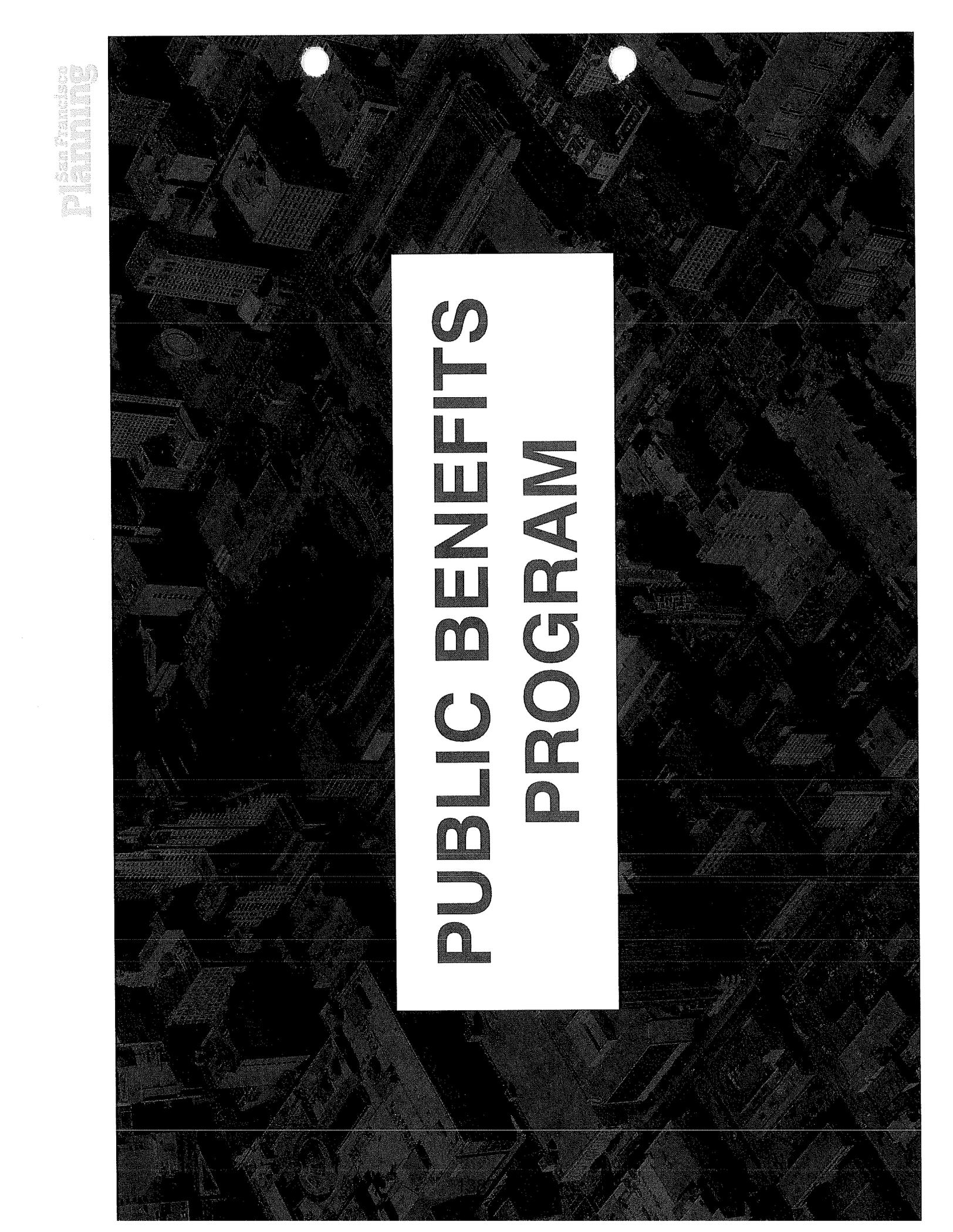
Digital Model by Skidmore, Owings, & Merrill

# EXISTING AND PROPOSED DEVELOPMENT CAPACITY



Existing Development Capacity

Proposed Development Capacity

The background of the entire page is a high-contrast, black and white aerial photograph of a city grid, likely San Francisco. The buildings and streets are rendered in a grainy, halftone-like texture. A white rectangular box is centered on the page, containing the title text. Two circular punch holes are visible at the top of the page, suggesting it was part of a binder.

# **PUBLIC BENEFITS PROGRAM**

**PUBLIC BENEFITS: TOTAL (25 YEARS; 2017 DOLLARS)**

**No Plan = \$500 million in Public Benefits**

**Central SoMa Plan = \$2.16 Billion in Public Benefits**

**400% increase due  
to the Plan**

**Plus ~\$1 billion in  
increased General  
Fund tax revenues**

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS PACKAGE**

	<p><b>Affordable Housing</b> 33 percent of total units</p>	<p><b>\$940 million</b></p>
	<p><b>Transit</b> investment in both local and regional service</p>	<p><b>\$500 million</b></p>
	<p><b>Parks and Recreation</b> transformative improvements such as parks, plazas, and recreation centers</p>	<p><b>\$185 million</b></p>
	<p><b>Production, Distribution, &amp; Repair</b> (including Arts) no net loss of PDR space due to the Plan</p>	<p><b>\$180 million</b></p>
	<p><b>Complete Streets</b> safe and comfortable streets for people walking and biking</p>	<p><b>\$110 million</b></p>

(continued on next page)

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS PACKAGE (CONTINUED)**

	<p><b>Community Services &amp; Cultural Preservation</b> funding towards community facilities and programs (e.g. health clinics, job training) and preservation of the Old Mint and other historic buildings</p>	<p><b>\$110 million</b></p>
	<p><b>Environmental Sustainability</b> a healthy, resilient, green, and resource-efficient neighborhood</p>	<p><b>\$70 million</b></p>
	<p><b>Schools and Childcare</b> funding to support growing population</p>	<p><b>\$65 million</b></p>
	<p><b>TOTAL</b></p>	<p><b>\$2.16 billion</b></p>

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**PUBLIC BENEFITS: FUNDING SOURCES (25 YEARS; 2018 DOLLARS)**

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
<b>Direct provision of benefits (e.g. on-site BMR units)</b>	<b>\$836 million</b>
<b>Central SoMa Special Tax District (NEW)</b>	<b>\$354 million</b>
<b>Eastern Neighborhoods Infrastructure Fee</b>	<b>\$240 million</b>
<b>Transportation Sustainability Fee</b>	<b>\$220 million</b>
<b>Jobs-Housing Linkage Fee</b>	<b>\$210 million</b>
<b>Affordable Housing Fee</b>	<b>\$180 million</b>
<b>Central SoMa Infrastructure Fee (NEW)</b>	<b>\$40 million</b>
<b>School Impact Fee</b>	<b>\$26 million</b>
<b>Child Care Fee</b>	<b>\$32 million</b>
<b>Central SoMa Community Facilities Fee (NEW)</b>	<b>\$20 million</b>
<b>TOTAL</b>	<b>\$2.16 billion</b>

**NOTE:** Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

**NEW FUNDING SOURCES: RESIDENTIAL (2018 RATES)**

<b>NEW REQUIREMENT</b>	<b>TIER A (15'-45' height increase)</b>	<b>TIER B (50'-85' height increase)</b>	<b>TIER C (90'+ height increase)</b>
<b>Central SoMa Community Infrastructure Fee (\$/GSF)</b>	\$0	\$10	\$0
<b>Mello-Roos Special Tax District (CFD; \$/GSF/yr)</b>	\$0	<b>CONDO:</b> \$3.30 (2% escalation)  <b>RENTAL:</b> \$0	<b>CONDO:</b> \$5.50 (2% escalation)  <b>RENTAL:</b> \$0
<b>Community Facilities Fee (\$/GSF)</b>		\$1.30	

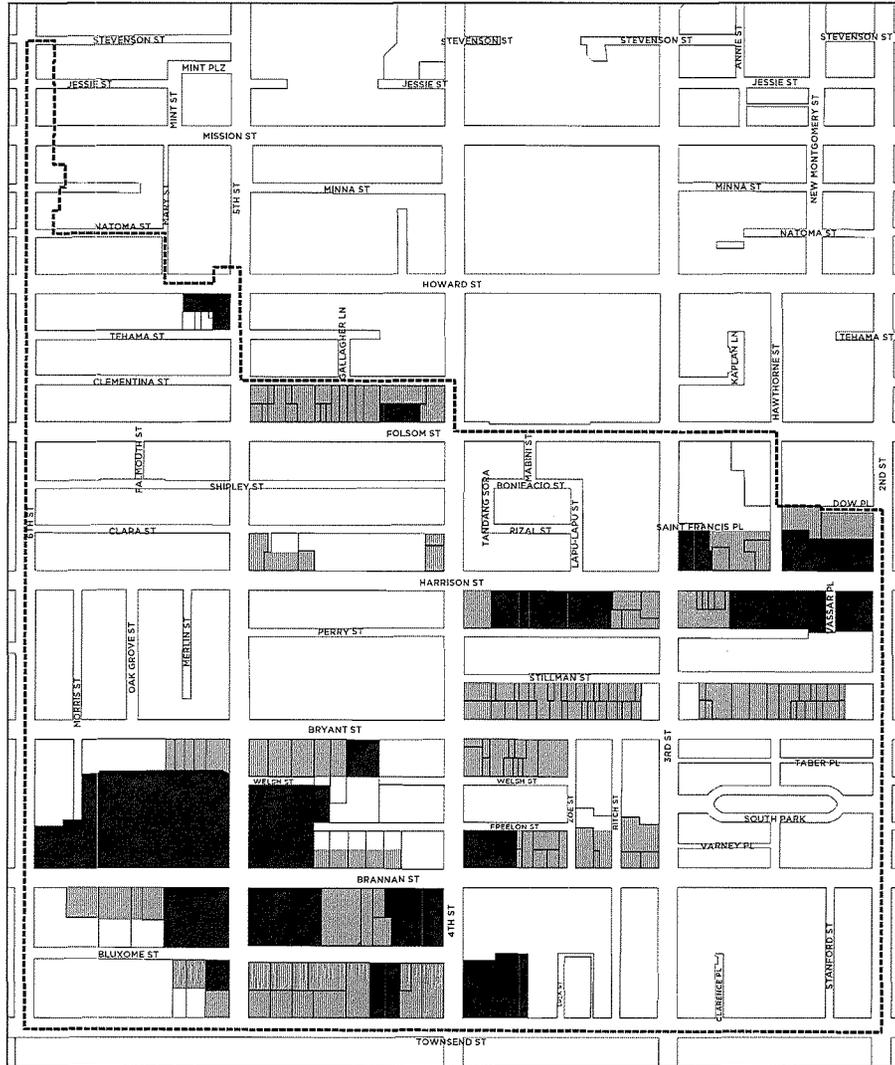
**NOTE:** Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

**NEW FUNDING SOURCES: NON-RESIDENTIAL (2018 RATES)**

NEW REQUIREMENT	TIER A & B (15'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	Office >50k sq ft: \$21.50 All other projects: \$41.50	Office >50k sq ft: \$0 All other projects: \$20
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	\$2.75 (4% escalation annually for 25 years, 2% thereafter)
Transferable Development Rights (Floor Area Ratios)	0	1.25 FAR
Community Facilities Fee (\$/GSF)		\$1.75
POPOS	1 sq ft for every 50 GSF of development	
Production, Distribution, and Repair (PDR)	Office >50k: greater of 0.4 FAR or Sec. 202.8 (Prop X)	

**NOTE:** Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

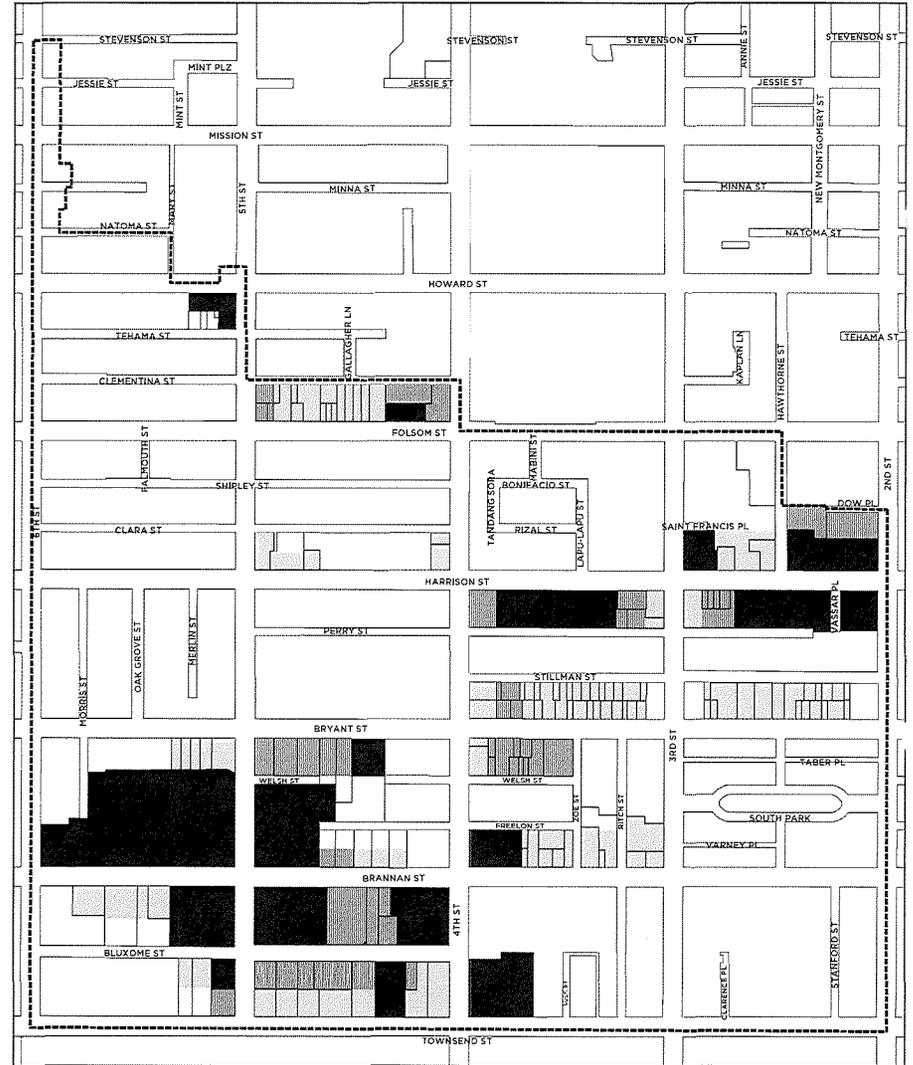
# CENTRAL SOMA FEE TIERS



**NON-RESIDENTIAL DEVELOPMENT TIERS**  
CENTRAL SOMA

- Tier A & B (15'-85' increased development capacity)
- Tier C (Over 90' increased development capacity)

1,000 Feet

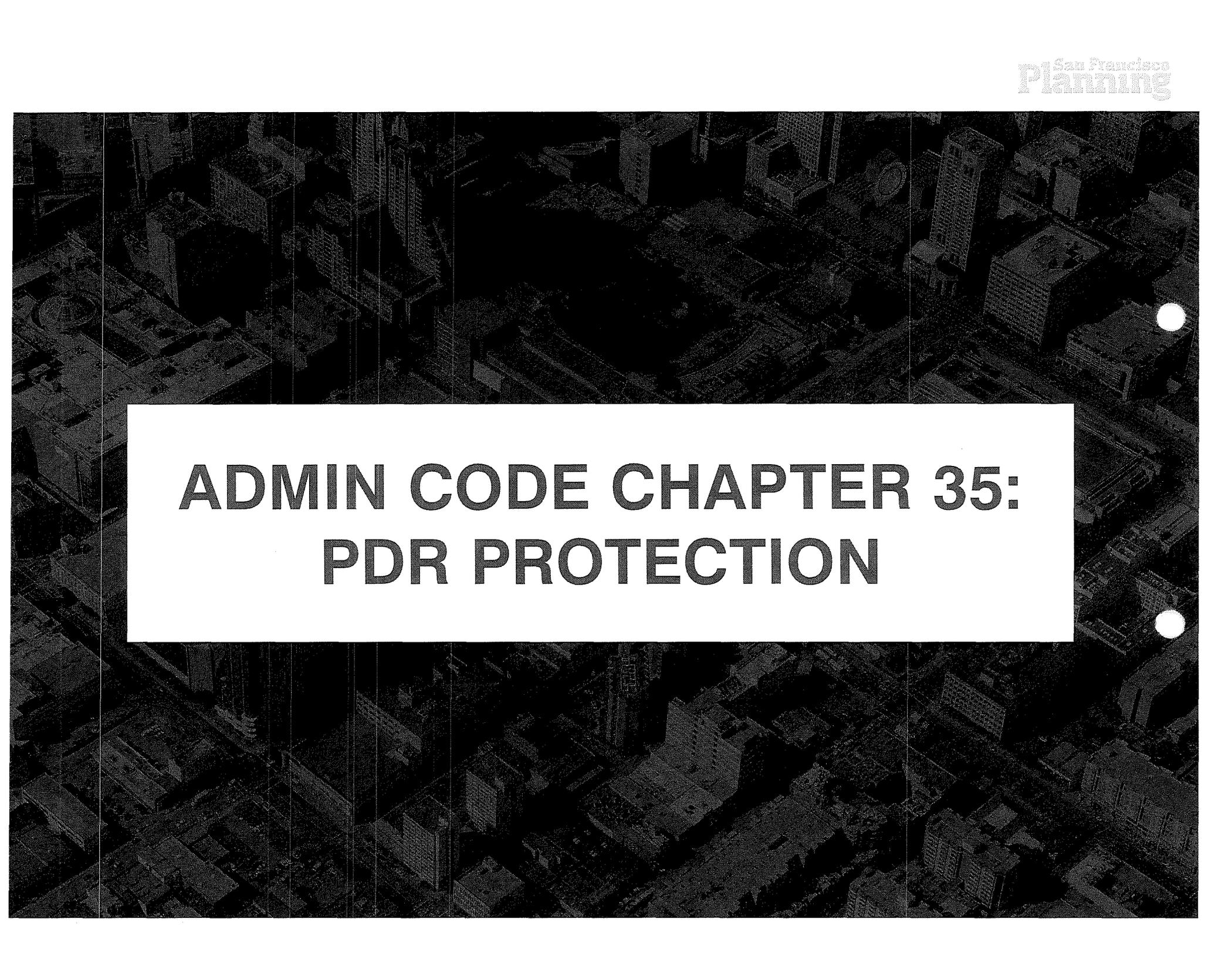


**RESIDENTIAL DEVELOPMENT TIERS**  
CENTRAL SOMA

- Tier A (15'-45' increased development capacity)
- Tier B (50'-65' increased development capacity)
- Tier C (90' or more increased development capacity)

1,000 Feet



An aerial, black and white photograph of a city grid, likely San Francisco, showing a dense pattern of buildings and streets. A white rectangular box is centered over the image, containing the title text. Two white circular punch holes are visible on the right side of the page.

# **ADMIN CODE CHAPTER 35: PDR PROTECTION**

**ADMINISTRATIVE CODE AMENDMENTS****Administrative Code Section 35:  
Residential and PDR Compatibility and Protection****THE WAY IT IS**

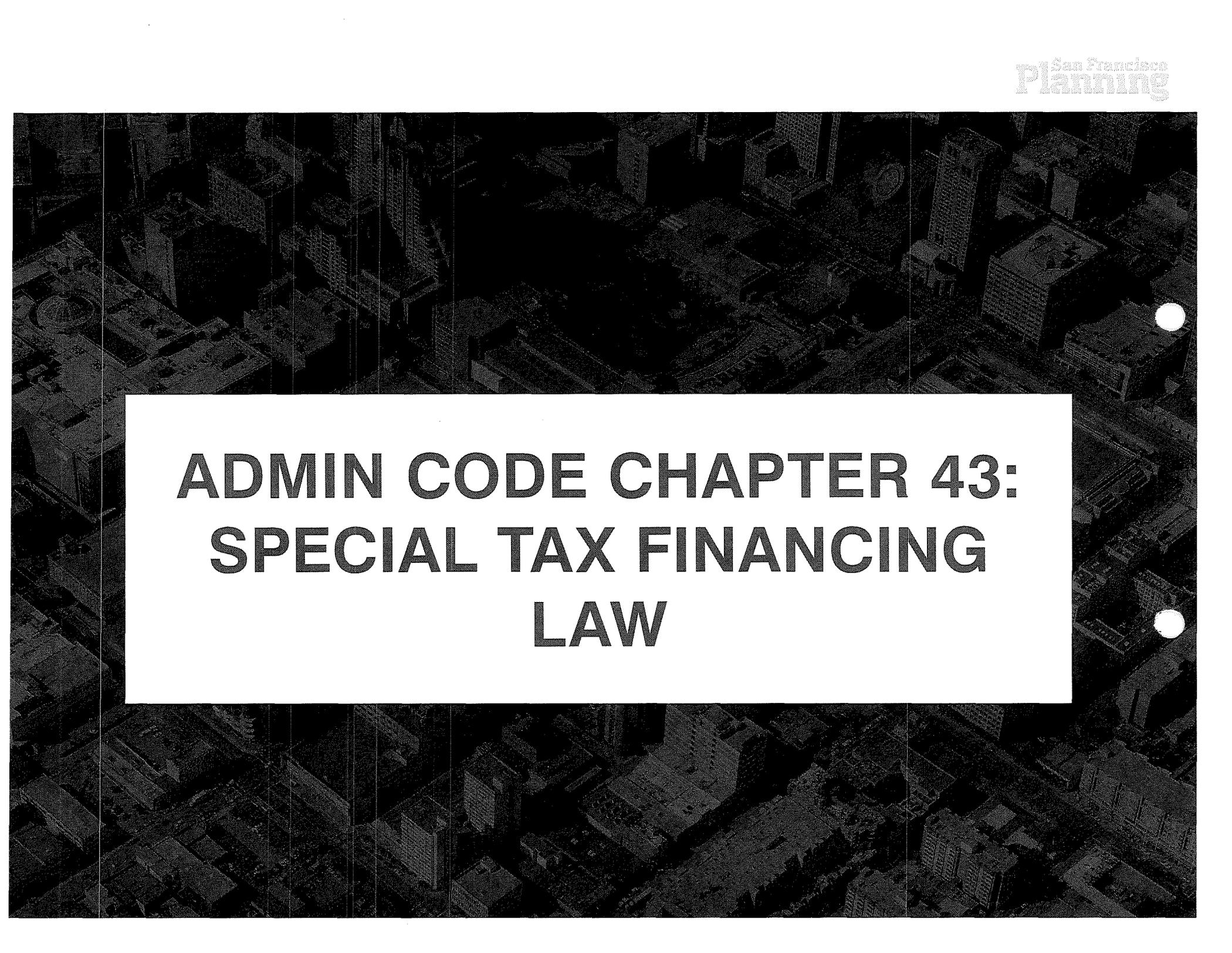
- Residents cannot complain about noise and other nuisance issues (odors, loading, etc.) from a neighboring PDR use if it complies with all applicable regulations & permit conditions (“no kvetching”)
- Sellers must disclose this rule to potential homebuyers

**THE WAY IT WOULD BE**

- Hotels would be added to the list of uses that cannot lodge groundless complaints
- Improvements to notification process would be added

**ADMINISTRATIVE CODE AMENDMENTS****RATIONALE**

- As Central SoMa evolves, PDR uses should be protected from complaints from lawfully emitted noise and other impacts
- Based on best practices:
  - » PDR and other 24-hour uses (e.g. entertainment) are part of a complete and mixed-use neighborhood
  - » Similar to the current process for entertainment uses (Admin Code Section 116)

An aerial, black and white photograph of a dense urban skyline, likely San Francisco, showing various skyscrapers and buildings. A white rectangular box is centered over the image, containing the title text. Two white circular marks are visible on the right side of the image, resembling hole punches.

# **ADMIN CODE CHAPTER 43: SPECIAL TAX FINANCING LAW**

**SPECIAL TAX DISTRICT - LEGISLATIVE ACTIONS****Administrative Code Chapter 43, Section 10:  
Special Tax Financing Law**

Proposed amendments would enable the City to spend Central SoMa Special Tax revenues on eligible Facilities and Services\*, which may include, but are not limited to:

- Grants to nonprofit/public social service organizations
- Environmental sustainability, including air quality mitigation and technical studies/guidelines
- Park programming and activation

## SPECIAL TAX OVERVIEW

- **Applicability: large Condo and Non-Residential projects**
  - **Exemptions:** 100% Affordable Housing Projects; BMR units; Rental Housing; Production, Distribution & Repair (PDR) uses; Community Facilities
  - Annexation required before 1st Certificate of Occupancy (COO); Tax levy commences at 1st COO
- **Revenues can be used to issue bonds**
  - Accelerates the provision of public benefits
  - Taxable properties in the Special Tax District are subject to foreclosure/sale in the event of non-payment of special taxes\*

\* Special taxes are secured by priority liens (ahead of private liens)

**SPECIAL TAX RATES (\$/SF, FY18-19 RATES)**

**Years 1-99: Facilities Tax\***

Land Use	TIER A (15'-45' height increase)	TIER B (50'-85' height increase)	TIER C (90'+ height increase)
NON-RESIDENTIAL	\$0	\$0	\$2.75
CONDO	\$0	\$3.30	\$5.50

**Years 100+: Services Tax Only**

	TIER A	TIER B	TIER C
NON-RESIDENTIAL	\$0	\$0	\$0.69
CONDO	\$0	\$0.82	\$1.37

\*Facilities tax may be spent on either capital facilities or services (e.g. maintenance, programming)

**SPECIAL TAX DISTRICT: EXPENDITURE PLAN\***

**During Plan Buildout (25 years)**

	<b>Transit</b>	<b>\$160 million</b>
	<b>Parks &amp; Recreation</b>	<b>\$45 million</b>
	<b>Complete Streets</b>	<b>\$10 million</b>
	<b>Cultural Preservation &amp; Community</b>	<b>\$69 million</b>
	<b>Environmental Sustainability</b>	<b>\$64 million</b>
	<b>Schools &amp; Childcare</b>	<b>\$6 million</b>
	<b>TOTAL</b>	<b>\$354 million</b>

**Longer term needs (>25 years):** could include, but are not limited to, Sea Level Rise adaptation and maintenance of capital facilities

\*in FY2018-2019 dollars. Note that projects are non-binding, and the Public Benefits may be amended

**SPECIAL TAX DISTRICT: CHANGES SINCE PLAN INTRODUCTION**

**Additional public benefits identified during adoption process**

	<b>\$/YR</b>	<b>\$/25 YRS</b>
<b>Social &amp; cultural programs (e.g. SoMa Stabilization Fund)</b>	<b>\$1,000,000</b>	<b>\$25 million</b>
<b>Park and greenery maintenance and activation</b>	<b>\$600,000</b>	<b>\$15 million</b>
<b>Capital for cultural amenities (e.g. Yerba Buena Gardens)*</b>	<b>N/A</b>	<b>\$15 million</b>
<b>Neighborhood cleaning</b>	<b>\$350,000</b>	<b>\$8.75 million</b>
<b>Bessie Carmichael supplemental services</b>	<b>\$250,000</b>	<b>\$6.25 million</b>
<b>TOTAL</b>		<b>\$70 million</b>

\*If this funding is needed, it would be provided as a lump sum rather than an ongoing contribution..

**ADMINISTRATION ENTITIES**

<p><b>Capital Planning Committee</b></p>	<ul style="list-style-type: none"> <li>• Approve 5-year expenditure plan (subject to Board approval)</li> <li>• Recommend changes in revenue allocation</li> </ul>
<p><b>Director of Public Finance</b></p>	<ul style="list-style-type: none"> <li>• Develop 5-year revenue forecast</li> <li>• Authorize tax commencement</li> <li>• Authorize bond issuances (subject to Board approval)</li> </ul>
<p><b>Interagency Plan Implementation Committee (IPIC)</b></p>	<ul style="list-style-type: none"> <li>• Develop 5-year Expenditure Plan</li> <li>• Advisor to CPC &amp; Director of Public Finance</li> </ul>
<p><b>Community Advisory Committees (CACs)</b></p>	<ul style="list-style-type: none"> <li>• Provide public oversight &amp; advise on expenditure plan</li> </ul>

**COLLABORATION**

- **Joint Community Facilities Agreements (JCFAs)**
  - Will be required for non-City agencies receiving tax revenues
  - Example: Regional transit providers (1/3 of transportation funding) will collaborate with City through IPIC and Mayor/Board

An aerial, high-angle photograph of a city grid, likely San Francisco, showing a dense pattern of buildings and streets. The image is in black and white with a halftone or dithered texture. A white rectangular box is centered horizontally and vertically, containing the word "CONCLUSION" in a bold, sans-serif font. Two small white circles are visible on the right side of the image, one above and one below the white box.

# CONCLUSION

**COMMUNITY ADVISORY COMMITTEES (CAC)****Planning Commission Recommendation in Admin Code:**

Amend the Eastern Neighborhoods Community Advisory Committee (CAC) and split it into two:

- SoMa-wide (East, West, and Central)
- Rest of Eastern Neighborhoods: Mission, Showplace Square / Potrero Hill, Central Waterfront

As this will require significant consideration of responsibilities and reallocation of funding, this will return to the Planning Commission and the Board as trailing legislation.

## OTHER PLANNING CODE AMENDMENTS

### **Zoning amendments to create the Central SoMa Special Use District, including:**

- Zoning district changes, including the newly created CMUO (Central SoMa Mixed Use Office)
- Urban design requirements
- Open space (POPOS) and environmental sustainability requirements
- Development exactions
- Changes to development review process

# TODAY'S ACTIONS

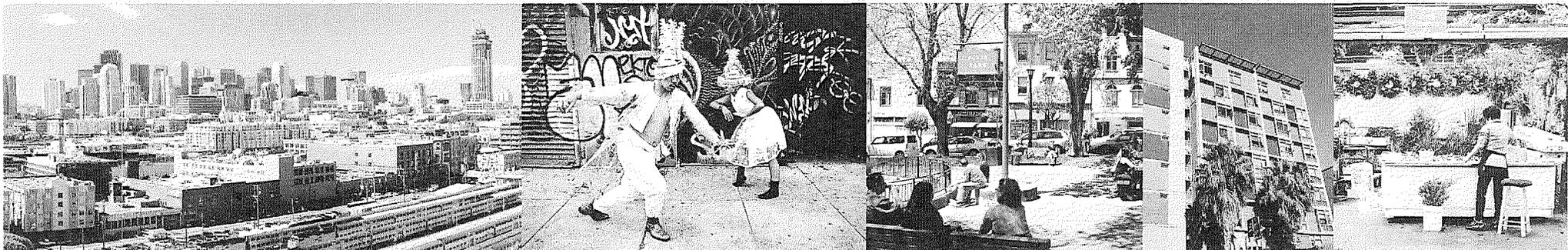
## Hearing to consider:

### 1. Amendments to Administrative Code

- **Section 35:** PDR and Residential / Hotel Compatibility
- **Chapter 43, Section 10:** Special Tax Financing Law

### 2. Amendments to Planning Code

- **Note:** this item is intended to be heard at Land Use & Transportation Committee



**THANK YOU**

**LISA CHEN**

**415.575.9124**

**LISA.CHEN@SFGOV.ORG**

180446  
160453  
180185  
100617  
**180184**

**From:** Board of Supervisors, (BOS)  
**Sent:** Tuesday, November 27, 2018 2:26 PM  
**To:** BOS-Supervisors; Major, Erica (BOS)  
**Subject:** FW: Central SoMa Plan and EIR (SCH NO. 2013042070). 11/27/18 Agenda Items 14-18; Request for Supplemental EIR

**From:** Tom Lippe <lippelaw@sonic.net>  
**Sent:** Tuesday, November 27, 2018 9:56 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** 'Paul Phillips' <paulrphillips@gmail.com>  
**Subject:** Central SoMa Plan and EIR (SCH NO. 2013042070). 11/27/18 Agenda Items 14-18; Request for Supplemental EIR

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Clerk of the San Francisco Board of Supervisors:

I write on behalf of Paul Phillips, Genia Phillips and Gina Cariaga, to object to the Board approving the Central SoMa Plan and to request that the Board require the Planning Department to prepare a Supplemental EIR to address the significant new information presented in the Transportation Network Companies and Congestion Report, as requested in Richard Drury's letter dated October 18, 2018 and as further supported by Daniel Smith's November 26, 2018 letter to Mark Wolfe, which Mr. Wolfe and Mr. Phillips separately submitted to the Board of Supervisors on November 26, 2018.

I also write to supplement Mr. Drury's October 18, 2018, letter, which states: "Mr. Smith points out the San Francisco County Transportation Authority studies showed that ride-hailing services have a significant adverse impact on traffic."

Mr. Smith's April 12, 2018, comment letter on the FEIR at page 7, states:

"While reviewing the responses to our own comments, our attention was drawn to Response TR-7 which replies to the comments of others regarding the impacts of Transportation Network Companies ("TNCs"). The response devotes four and two-thirds pages discussing research on TNCs (two San Francisco Municipal Transportation Authority documents and one elsewhere) and then concludes that a) while TNC reliance might cause an increase in VMT over that predicted in the study, there would have to be an enormous use of TNCs to impact VMT significantly, b) traffic congestion in the area would naturally limit TNC use and c) the City doesn't know enough about TNCs yet at the time the response was written to more substantively address the impacts of TNCs in this EIR. This facile dodge ignores several salient pieces of evidence in the research it cites.

Considering all auto mode trips that have origin, destination or both in San Francisco, TNCs went from 0 percent in 2013 to 1 percent in 2014, jumped to 2 percent in 2016 and doubled to percent in 2017 . So the trend is that use of this mode in San Francisco is continuing increase.

TNCs (9%) and taxis (1%) account for 10 percent of all weekday person trips that are internal to San Francisco . In the AM and PM weekday commute peak hours, they account for 25 and 26 percent respectively of all vehicle trips internal to San Francisco that originate or are destined in SoMa . On weekdays 21 percent of all TNC VMT is out-of-service travel . In other words, a trip by TNC generates 21 percent more VMT than if the passenger drove them self.

Some 22 percent of TNC travel is induced; that is to say, 22 percent of trips by TNC wouldn't be made at all if services by TNC were not available. And 39 percent of TNC trips are ones that otherwise would have been made by walking, bicycle or transit .

In summary, there is substantial evidence that the proliferation of reliance on TNC services could substantially alter the subject EIR's findings and conclusions with respect to transportation impacts. Rather than pleading insufficient information and ignoring the issue as Response TR-7 proposes and rushing to certify the EIR, the City should take the time to draw measured conclusions about TNC service impacts.”

Thus, as Mr. Drury concluded: “A Supplemental EIR is required to analyze the impact of ride-hailing services on traffic congestion, and related air pollution and pedestrian safety impacts. The San Francisco County Transportation Authority study constitutes significant new information that must be analyzed in a supplemental EIR to propose feasible means to mitigate the Plan's significant traffic impacts.”

Thank you for bringing this email to the attention of the Board of Supervisors and including it in the record of proceedings for this project.

Sincerely,  
Tom Lippe

Law Offices of Thomas N. Lippe APC  
201 Mission St., 12th Floor  
San Francisco, CA 94105  
Tel 415 777-5604 x 1  
Fax 415 777-5606  
e-mail: [lippelaw@sonic.net](mailto:lippelaw@sonic.net)  
Web: [www.lippelaw.com](http://www.lippelaw.com)

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)  
**From:** BOS Legislation, (BOS)  
**Sent:** Tuesday, November 27, 2018 8:18 AM  
**To:** Major, Erica (BOS)  
**Subject:** FW: BOS File No 180651: TNCs & Congestion and Central SoMa Plan EIR Conclusions Memorandum  
**Attachments:** Letter to BOS re Central SoMaPlan EIR\_11-26-18.\_with Attachment.pdf

**From:** Mark Wolfe <mrw@mrwolfeassociates.com>  
**Sent:** Monday, November 26, 2018 1:10 PM  
**To:** White, Elizabeth (CPC) <elizabeth.white@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; MILJANICH, PETER (CAT) <Peter.Miljanich@sfcityatty.org>; WONG, VICTORIA (CAT) <Victoria.Wong@sfcityatty.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Range, Jessica (CPC) <jessica.range@sfgov.org>; Chen, Lisa (CPC) <lisa.chen@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Wietgreffe, Wade (CPC) <wade.wietgreffe@sfgov.org>  
**Subject:** Re: BOS File No 180651: TNCs & Congestion and Central SoMa Plan EIR Conclusions Memorandum

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Clerk of the Board of Supervisors:

Attached is correspondence attaching a response to the Planning Department's November 8, 2018 letter concerning the referenced request for supplemental or subsequent environmental review of the Central SoMa plan. Please likewise include these materials as part of the Board of Supervisors File No. 180651, and distribute to Supervisors as appropriate prior to the November 27, 2018 meeting on this matter.

Thanks you very much,

Mark Wolfe

On 11/8/2018 11:19 AM, White, Elizabeth (CPC) wrote:

Good morning,

The Planning Department is submitting the attached memorandum entitled "TNCs & Congestion and Central SoMa Plan EIR Conclusions". Please include this memorandum as part of Board of Supervisors File No. 180651. This memorandum is being electronically submitted to the Board Members and Clerk of the Board.

Thank you,  
Liz White

**Elizabeth White, Senior Environmental Planner  
Environmental Planning Division**

San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.6813 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)

--  
Mark R. Wolfe | **M. R. Wolfe & Associates, P.C.**

Land Use | Environmental Law | Elections

555 Sutter Street | Suite 405 | San Francisco, CA 94102

Tel: 415.369.9400 | Fax: 415.369.9405 | [www.mrwolfeassociates.com](http://www.mrwolfeassociates.com)

The information in this e-mail may contain information that is confidential and/or subject to the attorney-client privilege.

If you have received it in error, please delete and contact the sender immediately. Thank you.

November 26, 2018

**By E-Mail Only**

San Francisco Board of Supervisors  
c/o Clerk of the Board  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

Lisa M. Gibson, Environmental Review Officer  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
lisa.gibson@sfgov.org

**Re: Central SoMa Plan and Environmental Impact Report  
[SCH NO. 2013042070]**

To the Board of Supervisors and Environmental Review Officer:

On behalf of Jonathan Berk, please accept and consider the attached letter dated today from Daniel T. Smith, P.E., of the traffic engineering consulting firm Smith Engineering & Management. Mr. Smith's letter responds to the Planning Department's November 8, 2018 Memo to Planning Commissioners and the Board of Supervisors that addressed this firm's and others' requests for a Supplemental Environmental Impact Report for the Central SoMa Plan based on the recent emergence of significant new information concerning the documented contribution to traffic congestion and vehicle miles traveled by ride-share services such as Uber and Lyft in District 6.

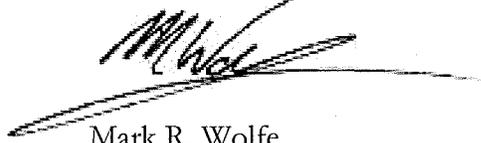
Please review and consider the points raised in Mr. Smith's letter prior to the November 27, 2018 scheduled Board action on the Central SoMa Plan.

November 26, 2018  
Page 2

Thank you for your consideration of these concerns.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'M. R. Wolfe', with a long horizontal flourish extending to the right.

Mark R. Wolfe

MRW:  
attachment



SMITH ENGINEERING & MANAGEMENT

November 26, 2018

Mr. Mark Wolfe  
M. R. Wolfe & Associates  
555 Sutter Street, Suite 405  
San Francisco, CA 94102

**Subject:** TNCs & Congestion Report and Central SoMa Plan EIR Conclusions

Dear Mr. Wolfe:

Per your request, I have reviewed the San Francisco Planning Department (the "SFPD") Memo of November 8, 2018 to San Francisco Planning Commissioners and Board of Supervisors responding (the "SFPD 11-8 response memo") to letters requesting a Supplemental Environmental Impact Report for the Central SoMa Plan (the "Project"). My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and 50 years of consulting practice in traffic and transportation engineering. I have both prepared and reviewed the traffic and transportation components of numerous CEQA environmental documents. My professional resume is attached herewith.

**Background**

The basis of the requests for a Supplemental EIR on the Project is that the San Francisco County Transportation Authority's ("SFCTA") publication October 2018 publication *Transportation Network Companies and Congestion Report* ("TNCs & Congestion Report") constitutes new information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified as complete and that shows significant effects previously examined will be substantially more severe than shown in the previous EIR.

## **The Key Issue**

The TNCs & Congestion Report demonstrates how TNCs have had a transformative effect on the ways residents and workers travel in San Francisco. What the TNCs & Congestion Report shows, which SFPD 11-8 response memo admits on pages 1 and 2, is that, due to use of TNC services and the TNC vehicles circulating while waiting or traveling to respond to their next service call, TNC's generate about equal VMT to that which would have been generated by all the population and employment growth that occurred between 2010 and 2016 if TNCs did not exist. The SF-Champ transportation model, which the Project's EIR assumptions about trip generation, origin-destination patterns, mode choice and ultimately VMT generation, was validated on 2010 data, a time when TNC services were nonexistent. What this demonstrates is that the post-2016 travel patterns and choices of the post-2016 resident and job-holder population in the Project study area are undeniably radically different from the assumptions and traffic model outputs the Project EIR relied on, most explicitly in significantly increasing VMT generated per capita resident and per capita jobholder. The TNC's & Congestion Report also presents compelling new evidence of radically increased congestion and delay that has implications for transit impacts, emergency service impacts, impacts on pedestrians and bicyclists and other important considerations.

## **Inadequacy of the SFPD 11-8 Response Memo**

The essence of the SFPD 11-8 response memo's claim that a Supplemental EIR is not needed is that the TNC's & Congestion Report has not handed the Planning Department neat computations of how much VMT each resident or job in Central SoMa creates and computations of how much the indicators of congestion increases the TNC's & Congestion Report did compile directly impact transit, emergency vehicles and other considerations. That is exactly why a Supplemental EIR is needed – to find and disclose those things and disclose what the impacts of the Central SoMa Plan are in light the strong evidence of the existing radically altered travel behavior from that assumed in the current EIR analysis. The circular logic employed in the SFPD 11-8 response memo is indicative of a rush to adopt this Plan regardless of how flawed this Plan's EIR may be and the lack of the good faith effort to disclose impact that CEQA demands.

## **Conclusion**

FEIR Response to Comments response TR-7, in addressing the potential for TNCs to increase per resident and per employee VMT per capita states at Response page 154, *"it is highly unlikely that the VMT estimates would increase to a level such that the Project's VMT impacts would be significant."* However, the TNCs & Congestion Report provides direct evidence that TNCs have increased per capita VMT in areas like Central SoMa to levels that, more likely

Mr. Mark Wolfe  
November 26, 2018  
Page 3

than not would increase to levels that would be significant. Hence, a Supplemental EIR must be prepared.

Sincerely,

Smith Engineering & Management  
A California Corporation



Daniel T. Smith Jr., P.E.  
President

Attachments:  
Resume of Daniel T. Smith Jr., P.E.



SMITH ENGINEERING & MANAGEMENT

**DANIEL T. SMITH, Jr.**  
**President**

**EDUCATION**

Bachelor of Science, Engineering and Applied Science, Yale University, 1967  
Master of Science, Transportation Planning, University of California, Berkeley, 1968

**PROFESSIONAL REGISTRATION**

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)  
California No. 938 (Traffic) Arizona No. 22131 (Civil)

**PROFESSIONAL EXPERIENCE**

Smith Engineering & Management, 1993 to present. President.  
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.  
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.  
Personal specialties and project experience include:

**Litigation Consulting.** Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.

**Urban Corridor Studies/Alternatives Analysis.** Principal-in-charge for State Route (SR) 103 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-50N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

**Area Transportation Plans.** Principal-in charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for EMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

TRAFFIC • TRANSPORTATION • MANAGEMENT  
5311 Lowry Road, Union City, CA 94587 tel: 510.489.9477 fax: 510.489.9478

TRAFFIC • TRANSPORTATION • MANAGEMENT

5311 Lowry Road, Union City, CA 94587 tel: 510.489.9477 fax: 510.489.9478

**Transportation Centers.** Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

**Campus Transportation.** Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

**Special Event Facilities.** Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

**Parking.** Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking.

**Transportation System Management & Traffic Restraint.** Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

**Bicycle Facilities.** Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

#### **MEMBERSHIPS**

Institute of Transportation Engineers Transportation Research Board

#### **PUBLICATIONS AND AWARDS**

*Residential Street Design and Traffic Control*, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

*Residential Traffic Management, State of the Art Report*, U.S. Department of Transportation, 1979.

*Improving the Residential Street Environment*, with Donald Appleyard *et al.*, U.S. Department of Transportation, 1979.

*Strategic Concepts in Residential Neighborhood Traffic Control*, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

*Planning and Design of Bicycle Facilities: Pitfalls and New Directions*, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.

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**From:** Board of Supervisors, (BOS)  
**Sent:** Tuesday, November 27, 2018 8:14 AM  
**To:** BOS-Supervisors; Major, Erica (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)  
**Subject:** FW: Central SoMa Plan and EIR (SCH NO. 2013042070). 11/27/18 Agenda Items 14-18; Request for Supplemental EIR  
**Attachments:** D\_Smith\_Central SOMA comment 11-26-18.pdf; Central SOMA comment 11-26-18.docx

**From:** Paul Phillips <paulrphillips@gmail.com>  
**Sent:** Monday, November 26, 2018 7:42 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>  
**Subject:** Central SoMa Plan and EIR (SCH NO. 2013042070). 11/27/18 Agenda Items 14-18; Request for Supplemental EIR

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Clerk of the San Francisco Board of Supervisors:

I write on behalf of myself, my wife Genia Phillips and my neighbor, Gina Cariaga, to object to the Board approving the Central SoMa Plan and to require the Planning Department to prepare a Supplemental EIR to address the significant new information presented in the Transportation Network Companies and Congestion Report, as requested in Richard Drury's letter dated October 18, 2018 and as further supported by Daniel Smith's November 26, 2018 letter to Mark Wolfe, which Mr. Wolfe submitted to the Board of Supervisors on November 26, 2018.

Sincerely,  
Paul Phillips

November 26, 2018

**By E-Mail Only**

San Francisco Board of Supervisors  
c/o Clerk of the Board  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

Lisa M. Gibson, Environmental Review Officer  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
lisa.gibson@sfgov.org

**Re: Central SoMa Plan and Environmental Impact Report  
[SCH NO. 2013042070]**

To the Board of Supervisors and Environmental Review Officer:

On behalf of Jonathan Berk, please accept and consider the attached letter dated today from Daniel T. Smith, P.E., of the traffic engineering consulting firm Smith Engineering & Management. Mr. Smith's letter responds to the Planning Department's November 8, 2018 Memo to Planning Commissioners and the Board of Supervisors that addressed this firm's and others' requests for a Supplemental Environmental Impact Report for the Central SoMa Plan based on the recent emergence of significant new information concerning the documented contribution to traffic congestion and vehicle miles traveled by ride-share services such as Uber and Lyft in District 6.

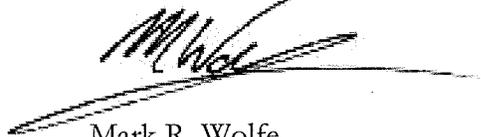
Please review and consider the points raised in Mr. Smith's letter prior to the November 27, 2018 scheduled Board action on the Central SoMa Plan.

November 26, 2018  
Page 2

Thank you for your consideration of these concerns.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'M. R. Wolfe', with a long, sweeping horizontal stroke underneath.

Mark R. Wolfe

MRW:  
attachment



SMITH ENGINEERING & MANAGEMENT

November 26, 2018

Mr. Mark Wolfe  
M. R. Wolfe & Associates  
555 Sutter Street, Suite 405  
San Francisco, CA 94102

**Subject:** TNCs & Congestion Report and Central SoMa Plan EIR Conclusions

Dear Mr. Wolfe:

Per your request, I have reviewed the San Francisco Planning Department (the "SFPD") Memo of November 8, 2018 to San Francisco Planning Commissioners and Board of Supervisors responding (the "SFPD 11-8 response memo") to letters requesting a Supplemental Environmental Impact Report for the Central SoMa Plan (the "Project"). My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and 50 years of consulting practice in traffic and transportation engineering. I have both prepared and reviewed the traffic and transportation components of numerous CEQA environmental documents. My professional resume is attached herewith.

### **Background**

The basis of the requests for a Supplemental EIR on the Project is that the San Francisco County Transportation Authority's ("SFCTA") publication October 2018 publication *Transportation Network Companies and Congestion Report* ("TNCs & Congestion Report") constitutes new information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified as complete and that shows significant effects previously examined will be substantially more severe than shown in the previous EIR.

## **The Key Issue**

The TNCs & Congestion Report demonstrates how TNCs have had a transformative effect on the ways residents and workers travel in San Francisco. What the TNCs & Congestion Report shows, which SFPD 11-8 response memo admits on pages 1 and 2, is that, due to use of TNC services and the TNC vehicles circulating while waiting or traveling to respond to their next service call, TNC's generate about equal VMT to that which would have been generated by all the population and employment growth that occurred between 2010 and 2016 if TNCs did not exist. The SF-Champ transportation model, which the Project's EIR assumptions about trip generation, origin-destination patterns, mode choice and ultimately VMT generation, was validated on 2010 data, a time when TNC services were nonexistent. What this demonstrates is that the post-2016 travel patterns and choices of the post-2016 resident and job-holder population in the Project study area are undeniably radically different from the assumptions and traffic model outputs the Project EIR relied on, most explicitly in significantly increasing VMT generated per capita resident and per capita jobholder. The TNC's & Congestion Report also presents compelling new evidence of radically increased congestion and delay that has implications for transit impacts, emergency service impacts, impacts on pedestrians and bicyclists and other important considerations.

## **Inadequacy of the SFPD 11-8 Response Memo**

The essence of the SFPD 11-8 response memo's claim that a Supplemental EIR is not needed is that the TNC's & Congestion Report has not handed the Planning Department neat computations of how much VMT each resident or job in Central SoMa creates and computations of how much the indicators of congestion increases the TNC's & Congestion Report did compile directly impact transit, emergency vehicles and other considerations. That is exactly why a Supplemental EIR is needed – to find and disclose those things and disclose what the impacts of the Central SoMa Plan are in light the strong evidence of the existing radically altered travel behavior from that assumed in the current EIR analysis. The circular logic employed in the SFPD 11-8 response memo is indicative of a rush to adopt this Plan regardless of how flawed this Plan's EIR may be and the lack of the good faith effort to disclose impact that CEQA demands.

## **Conclusion**

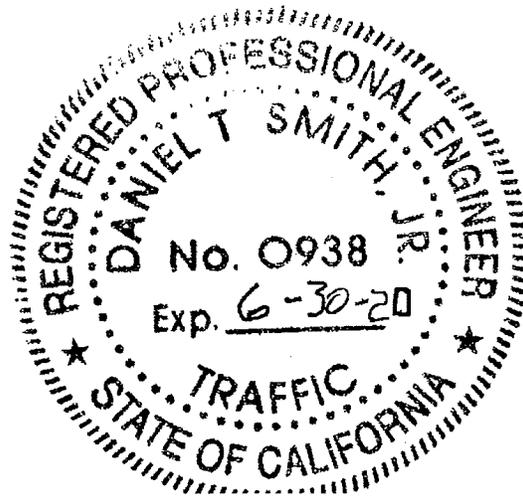
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November 26, 2018  
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Sincerely,

Smith Engineering & Management  
A California Corporation



Daniel T. Smith Jr., P.E.  
President

Attachments:  
Resume of Daniel T. Smith Jr., P.E.

SMITH ENGINEERING & MANAGEMENT



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SMITH ENGINEERING & MANAGEMENT

November 26, 2018

Mr. Mark Wolfe  
M. R. Wolfe & Associates  
555 Sutter Street, Suite 405  
San Francisco, CA 94102

**Subject:** TNCs & Congestion Report and Central SoMa Plan EIR Conclusions

Dear Mr. Wolfe:

Per your request, I have reviewed the San Francisco Planning Department (the "SFPD") Memo of November 8, 2018 to San Francisco Planning Commissioners and Board of Supervisors responding (the "SFPD 11-8 response memo") to letters requesting a Supplemental Environmental Impact Report for the Central SoMa Plan (the "Project"). My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and 50 years of consulting practice in traffic and transportation engineering. I have both prepared and reviewed the traffic and transportation components of numerous CEQA environmental documents. My professional resume is attached herewith.

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## **The Key Issue**

The TNCs & Congestion Report demonstrates how TNCs have had a transformative effect on the ways residents and workers travel in San Francisco. What the TNCs & Congestion Report shows, which SFPD 11-8 response memo admits on pages 1 and 2, is that, due to use of TNC services and the TNC vehicles circulating while waiting or traveling to respond to their next service call, TNC's generate about equal VMT to that which would have been generated by all the population and employment growth that occurred between 2010 and 2016 if TNCs did not exist. The SF-Champ transportation model, which the Project's EIR assumptions about trip generation, origin-destination patterns, mode choice and ultimately VMT generation, was validated on 2010 data, a time when TNC services were nonexistent. What this demonstrates is that the post-2016 travel patterns and choices of the post-2016 resident and job-holder population in the Project study area are undeniably radically different from the assumptions and traffic model outputs the Project EIR relied on, most explicitly in significantly increasing VMT generated per capita resident and per capita jobholder. The TNC's & Congestion Report also presents compelling new evidence of radically increased congestion and delay that has implications for transit impacts, emergency service impacts, impacts on pedestrians and bicyclists and other important considerations.

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November 13, 2018

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

RE: November 13, 2018 Agenda Items Nos. 52 through 56  
**Central SoMa Plan Amendments** to the General Plan, Planning Code, Zoning Maps,  
Business & Tax Regulations, Administrative Code (Board File Nos. 180490, 180184,  
180185, 180453, 180612)

Dear Board President Cohen and Supervisors:

**Thank you for the opportunity to weigh in with SPUR's support for the Central SoMa Plan, with two caveats below (on page 2).** We are pleased to see that the approval of the Central SoMa Plan and its implementing actions are finally before you. The city has been working with the community for several years to get this ambitious plan completed, and we urge you to approve it.

Why should the Central SoMa Plan be approved? What do we see are its merits?

1. **Central SoMa is the right location for jobs:** Central SoMa is an area that is key to San Francisco and to the region. It lies adjacent to the Financial District, an existing dense jobs center, and it holds the most links to regional transportation infrastructure. Downtown San Francisco is the area in the region with the lowest rate of driving to work and one of the few places within the region where people can and do commute by public transportation.

This is therefore the right place — from an environmental standpoint, a jobs agglomeration standpoint and others — for accommodating a significant amount of growth for both jobs and housing, but particularly for the 40,000+ jobs this Plan contemplates.

2. **The Central SoMa Plan helps to address the housing shortage and the affordability crisis:** With recent amendments, this plan now accommodates 8,300 homes, which is an increase from what was originally planned. Additionally, the housing sustainability district, which uses David Chiu's AB 73 from last year, will help expedite the production of these units which have already been considered through this planning process.

We would support future efforts to add more housing in the Central SoMa Plan and elsewhere in San Francisco and the region without coming at the expense of jobs in regional-transit locations.

3. **The Central SoMa Plan provides for unprecedented public benefits:** The growth accommodated by this Plan is expected to one day fund up to \$2 billion in public benefits towards affordable housing, transportation, open space, sustainability and many other needs for the city and this neighborhood. These benefits will be transformative...once the Plan is approved and once that development moves forward. But we have been waiting for the plan's completion for long enough. In the meantime, the economy has been shifting, construction costs have been rising and the feasibility of development moving forward is now shakier than it was a few years ago.

In that spirit, now is better than later. Displacement of both residents and businesses from San Francisco is happening in part because there is more competition for homes and office space. Quote unquote "normal" office jobs for nonprofits, engineering and architecture firms and other businesses are being shifted to downtown Oakland in the best case, but also to more suburban locations or other regions, because of the increased cost to lease office space in San Francisco.

**While we are extremely supportive of the Central SoMa Plan overall, SPUR has concerns about two of the amendments under consideration:**

- 249.78(c)(7) and 249.78(c)(8): Prohibition on Market-Rate SRO and Group Housing  
We oppose the prohibition on new construction, market-rate SRO housing or group housing in Central SoMa. Given the scope of the housing shortage and the fact that housing models are already evolving across the country, this seems like the wrong move to make today. We need more places for people to live, and it's clear that people are choosing to live in many different ways in cities today, particularly in places like South of Market. The development of market-rate group or SRO housing does not harm the current or future residents of existing SRO housing. While we think that the city should closely monitor trends in housing development to understand how it is impacting the city and its residents, we strongly disagree with precluding a whole category of housing types, when what we need today is more creativity, not less, and more options, not fewer.
- Uncodified: Non-Severability/Effect of Litigation  
Lastly, we are very concerned about the clauses proposed and deleted on the topic of non-severability and litigation. We agree that the uponings in the Central SoMa Plan should remain tied to the benefits promised with the plan, but we suggest not throwing the baby out with the bathwater. The CFD is only responsible for generating \$400 million out of a potential \$2 billion in benefits. We must protect the broader benefits of the plan and leave this clause out of the final approved legislation.

The Central SoMa Plan is a thoughtful and ambitious plan to improve the neighborhood for residents, workers and visitors. It will increase housing opportunities, provide significant affordability, expand green space, transform the experience of being on the street, maintain a vital mix of uses, allow a diverse mix of businesses to remain in San Francisco and more. SPUR urges you to support this Plan and set in motion the processes that will bring these benefits to Central SoMa, San Francisco and the region.

Thank you for your consideration. Let me know if you have any questions.

Best,

A handwritten signature in black ink, appearing to read 'KWang', with a stylized flourish at the end.

Kristy Wang  
Community Planning Policy Director

cc: SPUR Board of Directors  
Mayor London Breed and staff  
Planning Department staff

**CENTRAL SOMA PLAN**

**Amendments Introduced at 10/29 Land Use & Transportation Committee Hearing**

180185  
180184  
10/29/2018  
SUBMITTED IN  
COMMITTEE

#	Section	Page/Line	Change
1	138	page 35, line 18-20	Eliminate the privately-owned public open space (POPOS) incentive to provide playgrounds, community gardens, sport courts, and dog runs. (The incentive is a 33% reduction in space required.)
2	138	page 38, line 22	Clarify that projects providing POPOS shall make an effort to include at least one publicly-accessible potable water source convenient for drinking and filling of water bottles.
3	155(u)	page 54, line 22-23	Clarify that Planning Department shall approve projects' driveway loading & operations plans, in consultation with SFMTA
4	249.78	page 71, line 16 through page 72, line 7	Prohibit Single Room Occupancy (SRO) units, except in buildings that consist of 100% affordable units.  Prohibit group housing uses, except for: (1) Student Housing (2) Senior Housing (3) Residential Care Facilities (4) Housing for persons with disabilities or Transition Age Youth (4) Buildings providing 100% affordable housing
5	249.78	page 80, line 11 - 25	Amend the requirement that Key Sites with office or hotel uses provide on-site child care facilities in satisfaction of their fee requirements under Sections 414.4 to: (a) Specify that the Planning Commission shall review the proposed project for compliance with Section 414.4. (b) Allow the Commission to grant an exception to the requirements that the Sponsor provide the child care facility to a non-profit facility entirely free of rent or other costs for the life of the project, if it finds one or all of the following apply: (i) The space is being provided to the proposed child-care provider at a below-market rate rent and/or at a significantly reduced cost. (ii) The proposed child-care provider provides services consistent with the goals and expenditures of the Child Care Capital Fund in Section 414.14, which may include activities including, but not limited to: providing care affordable to households of low and moderate income, or providing care that fulfills unmet needs for child care by age group and/or neighborhood, as determined through a needs assessment conducted by the Director of the Office of Early Care & Education, or its successor.
6	329(e)(3)(B)(vi)	page 107, line 18-19	On the Key Site Identified in 329(e)(2)(H) (Creamery), allow an exception to the requirement in Section 138(d)(2)(E)(i) that ground floor POPOS be open to the sky.
7	406	page 109, line 17 through page 110, line 5	Include a waiver that allows land dedication of land for a public park (not including improvement costs) on Block 3777 (598 Brannan St / Park Block) to count against various fees, including the TSF and Central SoMa Fee (such a waiver already exists for the Eastern Neighborhoods Infrastructure Impact Fees).
8	Uncodified section	page 235, line 11-25	In the event that any person or entity files a lawsuit in any court challenging any new development requirement imposed as part of the Central SoMa Plan that results in generation of revenue to fund the Central SoMa Public Benefits Program, then upon the service of such lawsuit upon the City and County of San Francisco, all applications for projects that could not be approved but for the adoption of this ordinance and that have not yet received a first construction document will be suspended until there is a final judgment in the lawsuit in all courts and the validity of the challenged provision(s) specified in this Section is upheld.
9	Zoning map	zoning map: page 4, line 17-20	Rezone the Assessor's block 3733, lot 014 (816 Folsom Street) back from MUR to CMUO in order to allow the proposed hotel project to proceed with its application.
10	Zoning map	zoning map: page 7, line 20-24	Rezone a portion of Assessor's block 3778, lot 005 (SF Flower Mart project project at 6th & Brannan) to MUR. The rezoned portion is 200' along Brannan Street and 150' along 6th Street, as measured from the intersection of 6th & Brannan. The remainder of the lot would remain CMUO.

180184  
180185

**From:** Daniel Frattin <dfrattin@reubenlaw.com>  
**Sent:** Friday, October 26, 2018 4:00 PM  
**To:** Kim, Jane (BOS); Tang, Katy (BOS); Safai, Ahsha (BOS)  
**Cc:** Jacobo, Jon (BOS); Grisso, Mike; Alexandra Stoelzle; Alex Clemens; Rahaim, John (CPC); Chen, Lisa (CPC); Major, Erica (BOS)  
**Subject:** Flower Mart - Central SoMa Legislation - BOS File Nos. 180184 - 180185

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Kim, Tang, and Safai -

For the past five years, Kilroy Realty Corp. has worked collaboratively with the Flower Market vendors, Planning Department staff, the Mayor's office, and other city officials to deliver a high-quality project on the Flower Mart site. The centerpiece of the project – and foremost among its many public benefits – is a new long-term home for the Wholesale Flower Market, which will offer below-market rents to an important San Francisco institution. As part of the Central SoMa Planning process, we've worked diligently to align the project with the Central SoMa Plan's policy objectives. That iterative process has resulted in detailed, site-specific design regulations for the Flower Mart site in the Central SoMa legislation and a project that complies with them.

Now, at the 11th hour, we've learned that Supervisor Kim intends to rezone a portion of the Flower Mart site at 6th & Brannan to require residential rather than commercial use. With less than a full business day before amendments are introduced, we've been asked to identify the portion of the site it would be acceptable to rezone. After five years of careful, professional work with city staff and stakeholders, we simply cannot respond to this request in such a short period of time. We have no time to evaluate how conflicts between a residential use and the Flower Market's intensive late night and early morning wholesale operations can be addressed. We certainly do not have time to solicit input from roughly 60 Flower Market vendors and management, who've been consulted at each step of the project. We also have no idea how rezoning a portion of the site for residential would ripple through the design of the office, wholesale, and retail uses on the remainder, or conflict with the detailed and site-specific design regulations for the site.

We remain committed to working collaboratively with the city and interested stakeholders to deliver the best possible project on the Flower Mart site. However, we cannot do so on a moment's notice. We strongly urge you to reject any unilateral, last-minute changes to the zoning for the Flower Mart site.

## REUBEN, JUNIUS & ROSE, LLP

Daniel A. Frattin, Partner  
T. (415) 567-9000  
C. (415) 517-9395  
[dfrattin@reubenlaw.com](mailto:dfrattin@reubenlaw.com)  
[www.reubenlaw.com](http://www.reubenlaw.com)

**SF Office:** One Bush Street, Suite 600  
San Francisco, CA 94104

**Oakland Office:** 456 8<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Oakland, CA 94607



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# SAN FRANCISCO FLOWER MART

180490

180185

180453

180184

180617

10/29/18

RECORDED IN COMMITTEE

September 28, 2018

Chair Katy Tang  
Vice-Chair Jane Kim  
Supervisor Ahsha Safai  
San Francisco Board of Supervisors  
Land Use and Transportation Committee

Dear Supervisors Tang, Kim and Safai:

We represent the San Francisco Flower Mart, one of the oldest wholesale flower markets in the United States. We manage the wholesale marketplace which houses over 50 individual flower vendors. We support the Flower Mart Project in Central SoMa as an office and retail development above a new, state-of-the-art wholesale flower market. This has been the plan for the site for at least the past four years. However, it is important to note that we are absolutely opposed to any residential units on the site.

The San Francisco Flower Mart is an industrial business. We are heavily reliant on vehicles to both receive and deliver the products we sell in our wholesale marketplace, many of these vehicles are semi-trucks and box trucks. Our businesses operate late night and very early morning hours, as early as 12:00 AM, when our vendors begin receiving deliveries on semi-trucks and box trucks. Our customers arrive and begin buying our perishable products at 2:00 AM. Although we sell a beautiful product, we are extremely noisy and typically have trucks parked, sometimes double parked, in our alleyways and surrounding streets most days during the week. If housing were to be built on this site, it would conflict with these activities and cause a hardship for our wholesale vendors and customers to operate effectively. While we support housing being built in San Francisco in general, we very strongly request that you maintain the Flower Mart Project as it has been planned, with only office and retail space above and adjacent to the wholesale flower market.

Respectfully,

*Vance Yoshida*

Vance Yoshida  
President  
San Francisco Flower Mart LLC

*Jeanne Boes*

Jeanne Boes  
Chief Operations Officer and General Manager  
San Francisco Flower Mart LLC

180490  
180185  
180453  
180184  
180618

**From:** Mchugh, Eileen (BOS)  
**Sent:** Tuesday, October 30, 2018 8:33 AM  
**To:** Major, Erica (BOS)  
**Subject:** Petition to preserve funding for the Old U.S. Mint  
**Attachments:** Old Mint Petition - sept 12th.pdf

**From:** Rob Cromwell [mailto:robromwell@gmail.com]  
**Sent:** Wednesday, September 12, 2018 11:17 AM  
**To:** Tang, Katy (BOS) <katy.tang@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>  
**Cc:** Breed, London (MYR) <london.breed@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; [andrew@tefarch.com](mailto:andrew@tefarch.com); [richhillissf@gmail.com](mailto:richhillissf@gmail.com); Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Frye, Tim (CPC) <tim.frye@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Chen, Lisa (CPC) <lisa.chen@sfgov.org>; Lau, Jon (ECN) <jon.lau@sfgov.org>  
**Subject:** Petition to preserve funding for the Old U.S. Mint

Dear Chairperson Tang and Honorable Members of the Land Use and Transportation Committee:

On behalf of the residents and business owners of Mint Plaza, we write in support of the City's commitment to dedicate \$20M to the Old U.S. Mint's (located at 88 5th St) rehabilitation through the Central SoMa Area Plan.

**Please find attached a signed petition by 50 residents and business owners that live and/or work at Mint Plaza in support of maintaining the \$20M in funding.**

We understand that amendments were introduced to the Central SoMa Area Plan that would reduce critical funding (from \$20M to \$15M) needed to repair and restore the U.S. Mint. The proposed reduction would severely jeopardize plans to reactivate the U.S. Mint.

We urge the City to maintain its previously anticipated funding commitment to the U.S. Mint and reject any proposal to decrease this dedication.

Thank you,

Residents and business owners of Mint Plaza

# Sign petition to save Old Mint funding

September 6th 2018

Supervisor Katy Tang, Chairperson  
Land Use Committee of the  
Board of Supervisors  
City and County of San Francisco  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Chairperson Tang and Honorable Members of the Committee:

On behalf of the residents and business owners of Mint Plaza, we write to express concern regarding the future rehabilitation of the Old United States Mint. The residents of Mint Plaza live 30 yards from the Old Mint across the plaza. The plaza was formerly the section of Jessie Street between Mint and 5th Street. With over 100 live/work units, hundreds of people live and work directly on the plaza and interact with the Old Mint on a daily basis.

We are becoming increasingly concerned about the state of the Old Mint, having watched its steady decay over the last decade firsthand and up close. The City isn't doing enough to preserve this landmark that is in desperate need of care. Recent efforts to re-activate the space for event use have not gone unnoticed, but a building as large and complex as the Old Mint requires significantly more attention. The current minimal care has left the building filthy, covered in human waste and graffiti, often used as shelter for homeless, and infested with rats. All of which hurt quality of life and are health hazards to the hundreds of residents and workers in the neighborhood.

The Old Mint will only thrive with continuous use and care, which necessitates its restoration and funding. The restoration requires a herculean effort by the City, CHS, and other interested parties. If the City is unwilling to take the restoration seriously by preserving its much needed funding, the Mint should be torn down. Letting it continue its decay into a bio-hazardous ruin would be irresponsible, and further erode quality of life for a area that is already struggling.

For these reasons, we have been encouraged by the City's commitment to dedicate \$20M to the building's rehabilitation through the Central SoMa Area Plan. However, we also understand that amendments were introduced to the Central SoMa Area Plan that would reduce \$5 million in critical funding needed to repair and restore the U.S. Mint. The proposed 25% reduction -- from \$20M to \$15M -- would severely jeopardize plans to reactivate the U.S. Mint.

We urge the City to maintain its previously anticipated funding commitment to the U.S. Mint and reject any proposal to decrease this dedication.

Sincerely,

First and Last Name \*

Rob Cromwell

Do you live or work at Mint Plaza?

Live

Work

---

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September 6th 2018

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Sincerely,

First and Last Name \*

Kyle Pickett

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Lesley Hamilton

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Anne Drazen and Leonard Singer

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Harshita bansal

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Kelly Lui

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Claire Liu

Do you live or work at Mint Plaza?

Live

Work

---

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Google Forms

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September 6th 2018

Supervisor Katy Tang, Chairperson  
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City and County of San Francisco  
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Sincerely,

First and Last Name \*

Arnar Birgisson

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Sincerely,

First and Last Name \*

Ankit Agrawal

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Sincerely,

First and Last Name \*

Harshita Bansal

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Work

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Sincerely,

First and Last Name \*

SCOTT warner

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Live

Work

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Sincerely,

First and Last Name \*

David Ellis

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Live

Work

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Sincerely,

First and Last Name \*

Sophie Pearson

Do you live or work at Mint Plaza?

Live

Work

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Sincerely,

First and Last Name \*

Matthew Martin

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## Do you live or work at Mint Plaza?

Live

Work

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Sincerely,

First and Last Name \*

Gerardo A. Chirichigno

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Work

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Sincerely,

First and Last Name \*

Dustin Dolginow

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Live

Work

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Sincerely,

First and Last Name \*

Elaine Ellis

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Live

Work

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Elcin Atamer

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Work

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Sincerely,

First and Last Name \*

Simon Kalouche

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Live

Work

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Sincerely,

First and Last Name \*

Ryan O'Shea

Do you live or work at Mint Plaza?

Live

Work

---

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# Sign petition to save Old Mint funding

September 6th 2018

Supervisor Katy Tang, Chairperson  
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City and County of San Francisco  
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Sincerely,

First and Last Name \*

Craig Rice

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Fred van den Bosch

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Sincerely,

First and Last Name \*

Charlie Martell

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Sincerely,

First and Last Name \*

Geoffrey Rosenblatt

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Sincerely,

First and Last Name \*

Olga Kulicheva

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Work

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Sincerely,

First and Last Name \*

Taylor Henning

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Live

Work

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Sincerely,

First and Last Name \*

Joel Norsworthy

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Live

Work

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Sincerely,

First and Last Name \*

Richard Meyer

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Live

Work

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Sincerely,

First and Last Name \*

Neil Patel

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Live

Work

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Sincerely,

First and Last Name \*

Shana Lypka

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Live

Work

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Sincerely,

First and Last Name \*

Kevin Gibbon

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Live

Work

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Sincerely,

First and Last Name \*

Sarah Siwak

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Live

Work

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Sincerely,

First and Last Name \*

Josh Walter

Do you live or work at Mint Plaza?

Live

Work

---

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# Sign petition to save Old Mint funding

September 6th 2018

Supervisor Katy Tang, Chairperson  
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Sincerely,

First and Last Name \*

Katherine Harnish

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Sincerely,

First and Last Name \*

Elaine Wong

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Live

Work

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Sincerely,

First and Last Name \*

Sandeep Srinivasan

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Live

Work

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Sincerely,

First and Last Name \*

Tammy Butow

---

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Live

Work

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Sincerely,

First and Last Name \*

Ying Tung Chen

---

## Do you live or work at Mint Plaza?

Live

Work

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Sincerely,

First and Last Name \*

Cameron Miller

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Live

Work

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Sincerely,

First and Last Name \*

Peter Miller

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Live

Work

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Sincerely,

First and Last Name \*

Vesna Planko

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Live

Work

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Sincerely,

First and Last Name \*

Kathy Chan

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Live

Work

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Sincerely,

First and Last Name \*

William Eidenmuller

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Live

Work

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Sincerely,

First and Last Name \*

Colin carrier

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Live

Work

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Sincerely,

First and Last Name \*

Tom Perrault

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Live

Work

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For these reasons, we have been encouraged by the City's commitment to dedicate \$20M to the building's rehabilitation through the Central SoMa Area Plan. However, we also understand that amendments were introduced to the Central SoMa Area Plan that would reduce \$5 million in critical funding needed to repair and restore the U.S. Mint. The proposed 25% reduction -- from \$20M to \$15M -- would severely jeopardize plans to reactivate the U.S. Mint.

We urge the City to maintain its previously anticipated funding commitment to the U.S. Mint and reject any proposal to decrease this dedication.

Sincerely,

First and Last Name \*

Seema Kapur

Do you live or work at Mint Plaza?

Live

Work

---

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# Sign petition to save Old Mint funding

September 6th 2018

Supervisor Katy Tang, Chairperson  
Land Use Committee of the  
Board of Supervisors  
City and County of San Francisco  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Chairperson Tang and Honorable Members of the Committee:

On behalf of the residents and business owners of Mint Plaza, we write to express concern regarding the future rehabilitation of the Old United States Mint. The residents of Mint Plaza live 30 yards from the Old Mint across the plaza. The plaza was formerly the section of Jessie Street between Mint and 5th Street. With over 100 live/work units, hundreds of people live and work directly on the plaza and interact with the Old Mint on a daily basis.

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Sincerely,

First and Last Name \*

Sandeep Srinivasan

Do you live or work at Mint Plaza?

Live

Work

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Sincerely,

First and Last Name \*

Michelle Wood

Do you live or work at Mint Plaza?

Live

Work

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Sincerely,

First and Last Name \*

Ken Matsuura

Do you live or work at Mint Plaza?

Live

Work

---

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Sincerely,

First and Last Name \*

Jonathan Wolk

Do you live or work at Mint Plaza?

Live

Work

---

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180453  
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**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, October 22, 2018 1:42 PM  
**To:** BOS-Supervisors; Major, Erica (BOS)  
**Subject:** FW: Central SOMA Plan  
**Attachments:** 2018.10.22.BOS Central SOMA-Phillips Joinder.pdf

**From:** Richard Drury <richard@lozeaudrury.com>  
**Sent:** Monday, October 22, 2018 11:46 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>  
**Cc:** Toyer Grear <toyer@lozeaudrury.com>; Jacobo, Jon (BOS) <jon.jacobo@sfgov.org>  
**Subject:** Central SOMA Plan

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors and Ms. Gibson:  
Please see attached comment on the Central SOMA Plan, which will be considered by the Board of Supervisors Land Use Committee today. Please include the attached comment letter in the administrative record for this matter. Thank you.  
Richard Drury

--  
Richard Drury  
Lozeau Drury LLP  
410 12th Street, Suite 250  
Oakland, CA 94607  
(510) 836-4200  
[richard@lozeaudrury.com](mailto:richard@lozeaudrury.com)



T 510.836.4200  
F 510.836.4205

410 12th Street, Suite 250  
Oakland, Ca 94607

www.lozeaudrury.com  
richard@lozeaudrury.com

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10/22/2018

SUBMITTED *ju* PRESENTED

By Email and Overnight Mail

October 22, 2018

San Francisco Board of Supervisors  
Clerk of the San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

Lisa M. Gibson, Environmental Review Officer  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
lisa.gibson@sfgov.org  
(By Email only)

RE: Central SoMa Plan and Environmental Impact Report for Central SoMa  
Plan (SCH NO. 2013042070). Request for Supplemental EIR.

Honorable Members of the Board of Supervisors and Clerk of the Board:

We present these comments on behalf of Paul Phillips and Genia Phillips, who are residents living at 631 Folsom Street, members of 631 Folsom O.A. ("SF Blu"), and members of Central SoMa Neighbors (CSN). Paul and Genia Phillips hereby join in all of the comments that have been made by this law firm on behalf of SF Blu and Central SOMA Neighbors. Rather than repeat those comments, we incorporate all prior comments in their entirety herein by reference as if set forth in full.

Sincerely,

Richard Toshuyuki Drury



T 510.836.4200  
F 510.836.4205

410 12th Street, Suite 250  
Oakland, Ca 94607

www.lozeaudrury.com  
richard@lozeaudrury.com

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180617

11/20/18  
SUBMITTED BY [Signature]

By Email and Overnight Mail

October 18, 2018

San Francisco Board of Supervisors  
Clerk of the San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

Lisa M. Gibson, Environmental Review Officer  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
lisa.gibson@sfgov.org  
(By Email only)

RE: Central SoMa Plan and Environmental Impact Report for Central SoMa Plan (SCH NO. 2013042070). Request for Supplemental EIR.

Honorable Members of the Board of Supervisors and Clerk of the Board:

We present these comments on behalf of the 631 Folsom O.A. ("SFBlu"), Central SoMa Neighbors (CSN), SFBlu residents Gina Cariaga and Jason DeWillers, in support of our appeal of the Central SoMa Plan and the Environmental Impact Report for the Central SoMa Plan. Today, the San Francisco County Transportation Authority released a report proving that ride-hailing services such as Uber and Lyft are responsible for 51% of traffic delays in San Francisco, with the SOMA area being the hardest hit. (Exhibit A). We request that the City prepare a supplemental environmental impact report ("SEIR") to analyze this new information. This is significant new information that demonstrates that the Central SOMA Plan will have far greater traffic impacts than disclosed in the environmental impact report ("EIR"). The EIR assumed that ride-hailing services generate absolutely no traffic. The EIR is demonstrably false, and is therefore woefully deficient. A supplemental EIR is required to analyze this significant new information and to propose feasible mitigation measures, such as limiting Uber/Lyft (as taxis are limited), imposing impact fees on Uber/Lyft, requiring Uber/Lyft vehicles to comply with the same clean-vehicle requirements imposed in taxis, etc.

## I. LEGAL STANDARD.

CEQA Guidelines Section 15088.5 sets for the standard requiring recirculation prior to final project approval. Recirculation of an EIR is required when "significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification [of the Final EIR]." New information added to an EIR is significant when "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." The Guidelines require recirculation when:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)

The new report shows that the Central SOMA Plan will have new significant impacts on traffic that were not analyzed in the EIR, that there will be an increase in severity of traffic impacts over the level analyzed in the EIR, and that the EIR is so fundamentally and basically inadequate conclusory in nature that meaningful public review and comment were precluded. Therefore a Supplemental EIR is required pursuant to CEQA Guidelines section 15088.5.

Even if the Project had already received final approval, (which it has not), a supplemental EIR would be required pursuant to CEQA section 21166 and CEQA Guidelines section 15162, which states:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The San Francisco County Transportation Authority Report constitutes "New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified" which shows that: "(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;" and "(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR." A supplemental EIR is therefore required to analyze this new information and to propose feasible mitigation measures.

## **II. ANALYSIS.**

### **A. A Supplemental EIR is Required to Analyze the Impacts of Ride-Hailing Services on Traffic, Air Pollution and Pedestrian Safety.**

The EIR fails entirely to analyze the impacts of Uber/Lyft on traffic congestion. The EIR assumes that nobody will take Uber/Lyft at all. The Final EIR admits that the

DEIR does not consider ride hailing. The FEIR claims that there is inadequate data to allow analysis. (Response to Comments, RTC-152).

Now, accurate data exists from the County's own Transportation Authority. Today's report concludes that Uber/Lyft are responsible for 51% of traffic congestion in the City and County. The EIR's conclusion that the Central SOMA Plan will have no impact on traffic, while ignoring Uber/Lyft, is simply untenable.

In our comments on the Draft EIR, Traffic Engineer Daniel Smith, PE, pointed out that the Central SOMA Plan will actually increase vehicle miles travelled ("VMT"). As a result, the City may not rely on SB 743 to conclude that traffic impacts are less than significant and must instead conduct a standard level of service ("LOS") traffic analysis. Mr. Smith concludes that the Plan will have highly significant traffic impacts, causing gridlock throughout the Central SoMa area.

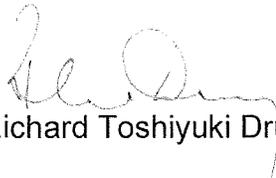
In response to comments, the Final EIR admits that the Plan increases VMT per employee ("VMT per capita of 6.8 without the Plan and 7.1 with the Plan for 2040"), but claims this is "within the general margin of error." (RTC-141-142). The City's position ignores the plain language of the statute. SB 743 contains no "margin of error." The plain fact is that even by the City's own calculation, the Plan will increase, not decrease VMT. Therefore SB 743 simply does not apply. The City's response to comments is plainly inadequate.

In the attached comment letter, Mr. Smith points out the San Francisco County Transportation Authority studies showed that ride-hailing services have a significant adverse impact on traffic. (Exhibit B). Today's study shows that the impact is far worse than previously believed.

Clearly, ride-hailing services will increase VMT. VMT already increases due to the Project. Therefore VMT will increase even more than projected in the EIR. Therefore the City cannot rely on SB 743 to ignore traffic impacts, and a traffic analysis and mitigation is required.

A Supplemental EIR is required to analyze the impact of ride-hailing services on traffic congestion, and related air pollution and pedestrian safety impacts. The San Francisco County Transportation Authority study constitutes significant new information that must be analyzed in a supplemental EIR to propose feasible means to mitigate the Plan's significant traffic impacts.

Sincerely,



Richard Toshiyuki Drury

# EXHIBIT A



# TNCs & Congestion

DRAFT REPORT | OCTOBER 2018

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## ACKNOWLEDGEMENTS

We wish to thank the following individuals who contributed to the development of this report:

### PROJECT TEAM

JOE CASTIGLIONE, SFCTA  
DREW COOPER, SFCTA  
BHARGAVA SANA, SFCTA  
DAN TISCHLER, SFCTA  
TILLY CHANG, SFCTA  
GREG ERHARDT, UNIVERSITY OF KENTUCKY  
SNEHA ROY, UNIVERSITY OF KENTUCKY  
MEI CHEN, UNIVERSITY OF KENTUCKY  
ALEX MUCCI, UNIVERSITY OF KENTUCKY

### PHOTO CREDITS

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Page 10: Torbak Hopper  
Page 11: 305 Seahill  
Page 11: Tony Webster

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SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

1455 Market Street, 22nd Floor, San Francisco, CA 94103

TEL 415.522.4800 FAX 415.522.4829

EMAIL [info@sfcta.org](mailto:info@sfcta.org) WEB [www.sfcta.org](http://www.sfcta.org)



## Executive Summary

Congestion in San Francisco worsened between 2010 and 2016. The Transportation Authority's Congestion Management Program monitoring indicates that average AM peak arterial travel speeds decreased since 2009 by -26%, while PM peak arterial speeds have decreased by -27% during this same time period. Vehicle hours of delay on the major roadways increased by 40,000 hours on a typical weekday, while vehicle miles travelled on major roadways increased by over 630,000 miles on a typical weekday.

During this period significant changes occurred in San Francisco. Roadway and transit networks changed, including the implementation of transit red carpet lanes, the expansion of the bicycle network, and the opening of the Presidio Parkway (rebuilt Doyle Drive). San Francisco added 70,000 new residents and over 150,000 new jobs, and these new residents and workers added more trips to the City's transportation network. Finally, new mobility alternatives emerged, most visibly TNCs.

In recent years, the vehicles of transportation network companies (TNCs) such as Uber and Lyft have become ubiquitous in San Francisco and many other major cities. Worldwide, the total number of rides on Uber and Lyft grew from an estimated 190 million in 2014 to over 2 billion by mid-2016 (1). In San Francisco, this agency (the San Francisco County Transportation Authority or SFCTA) estimated approximately 62 million TNC trips in late 2016,

comprising about 15% of all intra-San Francisco vehicle trips and 9% of all intra-San Francisco person trips that fall (2).

The rapid growth of TNCs is attributable to the numerous advantages and conveniences that TNCs provide over other modes of transportation, including point-to-point service, ease of reserving rides, shorter wait times, lower fares (relative to taxis), ease of payment, and real-time communication with drivers. The availability of this new travel alternative provides improved mobility for some San Francisco residents, workers and visitors, who make over one million TNC trips in San Francisco every week, though these TNC trips may conflict with other City goals and policies.

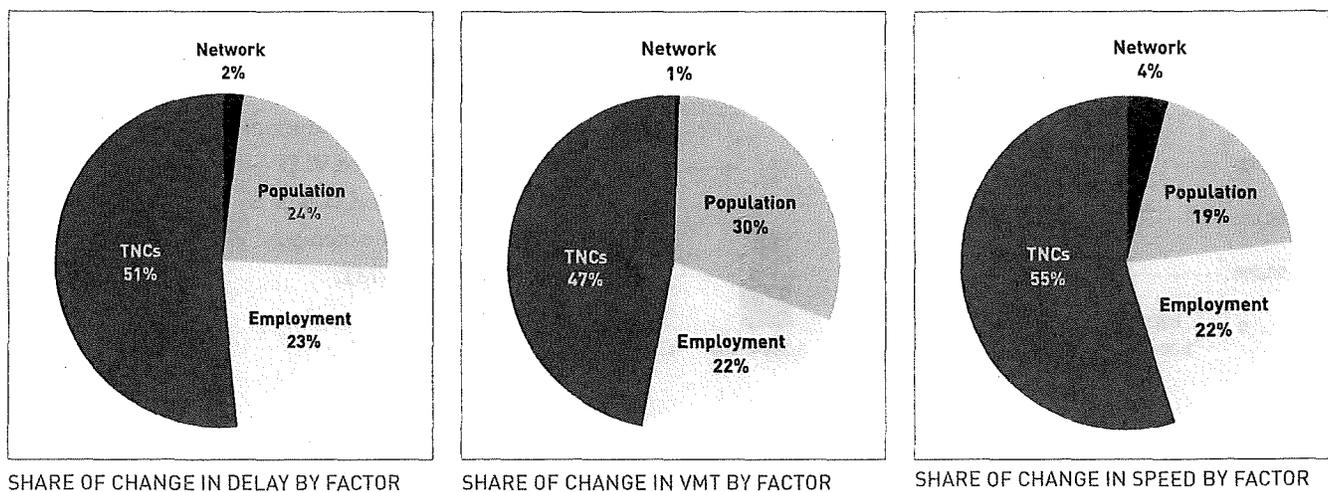
The purpose of this report is to identify the extent to which TNCs contributed to increased roadway congestion in San Francisco between 2010 and 2016, relative to other potential contributing factors including employment growth, population growth, and changes to the transportation system. This information is needed to help the Transportation Authority fulfill our role as the county Congestion Management Agency and inform our policy and planning work. As the Congestion Management Agency for San Francisco, the Transportation Authority is required by state law to monitor congestion and adopt plans for mitigating traffic congestion that falls below certain

thresholds. The report is also intended to inform the Transportation Authority board which is comprised of the members of the San Francisco Board of Supervisors, as well as other state and local policy-makers, and the general public, on the relationship between TNCs and congestion in San Francisco.

This document:

- Identifies common measures of roadway congestion;
- Discusses factors that contribute to roadway to congestion; and
- Quantifies the relative contributions of different factors, including population, employment, road network changes and TNCs, to observed changes in congestion in San Francisco between 2010 and 2016, by location and time of day.

The report utilizes a unique TNC trip dataset provided to the Transportation Authority by researchers from Northeastern University in late 2016, as well as INRIX data, a commercial dataset which combines several real-time GPS monitoring sources with data from highway performance monitoring systems. These data are augmented with information on network changes, population changes, and employment changes provided by local and regional planning agencies, which are used as input to the Transportation Authority’s activity-based regional travel demand model SF-CHAMP.

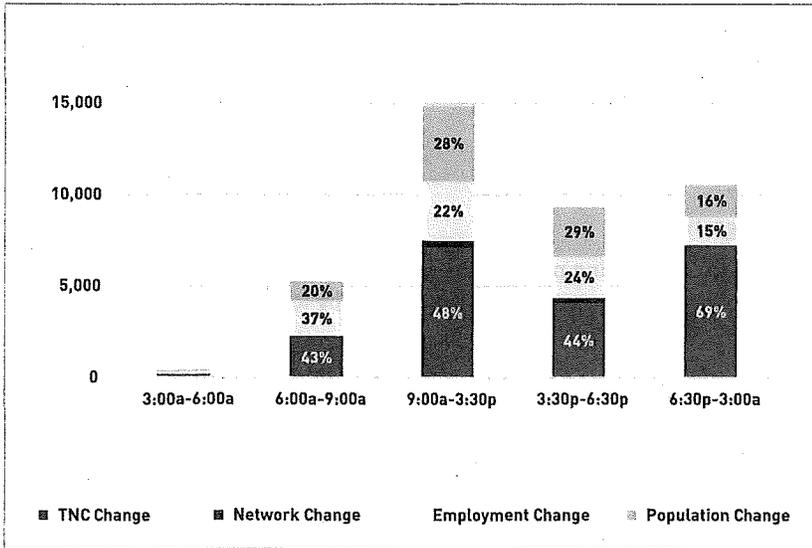


**DO TNCs AFFECT CONGESTION?**

Yes. When compared to employment and population growth and network capacity shifts (such as for a bus or bicycle lane), TNCs accounted for approximately 50% of the change in congestion in San Francisco between 2010 and 2016, as indicated by three congestion measures: vehicle hours of delay, vehicle miles travelled, and average speeds. Employment and population growth—encompassing citywide non-TNC driving activity by residents, local and regional workers, and visitors—are primarily responsible for the remainder of the change in congestion.

- Daily vehicle hours of delay (VHD) on the roadways studied increased by about 40,000 hours during the study period. We estimate TNCs account for 51% of this increase in delay, and for about 25% of the total delay on San Francisco roadways and about 36% of total delay in the downtown core in 2016, with employment and population growth accounting for most of the balance of the increased in delay.
- Daily vehicle miles travelled (VMT) on study roadways increased by over 630,000 miles. We estimate TNCs account for 47% of this increase in VMT, and for about 5% of total VMT on study roadways in 2016.
- Average speeds on study roadways declined by about 3.1 miles per hour. We estimate TNCs account for 55% of this decline.

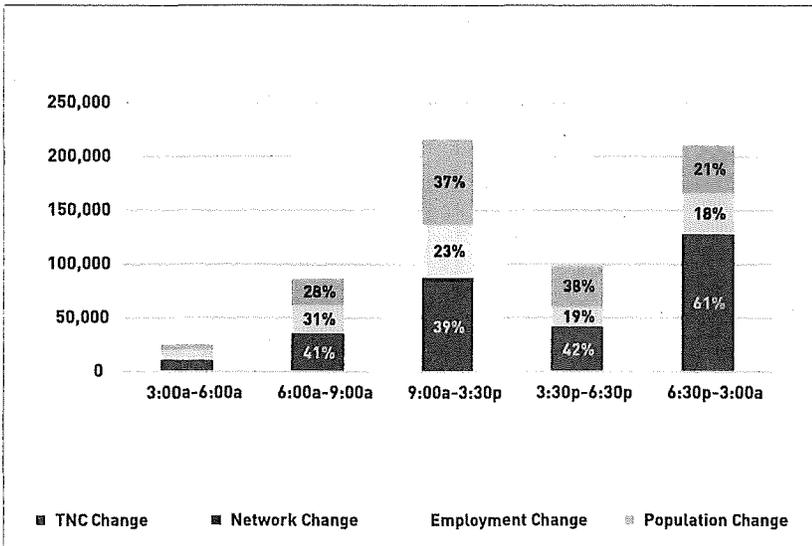
FIGURE 1. CHANGE IN VEHICLE HOURS OF DELAY BY TIME PERIOD BY FACTOR



**WHEN DO TNCs AFFECT CONGESTION?**

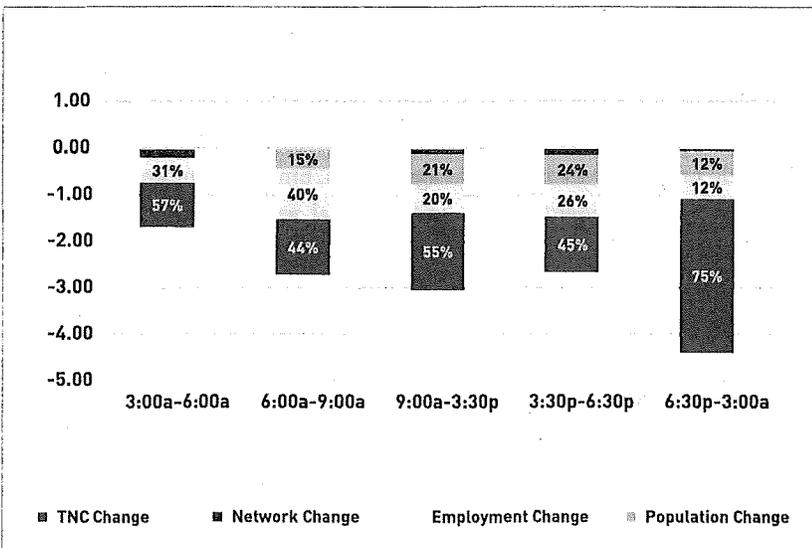
During the AM peak, midday, and PM peak periods, TNCs cause between 43% and 48% of the increased delay and account for about 20% of total delay during these time periods. Employment growth and population growth combined account for just over half of the increased delay. In the evening time period, TNCs are responsible for 69% of the increased delay, and for about 40% of the total delay.

FIGURE 2. CHANGE IN VEHICLE MILES TRAVELED BY TIME PERIOD BY FACTOR



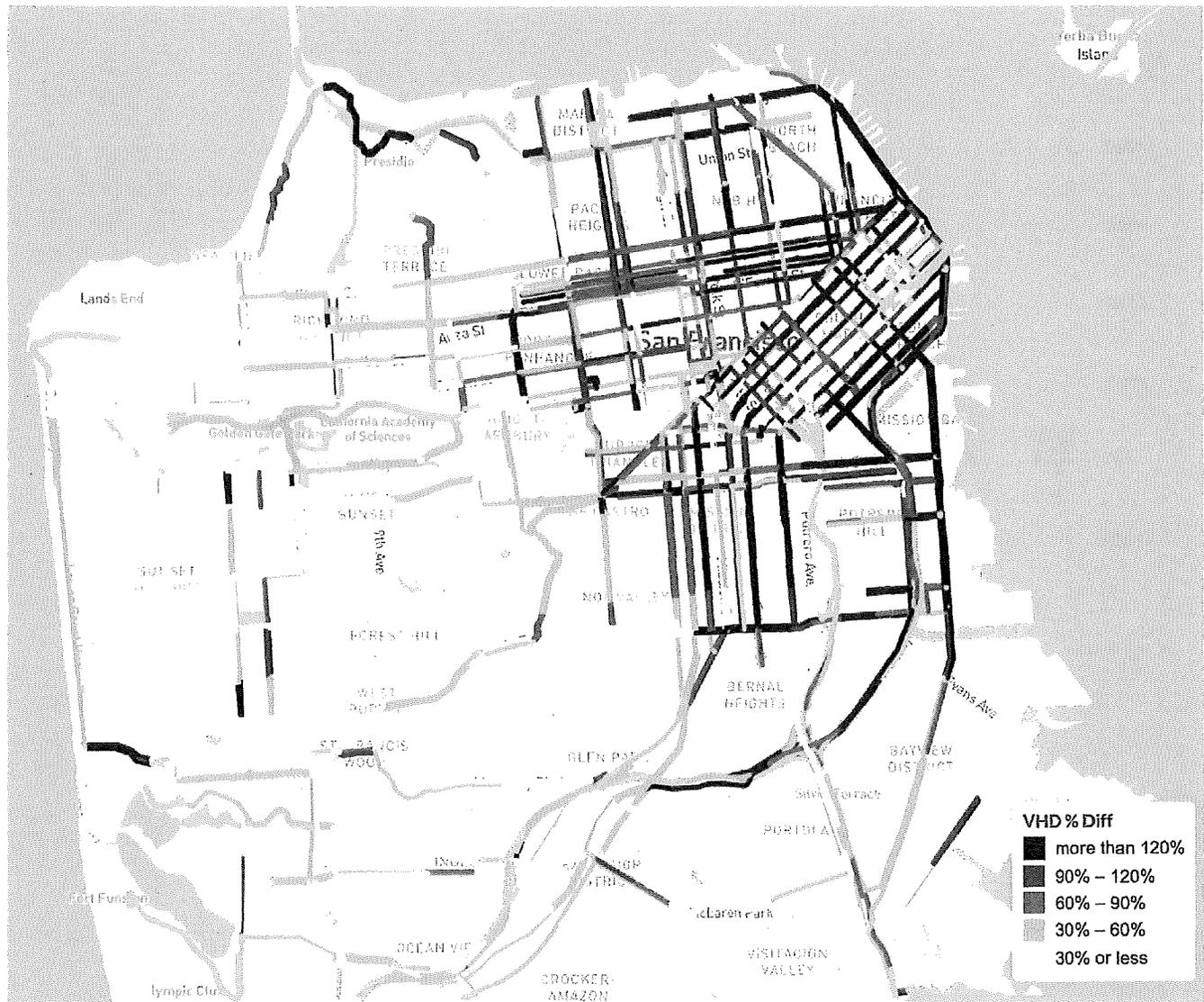
Similarly, during the AM peak, midday, and PM peak periods, TNCs cause about 40% of the increased vehicle miles travelled, while employment and population growth combined are responsible for about 60% of the increased VMT. However, in the evening time period, TNCs are responsible for over 61% of the increased VMT and for about 9% of total VMT.

FIGURE 3. CHANGE IN SPEED (MILES PER HOUR) BY TIME PERIOD BY FACTOR



TNCs are responsible for about 45%-55% of the decline in average speed during most times of day, and are responsible for 75% of the declines in speed during the evening time period.

FIGURE 4. % CHANGE IN VEHICLE HOURS OF DELAY



**WHERE DO TNCs AFFECT CONGESTION?**

TNCs increase congestion throughout the city, but their effects are concentrated in the densest parts of the city, and along many of the city’s busiest corridors, as shown in **Figure 4**. In Supervisorial District 6, TNCs add almost 6,000 daily hours of delay, accounting for about 45% of the increased delay, and 30% of total weekday delay. In District 3, TNCs add almost 5,000 daily hours of delay, accounting for almost 75% of the increased delay and about 50% of total delay. TNCs are responsible for approximately 40%-60% of increases in VMT in many areas of the city. District 6 and District 10 have experienced the greatest increases in VMT between 2010 and 2016, and TNCs account for 41% and 32% of the increases in these districts, respectively.

FIGURE 5. CHANGE IN VEHICLE HOURS OF DELAY BY SUPERVISOR DISTRICT BY FACTOR

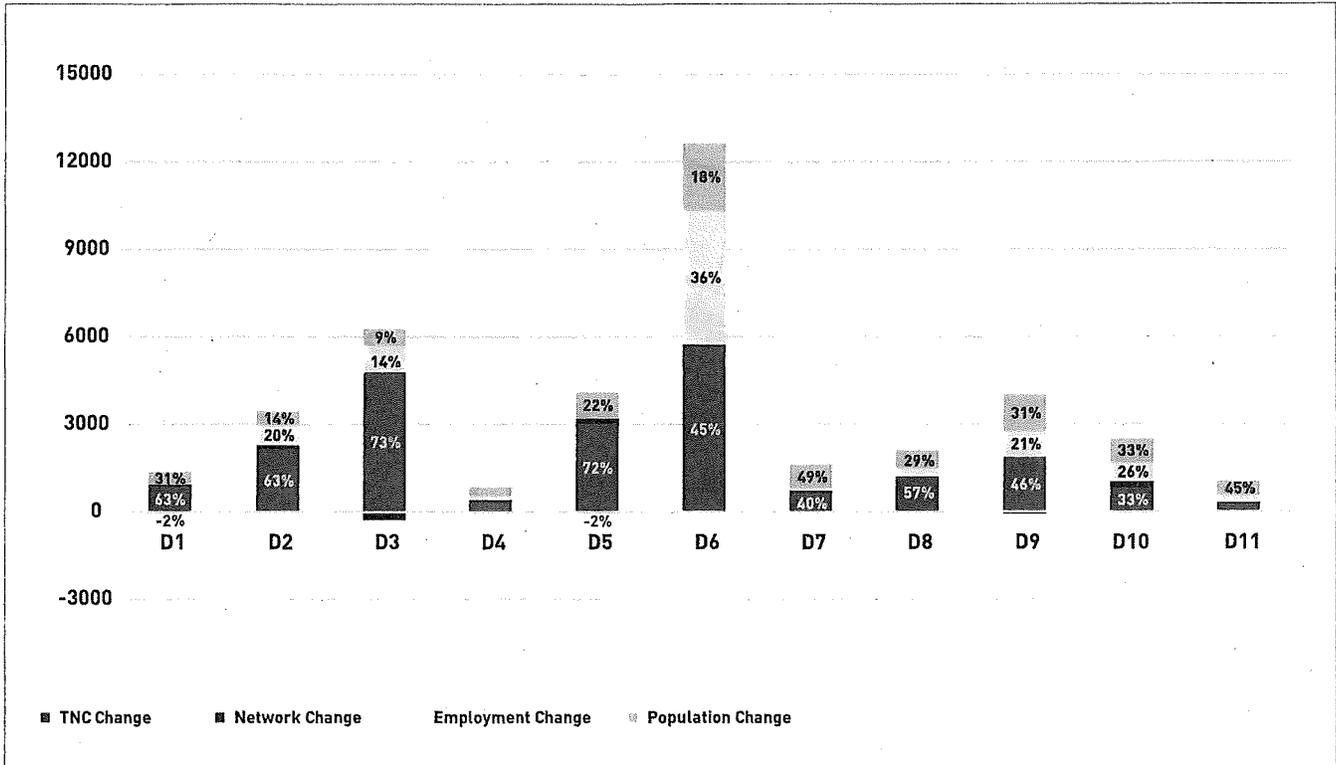
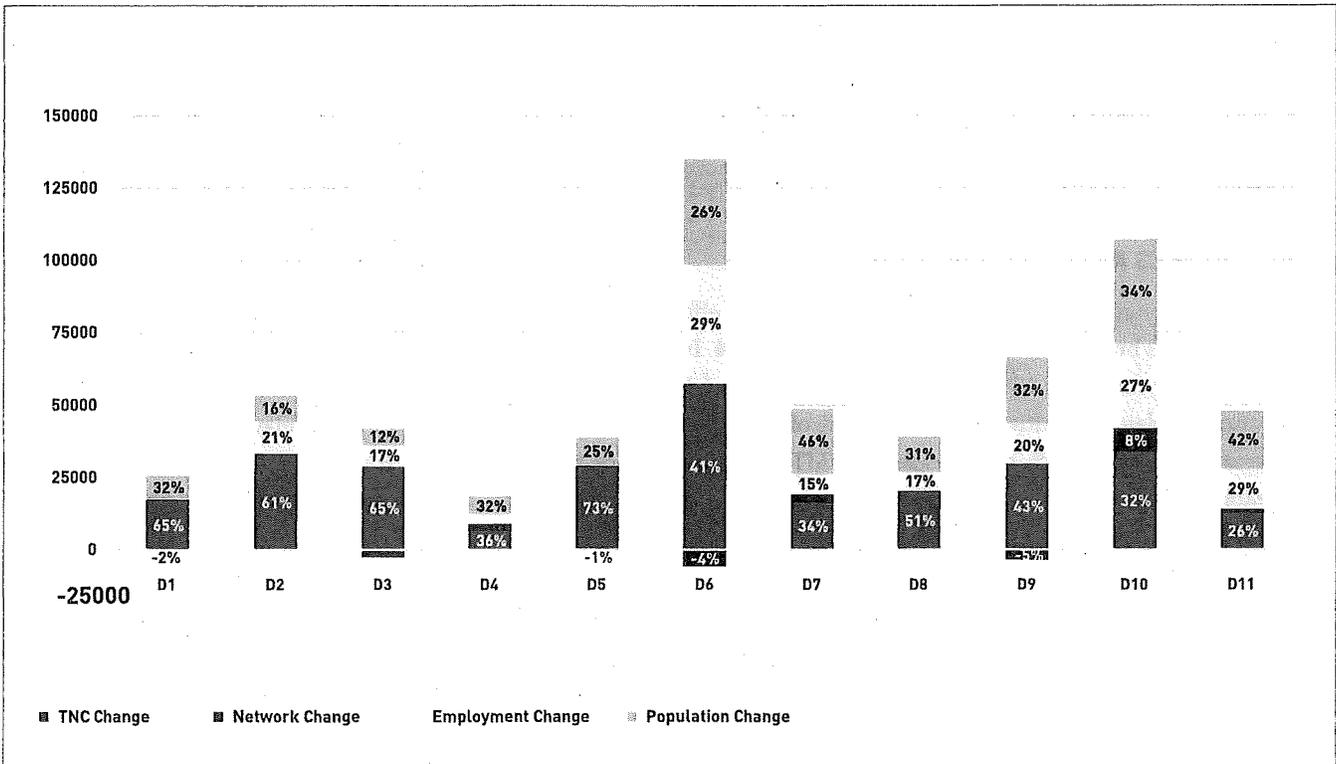


FIGURE 6. CHANGE IN VEHICLE MILES TRAVELED BY SUPERVISOR DISTRICT BY FACTOR





## Introduction

In recent years, the vehicles of transportation network companies (TNCs) such as Uber and Lyft have become ubiquitous in San Francisco and many other cities. TNCs are charter party carriers as defined by the California Public Utilities Commission that provide transportation services, facilitated by smartphone apps that allow people to request and pay for rides sourced from a pool of available drivers. It is estimated that the worldwide total number of rides on Uber and Lyft grew from 190 million in 2014 to over 2 billion by mid-2016 (1). In San Francisco, TNC trips were estimated to comprise about 15% of all intra-San Francisco vehicle trips and 9% of all intra-San Francisco person trips in 2016, as documented in the San Francisco County Transportation Authority's 2017 report "TNCs Today." (2)

The rapid growth of TNCs is attributable to the numerous advantages and conveniences that TNCs provide over other modes of transportation, including point-to-point services, ease of reserving rides, shorter wait times, lower fares, ease of payment, and real-time communication with drivers. Some of these advantages are the product of the technical innovations such as directly connecting travelers and drivers, and using the location-enabled features of smartphones. Other advantages derive from the relatively light regulatory requirements under which TNCs operate compared to taxis and other for-hire vehicles. Unlike the taxi fleet, which is capped by the number of taxi medallions, there is no limit to the number of TNCs that can operate in the city, and TNCs

are not subject to price controls, geographic service area requirements, disabled access obligations, vehicle emissions requirements, or other taxi requirements. The availability of this new travel alternative provides improved mobility for some San Francisco residents, workers and visitors, who make over one million TNC trips in San Francisco every week. These TNC trips may also contribute to increased congestion.

In last year's "TNCs Today" report, the Transportation Authority provided information about the number, timing, and location of intra-San Francisco TNC trips. The report also included estimates of the number of TNC drivers and vehicles on the road and reported important measures such as the number of vehicle miles travelled (VMT) generated by TNCs. However, the TNCs Today report did not address the implications of these trips on transportation network performance, such as roadway congestion. If all TNC trips simply replace private vehicle trips, then TNC trips may have a limited impact on roadway congestion. But if TNC trips replace walk, bike, and transit trips, or if they induce entirely new vehicle trips, TNC trips may have a more significant effect on congestion. In addition, the timing and location of TNC trips is important. TNC trips that occur during peak periods in the densest parts of the city likely have a greater effect on congestion than TNC trips that occur during off peak periods in less dense areas.

# Purpose

The purpose of this report is to identify how TNCs have affected roadway congestion in San Francisco between 2010 and 2016. This information is needed to help the San Francisco County Transportation Authority fulfill its role as the Congestion Management Agency for San Francisco County. As the Congestion Management Agency, the Transportation Authority is required by state law to monitor congestion and adopt plans for mitigating traffic congestion that falls below certain thresholds. The report is also intended to inform the Transportation Authority board which is comprised of the members of the San Francisco Board of Supervisors, as well as other state and local policy-makers, the general public, and TNCs themselves on the relationship between TNCs and congestion in San Francisco.

## **This document:**

- **Identifies common measures of roadway congestion;**
- **Discusses factors that contribute roadway congestion; and**
- **Quantifies the relative contributions of different factors, including population, employment, road network changes, and TNCs, to observed changes in congestion in San Francisco between 2010 and 2016, by location and time of day.**

This report shows how congestion has changed in San Francisco between 2010 and 2016 using well-established metrics such as vehicle hours of delay (VHD), vehicle miles travelled (VMT), and average speeds. It also estimates how much different factors, including TNCs, employment growth, population growth, and changes to the transportation system such as the addition of bike lanes and transit red carpet lanes, contribute to these changes in congestion.

The data used to develop this report comes from several sources. Changes in measures of congestion are based on INRIX data, a commercial dataset which combines several real-time GPS monitoring sources with data from highway performance monitoring systems. TNC information is based on the profile of local TNC usage in San Francisco documented in the TNCs Today report. The original TNC data was gathered by researchers at Northeastern University from the Application Programming Interfaces (APIs) of Uber and Lyft, and subsequently processed into imputed in-service and out-of-service trips by Transportation

Authority staff. Changes in population, employment and network configurations are based on detailed information developed by the San Francisco Planning Department, Metropolitan Transportation Commission, and the San Francisco Municipal Transportation Agency (SFMTA).

Panel regression models, which are statistical models used to evaluate changes over time, were used to estimate the relationship between TNCs and congestion. Travel demand models, which simulate travel based on observed behavior, provide the ability to control for changes in population, employment, network capacities and other factors independently, and network supply models which estimate changes in speeds based on network capacities and demand, were used to control for changes in population, employment, network capacities and other factors independently. Panel regression models, travel demand models, and network supply models are well established in practice.

The report builds upon the TNCs Today report by answering the question of whether TNCs contribute to congestion in San Francisco, and by how much relative to other factors. However, it does not address other key questions, such as the effects of TNCs on safety, transit ridership, or other potential longer-term effects such as changes in vehicle ownership or residential and employment location. Subsequent reports by the Transportation Authority and the SFMTA will seek to address these important analytic and policy questions in depth and will be complemented through the larger Emerging Mobility Services and Technology (EMST) policy framework. The development of the countywide plan (the San Francisco Transportation Plan) within the ConnectSF long-range planning program, being undertaken by the Transportation Authority in coordination with other City agencies, will also make use of this report's findings. This report is research-oriented and does not include policy recommendations, but rather seeks to provide knowledge needed by the Transportation Authority board, other policy-makers, and the general public to make informed decisions.



## How Do We Measure Congestion?

Congestion means different things to different people. Some people may perceive congestion based on travel speeds, while others may consider travel time delays or vehicle miles traveled as a more meaningful indicators of congestion. This report uses three common measures of roadway congestion:

### VEHICLE HOURS OF DELAY

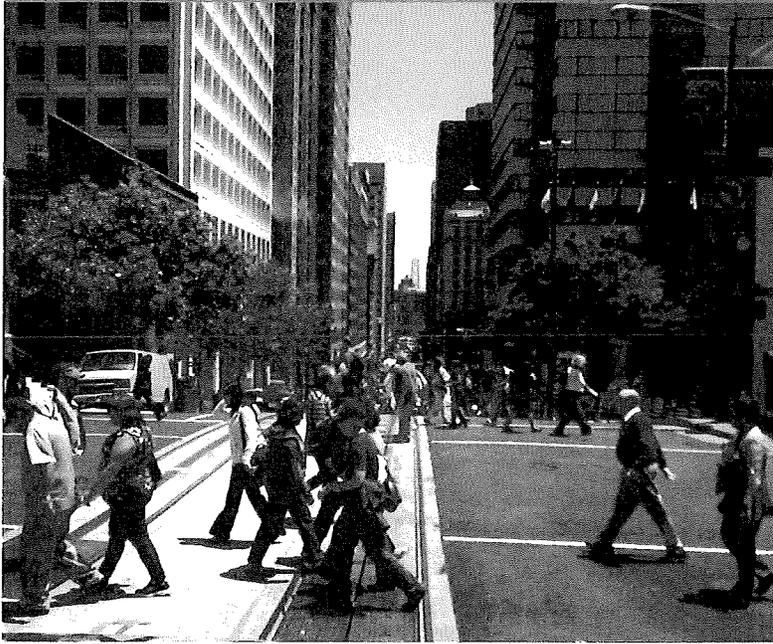
Vehicle Hours of Delay (VHD) is a measure of the overall amount of excess time vehicles spend in congestion. It is the difference between congested travel time and freeflow travel time on a given link, weighted by the number of vehicle trips on that link. For example, if during a given time period the congested travel time on a link is 1 minute greater than the freeflow time on that link, and 60 vehicles traverse that link during this time period, it will result in one hour of VHD (1 minute of delay per vehicle \* 60 vehicles = 60 minutes of delay).

### VEHICLE MILES TRAVELLED

Vehicle Miles Traveled (VMT) is a measure of the overall amount of motor vehicle travel, as measured in distance, that occurs on the network. It is the length of network links, weighted by the number of vehicle trips on these links. VMT is a key metric used in San Francisco, the Bay Area region (via Plan Bay Area) and the state, to evaluate transportation system performance. San Francisco additionally utilizes VMT to evaluate environmental impacts of land development projects.

### SPEED

Speed is simply the average speed of vehicles on a given link during a given time period.



## What Factors Affect Congestion San Francisco?

### POPULATION AND EMPLOYMENT

Population and employment changes can directly affect roadway congestion. Increases in population will lead to increases in trip-making as people seek to participate in activities such as working, shopping, and going to school. Depending on travelers' choices of travel modes (such as walking, biking, taking transit, or driving), roadway motor vehicle congestion may be affected. Between 2010 and 2016, the population of San Francisco increased 8.8% from approximately 805,000 people to 876,000 (3). While about half of San Francisco trips are by walking, transit, and biking, a significant share of trips involve private vehicles, likely leading to increased congestion. Similarly, increases in employment lead to total travel as more people go to work. Between 2010 and 2016, employment in San Francisco increased significantly (28.4%) from approximately 545,000 jobs to over 700,000 jobs (4). According to the Census, approximately 48% of commute trips to, from or within San Francisco were by automobile.

### NETWORK CAPACITY

Changes to network capacities affect roadway congestion. Increases in roadway capacity may alleviate motor vehicle congestion, at least in the short term, while decreases in roadway capacity may increase congestion. The analyses in this paper capture capacity changes between 2010 and 2016 and therefore encompass network capacity changes such as the rebuilding of Doyle Drive and medium-term changes such as the reallocation of right-of-way to transit red carpet lanes and bicycle lanes. To a more limited extent, the analyses could reflect short-term changes in capacity, for example the effect on congestion of construction-related, permitted lane closures that may temporarily reduce capacity for a number of days or hours. However, there is no data on unpermitted short-term capacity reductions associated with construction, delivery or other activities, and thus they are not considered in this analysis. In addition to roadway network changes, changes to transit network capacities may influence roadway congestion by inducing people to shift modes or take new trips, and are included in this analysis.

### TNCS

As the TNCs Today report documents, TNCs comprise a significant share of intra-San Francisco travel. TNCs may decrease congestion by inducing mode shifts to more sustainable modes by providing first- and last-mile connections to transit services, or by reducing auto ownership levels and thus incentivizing people to make more transit, bike and walk trips. In addition, higher TNC

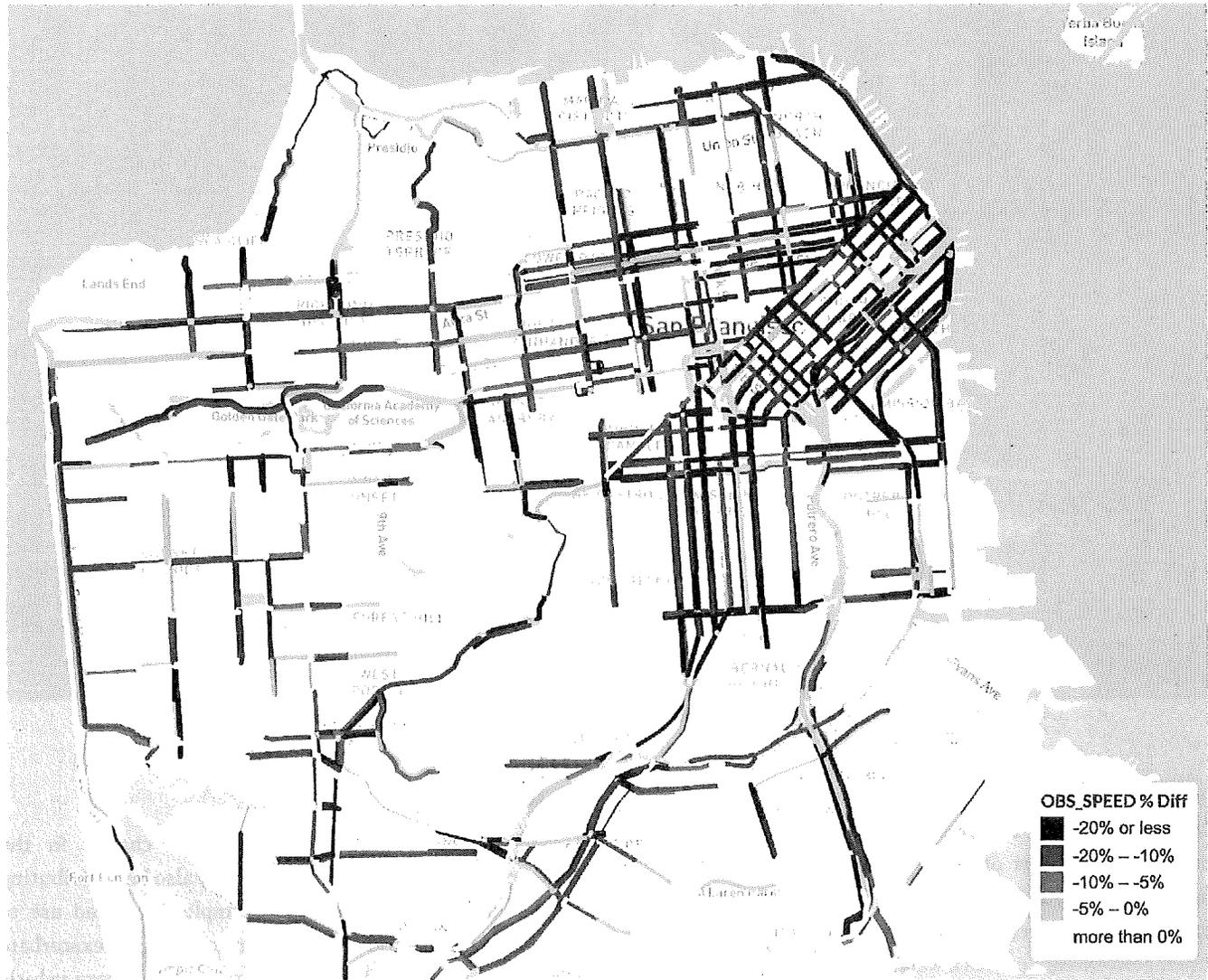


vehicle passenger occupancies resulting from “ridesplitting” where TNCs are shared concurrently could, in theory, reduce the number of vehicle trips if they are replacing a trip that would otherwise be in a vehicle with fewer occupants. Conversely, TNCs may increase congestion if their convenience causes a walk, transit, or bike trip to shift to a TNC vehicle trip. According to recent studies, between 43% and 61% of TNC trips substitute for transit, walk, or bike travel or would not have been made at all (5,6,7,8). TNC passenger pick up and drop off activity may also result in increased congestion by disturbing the flow in curb lanes or traffic lanes. Finally, out-of-service miles (or “deadhead” miles) resulting from TNCs repositioning themselves to more optimal locations for getting new passengers, or from driving to pick up passengers who have reserved rides (whether single passenger or shared), also increases the amount of vehicular traffic and congestion.

## OTHER FACTORS

Given the rapid pace of technological change in the transportation sector, other factors may also be contributing to changes in congestion. For example, increased use of online shopping and delivery services might exacerbate roadway congestion due to an increase in delivery vehicle trips and loading durations. Conversely, if these deliveries are in place of multiple vehicle trips that would have been made by individuals, they may reduce roadway congestion. New emerging mobility alternatives such as dockless shared bikes and scooters may reduce congestion if they induce mode shifts away from vehicle trips, though if these trips are shifted from transit, walk, or bike their effect on congestion would likely be minimal.

FIGURE 7. PERCENT CHANGE IN OBSERVED PM PEAK SPEEDS (2010-2016)

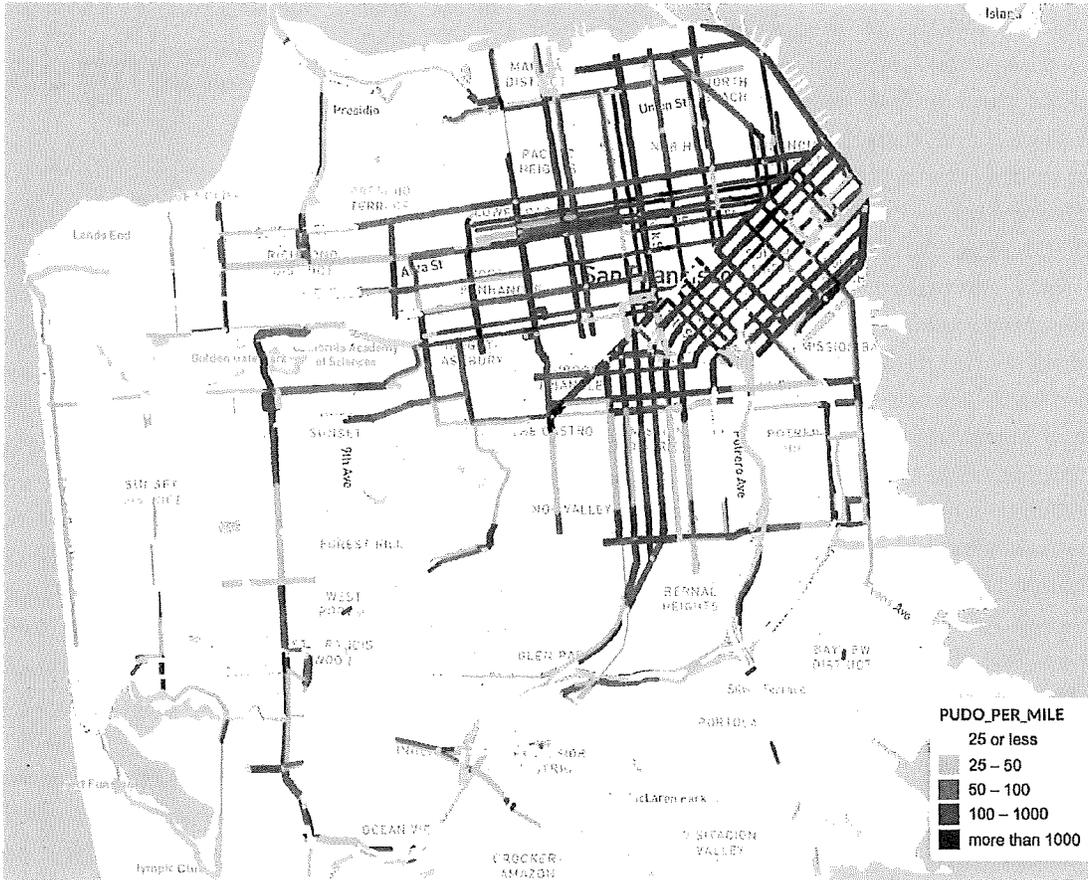


## What Data is Available to Understand Congestion?

### CONGESTION

Measures of roadway congestion (VHD, VMT, Speed) were calculated from observed roadway conditions in both November-December 2010 (before) and November-December 2016 (after), consistent with the TNC data, which was collected in November-December 2016. The observed roadway conditions are derived using the GPS- and fleet-based speed data licensed from INRIX. The analysis was conducted using directional segments known as Traffic Messaging Channels (TMCs), which average about 0.3 miles long. For each analysis year, data was aggregated to these TMCs and averaged across days to represent average weekday conditions for five times-of-day (TODs). **Figure 7** illustrates the percent change in observed PM peak speeds for all TMCs.

FIGURE 8. PICKUPS AND DROPOFFS PER MILE



## BACKGROUND GROWTH

Background growth data was derived from San Francisco's travel demand model, SF-CHAMP. SF-CHAMP produces estimates of traffic volumes on all roads in San Francisco and requires inputs describing factors such as population, employment, and multi-modal transportation network capacity and performance. For this analysis, each one of these factors was individually controlled for in SF-CHAMP, which provides the ability to understand the relative contributions of these factors to overall changes in congestion. The version of SF-CHAMP used in this study was calibrated to 2010 conditions and does not account for TNCs. This means that when the model is run for 2016 inputs, it provides a "counterfactual" estimate of congestion if TNCs did not exist.

## TNCS

TNC information was based on data originally gathered by researchers at Northeastern University from the Application Programming Interfaces (APIs) of Uber and Lyft that show the locations of available vehicles to mobile apps, and then was shared with the Transportation Authority. The data was collected from mid-November to mid-December of 2016, excluding dates around the Thanksgiving 2016 holiday. Transportation Authority staff then processed the data to impute estimates of out-of-service TNC volumes, in-service volumes, and pickups and dropoffs by directional link and time-of-day. This information was the basis for the TNCs Today, which is the only detailed profile of local TNC usage in San Francisco. **Figure 8** shows the average number of pickups and dropoffs per mile on TMC segments. Detailed descriptions of the data preparation process can be found here (2) and here (20). Note that, due to the data collection methodology, estimates of TNC volumes and pickups and dropoff reflect only intra-SF TNC trips, and are thus an underestimate of total TNC activity.

## OTHER FACTORS AND LIMITATIONS

It was not possible to incorporate all the potential factors contributing to changes in congestion into this analysis, primarily because there is little available data describing these factors. For example, there is no source for comprehensive citywide information on how freight and commercial delivery and loading volumes and durations have changed between 2010 and 2016. The SF-CHAMP model data does incorporate some information on background growth in freight and commercial vehicle volumes through its commercial vehicle model. While the SF-CHAMP model is insensitive to increased levels of home shopping such as Amazon, as well as use of more recent emerging delivery services, in the most congested parts of San Francisco, commercial and freight deliveries typically use commercial vehicle loading zones (both on-street and off-street) in order to minimize the interruption of traffic flow. In fact, recent data from the San Francisco Police Department indicates that TNCs account for over 75% of citations downtown for blocking lanes of traffic (22).

Visitor travel in San Francisco has also increased significantly between 2010 and 2016. However, visitor travel is estimated to represent less than 5% of travel in San Francisco, and recent survey data indicates that TNCs are used less frequently by visitors than Muni and BART, although this is likely changing as TNCs become more ubiquitous. Increases in pedestrian travel might also impede traffic flow due to turning movements or other conflicts, but there is no data available to indicate whether increases in pedestrians in San Francisco have reduced auto speeds. Changing demographics may also contribute to increased TNC usage, as the National Household Travel Survey indicates that people with higher incomes appear to make more TNC trips. Finally, while this research does address changes in network capacity resulting from major transportation and land use projects, due to a lack of data it could not incorporate temporary unpermitted disruptions in traffic resulting, for example, from short-term construction activities.

## How Do We Determine the Causes of Changes in Congestion?

In order to identify how TNCs and other factors may have affected roadway congestion in San Francisco between 2010 and 2016, two stages of analysis were performed. The first stage quantifies the contribution of TNCs to changes in congestion in San Francisco between 2010 and 2016 by estimating a statistical fixed-effect panel regression model and then applying this model to identify the relationship between the change in TNC activity and the change in roadway congestion measures between 2010 and 2016, assuming zero TNCs in 2010 and observed TNC levels (from TNCs Today study) in 2016. Observed TNC levels includes in-service TNC volumes, out-of-service TNC volumes, and TNC pick up and drop off activity. Estimates of the combined effect of the growth of non-TNC factors such as population, employment, and network changes are derived from the SF-CHAMP activity-based model system. Because the estimated model relies on the transformation of the observed speed data as the dependent variable in the regression analysis, we refer to this stage as the empirical analysis.

In the second stage, a scenario analysis, the SF-CHAMP activity-based demand model was again used, this time to systematically estimate the individual contributions to changes in roadway congestion of the factors of transportation network supply change, population change, employment change, and TNCs.

A distinguishing feature of both stages of the analysis was that they were performed at a disaggregate level, using the previously described 1400 INRIX "Traffic Messaging Channels" (TMCs) or directional roadway segments, and across five times of day. The TMCs are approximately 0.3 miles long in San Francisco, on average. The spatial and temporal detail is important because adding vehicles does not always have the same effect on travel speeds: an additional vehicle on an uncongested segment in the early AM has a very different effect on delay than an additional vehicle on a downtown segment during the PM peak.

## EMPIRICAL ANALYSIS

This study is structured as a before-and-after assessment between 2010 conditions when TNC activity was negligible and 2016 conditions when it was significant. We derived measures of roadway conditions in both years from GPS-based speed data licensed from INRIX as previously described. We estimated the relationship between the change in TNC activity and the change in roadway travel time, assuming zero TNCs in 2010, and incorporating a 2016 “counterfactual” scenario in which TNCs do not exist.

We do this using a fixed-effects panel data regression model (9). The fixed-effects models estimate coefficients based on the change between 2010 and 2016 conditions. There is precedent for using both before-and-after analysis and panel data models in transportation analysis, including to study changes in congestion (10), TNC growth (11), and the effects of new technology (12).

We converted the observed travel times to implied volumes using volume-delay functions (VDFs). This time-implied volume is the model’s dependent variable, and the conversion ensures that it is linearly related to the background volumes and TNC volumes. There is one observation for each directional roadway segment, for each time-of-day, with data in 2010 and in 2016 for each observation. To control for road and transit network changes, as well as changes in socioeconomic conditions, the model includes the

background traffic volume as a variable, as estimated by SF-CHAMP version 5.2. Because SF-CHAMP version 5.2 does not account for TNCs, this background traffic reflects the expected traffic volume change with no TNCs. The model also includes measures of TNC activity for each observation, with those measures set to zero in 2010. **Table 1** shows the model estimation results.

The estimated parameter on the SF-CHAMP background volume is approximately 0.92, not significantly different than 1. This is logical, because we expect that each vehicle added in background traffic should have an effect on congestion of adding about 1 vehicle to the implied volume. The Presidio Parkway scaling factor accounts for major construction that was underway on those links in 2010 but not 2016.

We include two measures of time and location-specific TNC activity. The TNC volume parameter measures net effect of TNCs. If TNCs purely substitute for other car trips, the estimated TNC parameter should be 0 as they substitute for other vehicles already counted in the background volumes. Negative values would be consistent with TNCs reducing traffic, while a value of positive 1 would be consistent with TNCs purely adding itself to background traffic. The estimated coefficient of 0.69 can be interpreted as meaning that TNCs do not purely add to traffic through induced travel or shifts from non-vehicular modes.

TABLE 1 FIXED-EFFECTS PANEL ESTIMATION RESULTS

PARAMETER ESTIMATES			
Variable	Parameter	Standard Error	T-statistic
SF-CHAMP background volume	0.9172	0.0541	16.952
Presidio Parkway scaling factor	-0.3648	0.0189	-19.327
TNC Volume	0.6864	0.0720	9.5387
Average impact duration of TNC PUDO on major arterials (s)	144.75	7.7195	18.751
Average impact duration of TNC PUDO on minor arterials (s)	79.486	12.114	6.5617
MODEL STATISTICS			
Number of Entities		7081	
Number of Time Periods		2	
R-squared between groups		0.5819	
R-squared within groups		0.2985	

The pick-up and drop-off (PUDO) parameters represent the average number of seconds that a pick-up or drop-off disrupts traffic in the curb lane. Details of the PUDO specification are documented elsewhere (13). Locally collected data show that the average time needed for a passenger to board or alight from passenger vehicles such as TNCs and taxis is about 1 minute. The higher average impact durations estimated in these models suggest that the traffic disruption persists after the stopped vehicle departs because additional time is needed for traffic flow to recover to its pre-PUDO condition.

We applied the estimated model to assess network-wide performance metrics for three scenarios:

- **2010:** reflecting observed 2010 conditions, when no TNCs were present;
- **2016 Counterfactual:** represents a counterfactual scenario of what 2016 conditions would be if there were no TNCs;
- **2016 TNC:** the full application of the model to 2016 conditions

The first and last scenarios are directly comparable to the observed speed data. The 2016 counterfactual scenario is derived by including the 2016 SF-CHAMP background traffic growth and Presidio Parkway scaling factor, but setting the TNC variables to zero.

## SCENARIO ANALYSIS

While the empirical analysis allows us to quantify the contribution of TNCs to changes in congestion in San Francisco between 2010 and 2016, it does not provide insights into the relative contributions of other potential causes of change in roadway performance. To decompose these other factors, the SF-CHAMP model was used to perform a series of systematic scenario analyses.

We test each scenario using San Francisco's SF-CHAMP travel demand model. SF-CHAMP is an activity-based travel demand model that simulates the daily movements of individual travelers for a synthetic population in the 9-county San Francisco Bay Area (14,15,16). It has a long history of being successfully used to evaluate a range of policy and planning scenarios (17,18). We use version 5.2.0, which was calibrated to 2010 conditions and does not, on its own, include TNCs as a mode. Observed TNC travel flows and volumes based on the TNCs Today data set are used to account for TNCs. The remaining inputs, including transportation networks, population and employment data are not forecasts, but have been updated to reflect actual 2010 and 2016 conditions.

- **2010:** Conditions in year 2010, assuming the effect of TNCs is negligible. This is just the 2010 base SF-CHAMP model run, which was calibrated to observed 2010 conditions.
- **2016 Network Changes:** A hypothetical scenario that shows what 2016 system performance would look like if changes to the transportation networks (both roadway and transit) were the only things that changed between 2010 and 2016.
- **2016 Network and Population Changes:** A hypothetical scenario that shows what 2016 system conditions would look like if both the transportation network and population changed between 2010 and 2016.
- **2016 Network, Population and Employment Changes:** Also referred to as the "2016 Counterfactual" this is a hypothetical scenario that shows what 2016 would look like if all the observed network, population and employment changes occurred, but if TNCs had not been introduced in San Francisco.
- **2016 TNC:** This scenario incorporates all the assumed growth in population and employment between 2010 and 2016, changes to the roadway and transit networks, and also includes the effect of TNC in-service volumes, TNC out-of-service volumes, and TNC pick up and drop off activity. This scenario also accounts for mode shifts to TNCs from other travel modes.

With these scenarios, it was possible to estimate the incremental effects on congestion of network change, population change, employment change, and the introduction of TNCs in San Francisco. Additional technical details related to these scenarios are documented in other reports (19).



### COMBINED ANALYSIS

These two stages of analysis result in network performance metrics for a total of five scenarios, three of which are available in both stages of analysis: 2010 Base, 2016 Counterfactual, and 2016 with TNCs. For the three overlapping scenarios, the relative contribution of TNCs to the change in congestion is similar in direction and magnitude, with the empirical analysis (which directly reflects observed speed changes) showing a somewhat greater share of the increase in congestion attributable to TNCs. **Table 2** shows the relative contribution of TNCs to each of the congestion metrics for the two stages of the analysis.

TABLE 2. CONTRIBUTION OF TNCs TO CHANGE IN CONGESTION BY ANALYSIS STAGE

METRIC	Empirical Analysis	Scenario Analysis
Vehicle Hours of Delay	64%	51%
Vehicle Miles of Travel	44%	47%
Speed	65%	55%

For the results presented here, the shares from the scenario analysis are applied to the total change in congestion from the empirical analysis to obtain a best estimate of the specific contribution of each factor to changes in network performance. This represents a lower-bound estimate of the effects of TNCs on congestion, relative to the estimated effect of TNCs on congestion as estimated in the empirical analysis.

## How has Congestion Changed in San Francisco?

Traffic congestion has been getting worse since 2009. The Transportation Authority's Congestion Management Program (CMP) monitoring indicates that average AM peak arterial travel speeds have decreased since 2009 by -26%, while PM peak arterial speeds have decreased by -27% during this same time period. On freeways, average AM peak speeds have decreased by -30%, while average PM peak freeway speeds have decreased by almost -16% (21).

FIGURE 9. SAN FRANCISCO ARTERIAL AND FREEWAY SPEEDS (2009-2017)

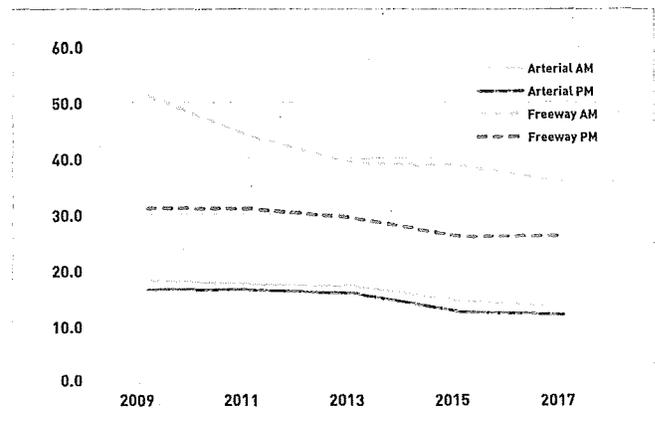
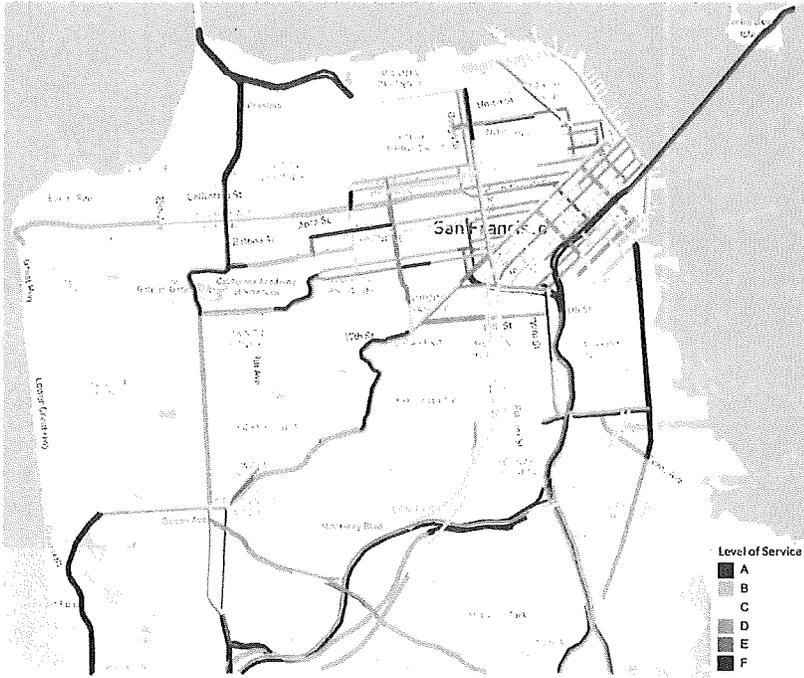
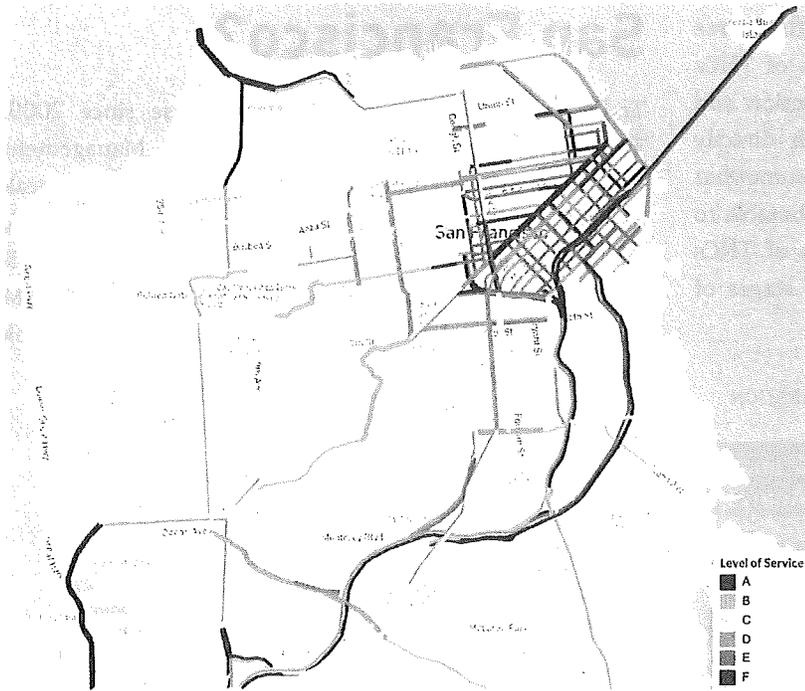


FIGURE 10. 2009 PM PEAK LEVEL OF SERVICE



**Figure 10** and **11** shows this change visually by mapping the PM peak roadway level-of-service (LOS) in 2009 and 2017, with the data showing lower level-of-service in 2017. LOS is a traffic engineering concept, based on volume to capacity (v/c) relationships of a given roadway facility, used to evaluate the operating conditions on a roadway. LOS describes operating conditions on a scale of A to E, with “A” describing free flow, and “F” describing bumper-to-bumper conditions. This corresponds to the period in which TNCs emerged.

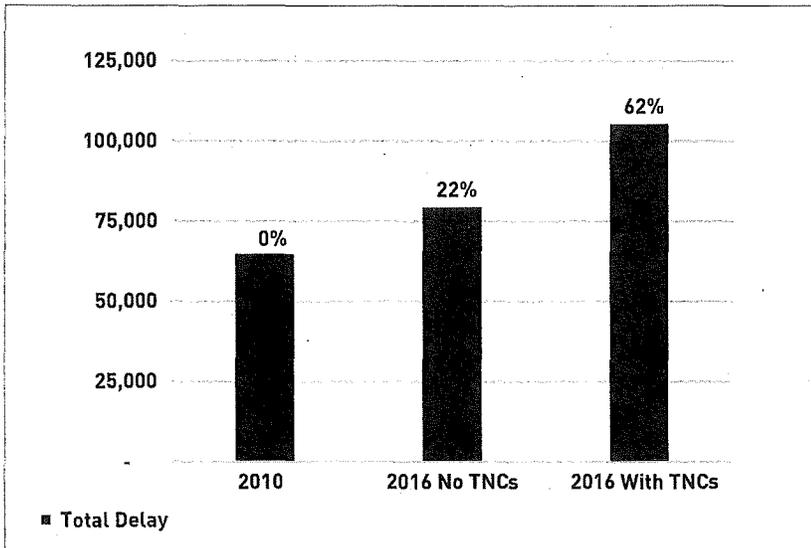
FIGURE 11. 2017 PM PEAK LEVEL OF SERVICE



# Do TNCs Affect Congestion?

Given the significant worsening of congestion in San Francisco in recent years, a critical question is whether, and to what degree, TNCs have affected congestion. Using the congestion measures, data, and methods previously described, it appears that TNCs contributed approximately 50% of the overall increases in congestion in San Francisco between 2010 and 2016, although this varies widely by neighborhood and time-of-day. Employment and population growth—an expression of greater economic activity in the city that encompasses the driving activity of all non-TNC travelers/motorists—account for the other half of the increase in congestion.

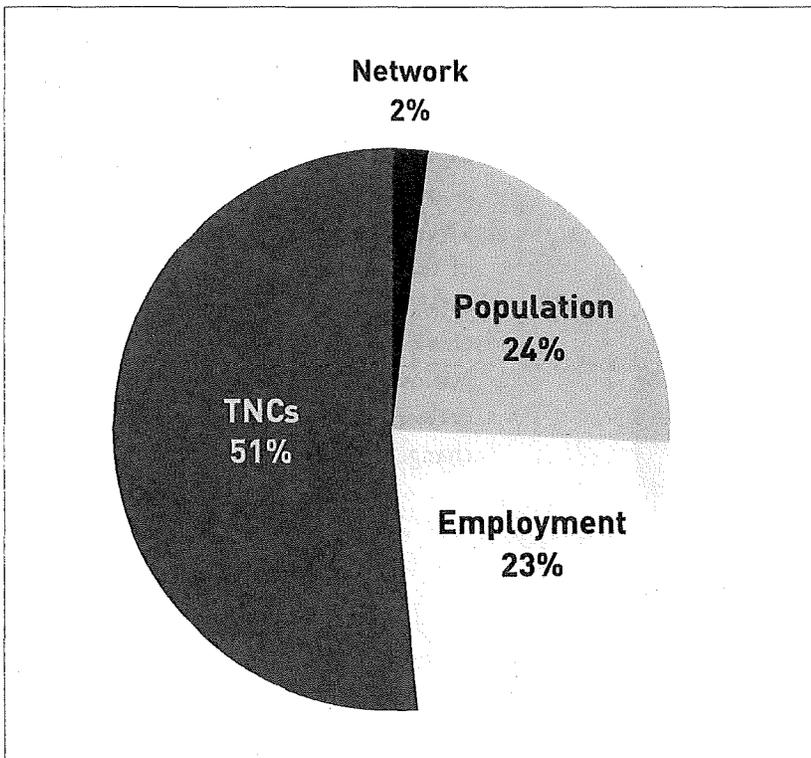
FIGURE 12. TOTAL DELAY AND CHANGE IN DELAY



## VEHICLE HOURS OF DELAY

Vehicle Hours of Delay (VHD) is the number of extra hours that vehicles are in traffic beyond what they would have experienced under uncongested “free flow” conditions. **Figure 12** indicates that daily vehicle hours of delay increased on study roadways from approximately 65,000 hours in 2010 to over 105,000 hours in 2016 with TNCs, an increase of 62%. In the counterfactual 2016 scenario, where TNCs are unavailable and travelers use other modes, the daily vehicle hours of delay are approximately 79,000, an increase of 22% over 2010. This suggests that TNCs are responsible for about 25% of the total delay on monitored streets (the difference between 105,000 hours and 79,000 hours of delay in 2016).

FIGURE 13. SHARE OF CHANGE IN DELAY BY FACTOR

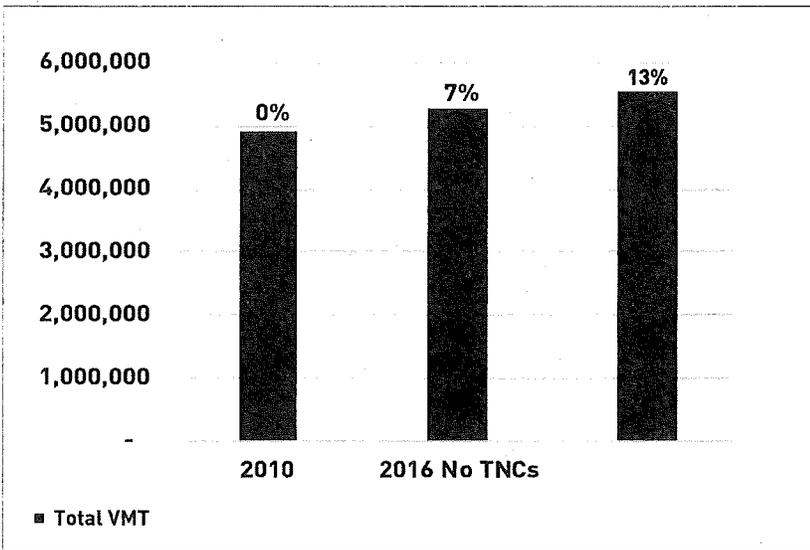


**Figure 13** illustrates how much each of the factors contributes to changes in delay between 2010 and 2016. TNCs account for 51% of the increase in delay. Population change and employment change are responsible for just under 47% of the increase in delay, and network changes account for only about 2% of additional delay.

## VEHICLE MILES TRAVELED

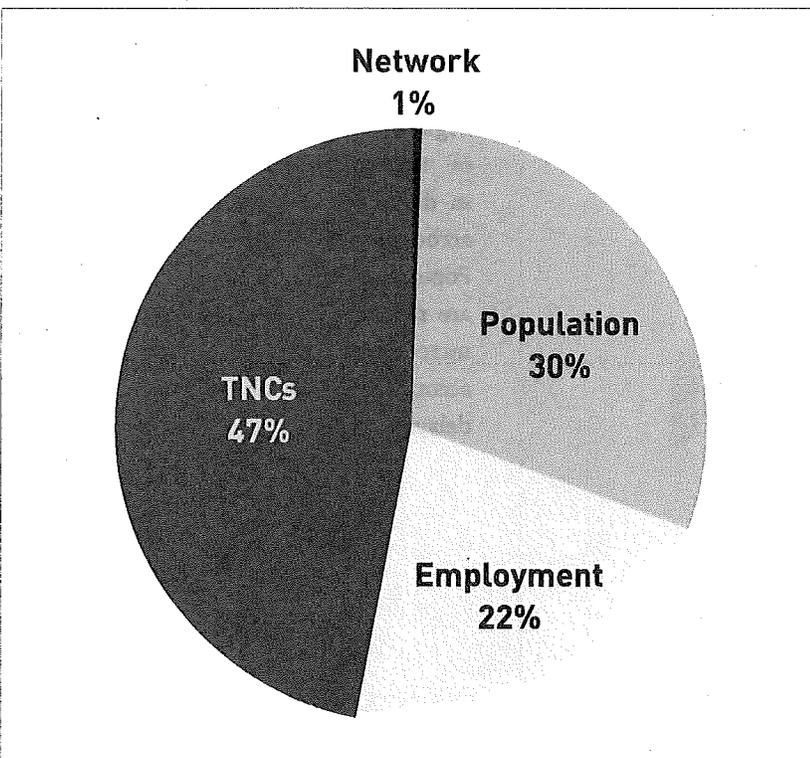
The amount of vehicle miles traveled, or VMT, that is generated is a fundamental measure of transportation system performance. Higher levels of VMT are associated with greater levels of emissions of greenhouse gases such as CO<sub>2</sub> as well as other pollutants. In addition, higher levels of VMT are also associated with greater roadway congestion. The VMT estimates in this report include both in-service and out-of-service VMT generated by TNCs on San Francisco roadway segments for which INRIX speed monitoring data is available. In-service VMT refers to the vehicle miles traveled when transporting a passenger. Out-of-service VMT refers to the vehicle miles traveled while circulating to pickup a passenger.

FIGURE 14. TOTAL VMT AND CHANGE IN VMT



**Figure 14** indicates that daily VMT on study roadways increased from approximately 4.9 million miles in 2010 to 5.6 million miles in 2016 on study roadways on a typical weekday, an increase of 13%. In the counterfactual 2016 scenario, where TNCs are unavailable and travelers used other modes, daily VMT increases to 5.3 million miles, an increase of approximately 7%. The relative increases in VMT are lower than the relative increases in hours of delay due to the non-linear relationship between traffic and delay. One additional VMT in congested conditions increases delay more than one additional VMT in uncongested conditions. TNCs also contribute relatively more to delay than to VMT because of the additional delay associated with TNC pick up and drop off activity does not result in additional VMT.

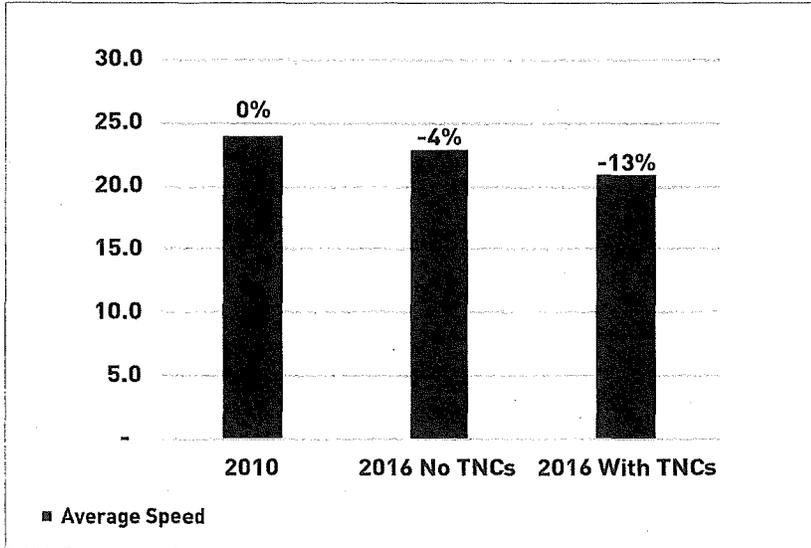
FIGURE 15. SHARE OF CHANGE IN VMT BY FACTOR



**Figure 15** illustrates the sources for the changes in VMT between 2010 and 2016. TNCs are estimated to account for 47% of the increase in VMT, and about 5% of total VMT in 2016. Population change and employment change are responsible for just over 52% of the increase in VMT, and network changes account for about 1% of changes in VMT.

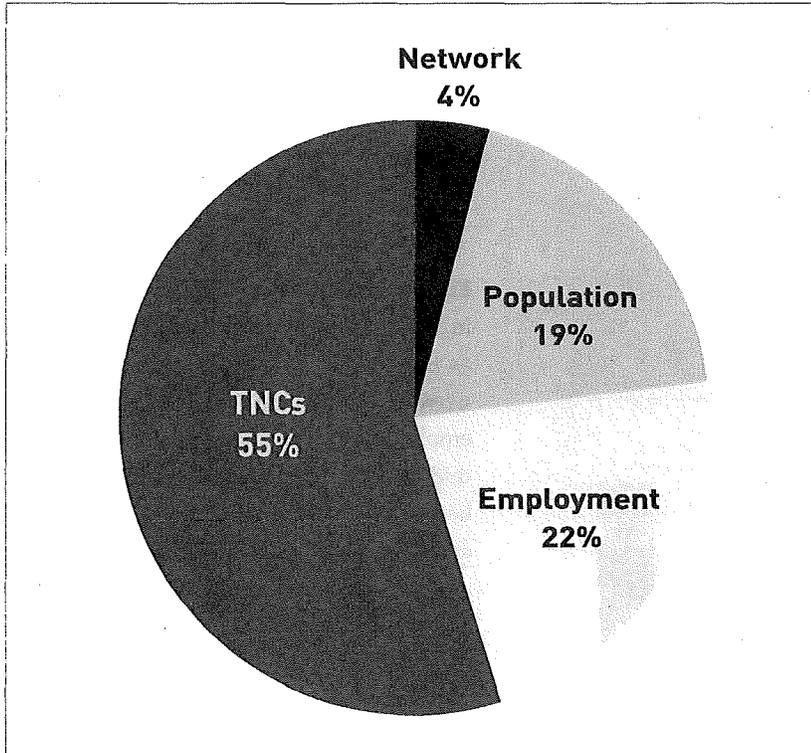
## AVERAGE SPEED

FIGURE 16. AVERAGE SPEEDS AND CHANGE IN SPEEDS



The average speed captures a length-weighted estimate of the speeds on all study roadways. **Figure 16** indicates that average speeds decreased from just over 24.0 miles per hour (mph) in 2010 to approximately 20.9 mph in 2016, a decline of 13%. In the counterfactual 2016 scenario, where TNCs are unavailable and travelers used other modes, average speeds decline by only 4%.

FIGURE 17. SHARE OF CHANGE IN SPEED BY FACTOR



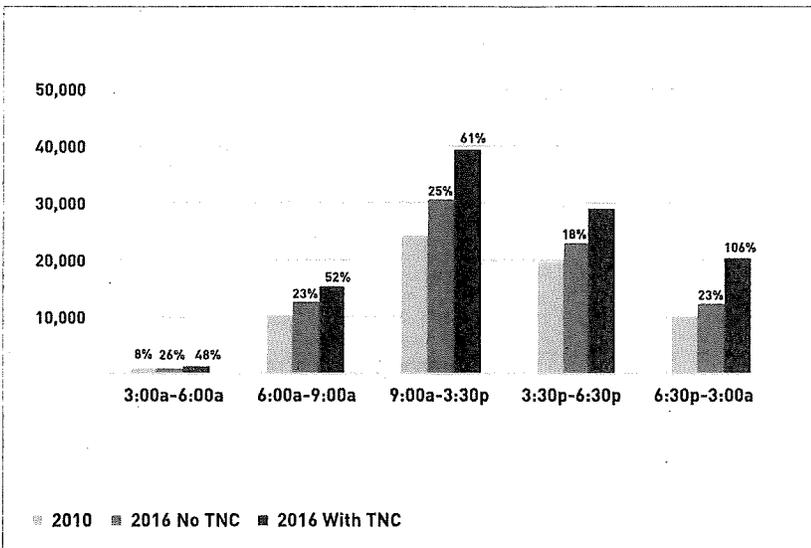
**Figure 17** illustrates the sources for the changes in speed between 2010 and 2016. TNCs account for 55% of the decrease in speeds. Population change and employment change are responsible for just over 41% of the decrease in speeds, and network changes decrease speeds by approximately 4%.

# When do TNCs Affect Congestion?

TNC usage varies by time-of-day, and thus affects congestion differently at different times of day. An additional vehicle on the roadway during congested time periods results in more congestion than an additional vehicle during uncongested time periods. The following summaries use five times of day derived from the SF-CHAMP model, which vary in length: the AM peak, PM peak, and early AM periods are 3 hours long, while the midday and evening periods are 6.5 and 8.5 hours long, respectively. The figures below demonstrate that TNCs significantly contribute to increased congestion across all times of day, especially in the evening, but during the AM and PM peaks and the midday as well.

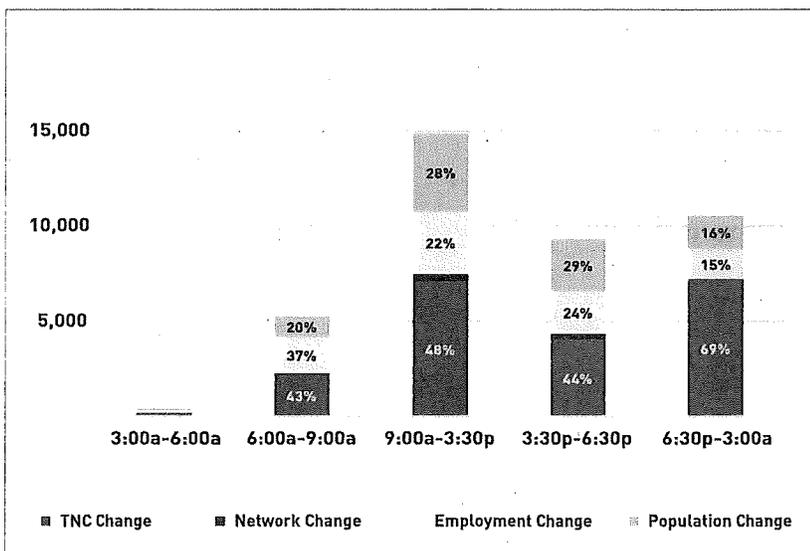
## VEHICLE HOURS OF DELAY

FIGURE 18. DELAY BY TIME PERIOD



**Figure 18** compares the VHD from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. This figure shows that TNCs increased VHD in all time periods relative to 2016 No TNC scenario. The greatest total increases in delay occurred during the midday and evening period. TNCs increase delay in the evening from 23% without TNCs to 106% in reality, and increase the delay in the midday from 25% without TNCs to over 60%, and also increase delay significantly in the PM and AM peak periods.

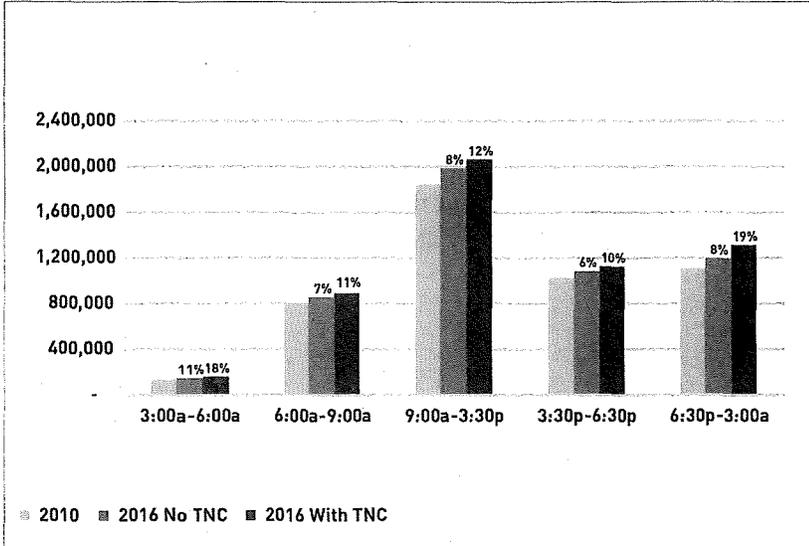
FIGURE 19. CHANGE IN DELAY BY TIME PERIOD BY FACTOR



**Figure 19** illustrates the total increase in delay between 2010 and 2016, as well as the share of this delay caused by TNCs, network changes, population changes and employment changes. During the AM peak, midday, and PM peak periods, TNCs cause between 43% and 48% of the increased delay and about 20% of total delay. Employment growth and population growth combined account for just over half of the increased delay. In the evening time period, TNCs are responsible for almost 70% of the increased delay, and for about 40% of the total delay.

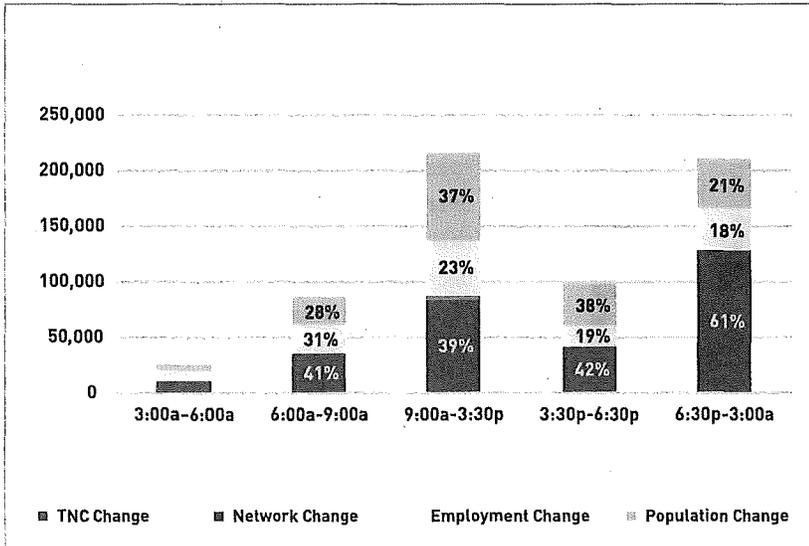
## VEHICLE MILES TRAVELED

FIGURE 20. VMT BY TIME PERIOD



**Figure 20** compares the VMT from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. This figure shows that TNCs increased VMT in all time periods relative to 2016 No TNC scenario, with the greatest increases occurring during the midday and evening period.

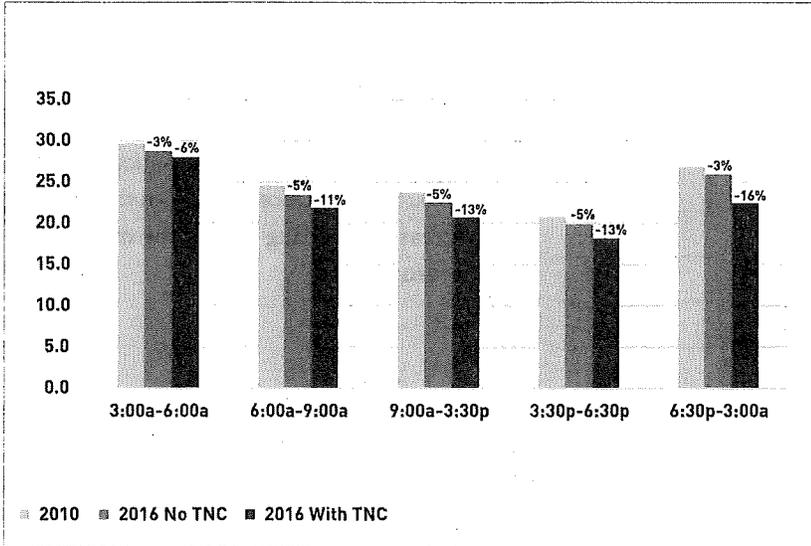
FIGURE 21. CHANGE IN VMT BY TIME PERIOD BY FACTOR



**Figure 21** illustrates the total increase in VMT between 2010 and 2016, as well as the share of this delay caused by TNCs, network changes, population changes and employment changes. TNCs contribution to increased VMT varies by time period. During the AM peak, midday, and PM peak periods, TNCs cause about 40% of the increased vehicle miles travelled, while employment and population growth combined are responsible for about 60% of the increased VMT. However, in the evening time period, TNCs are responsible for over 61% of the increased VMT and for about 9% of total VMT.

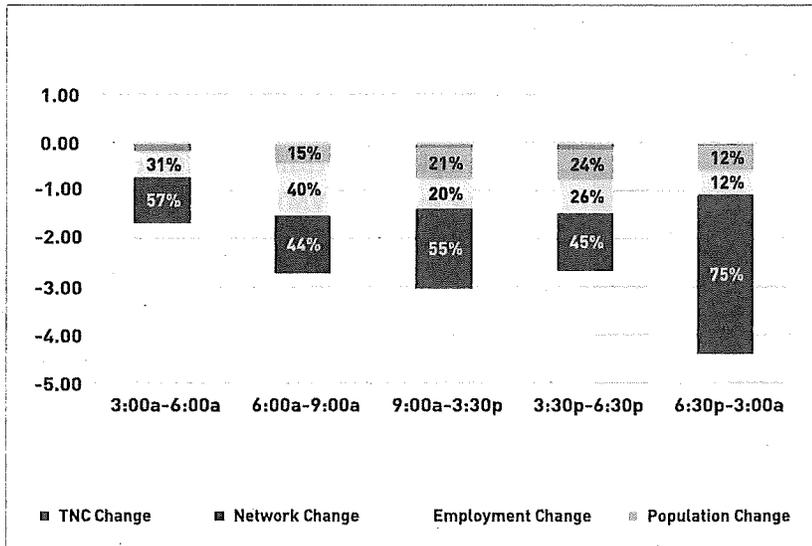
## AVERAGE SPEED

FIGURE 22. SPEED BY TIME PERIOD



**Figure 22** compares speeds from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. This figure shows that average speeds have declined across all time periods, but that this decline has been exacerbated by TNCs.

FIGURE 23. CHANGE IN SPEED BY TIME PERIOD BY FACTOR



**Figure 23** shows the decrease in average speeds between 2010 and 2016, as well as the share of this delay caused by different factors. The decline in average evening speeds has been most precipitous, dropping over 4 miles per hour, with almost 75% of this change attributable to TNCs. Speed decreases during the other time periods were about 3 miles per hour, with about 45%-55% of this decrease caused by TNCs.

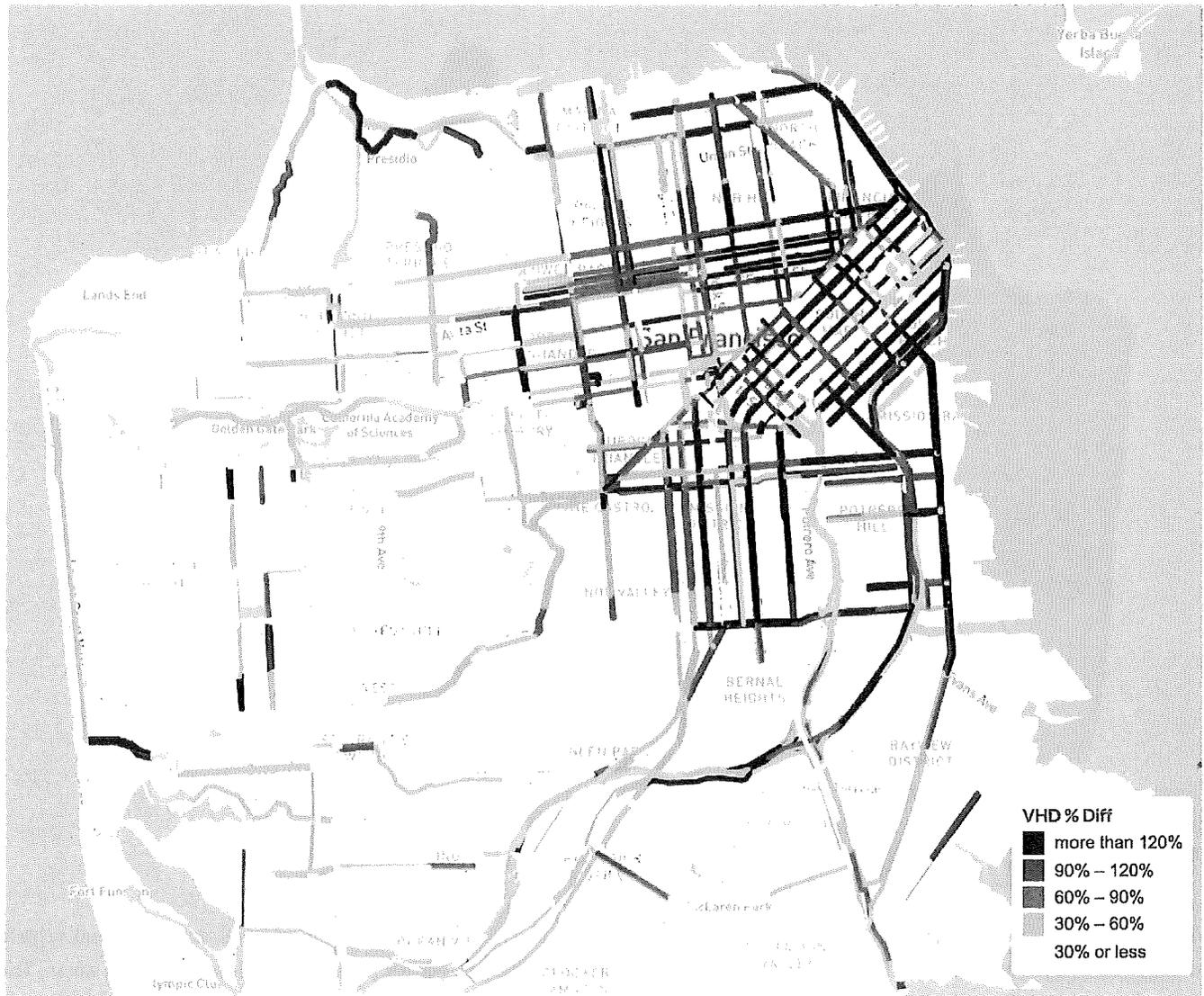
FIGURE 24. SAN FRANCISCO SUPERVISOR DISTRICTS



## Where do TNCs Affect Congestion?

TNC usage varies across the city, and thus affects congestion differently in different neighborhoods. An additional vehicle on the roadway in more congested areas results in more congestion than an additional vehicle in less congested areas. The following sections first use maps to illustrate overall changes in the congestion measures on the INRIX segments, followed by supervisorial district-level charts. **Figure 24** illustrates the San Francisco Supervisor districts. The subsequent figures demonstrate that TNCs significantly contribute to increased congestion, especially in the densest parts of the city.

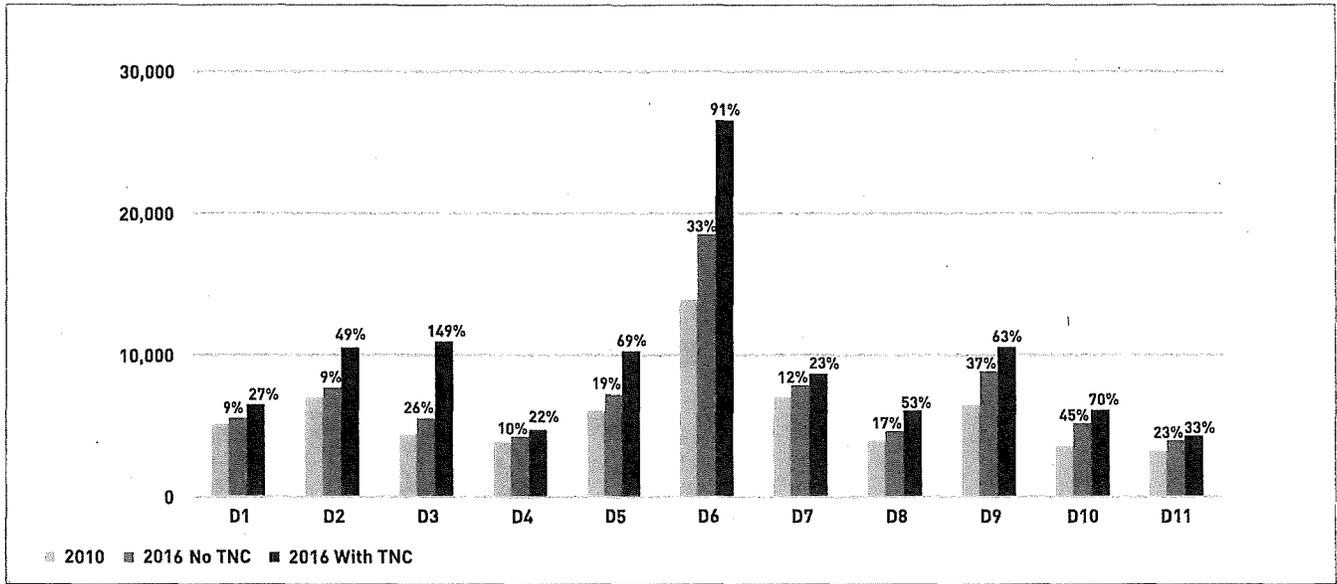
FIGURE 25. % CHANGE IN DELAY INRIX SEGMENT



## VEHICLE HOURS OF DELAY

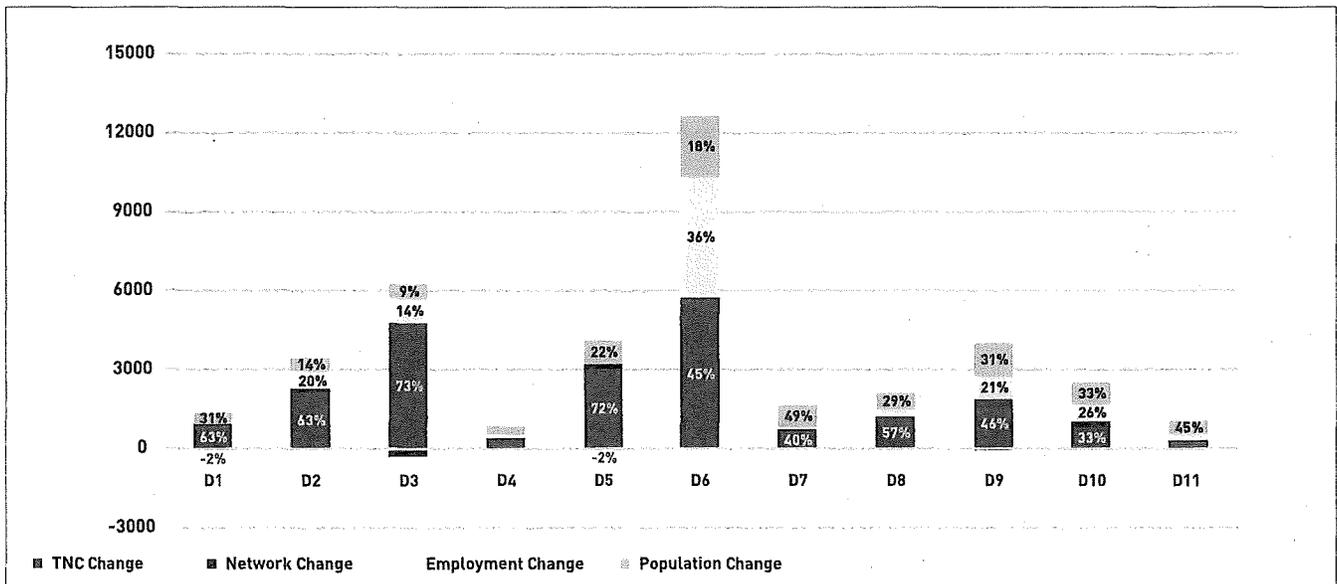
**Figure 25** shows the percent increase in VHD between the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. It indicates that the greatest increases in delay occurred in the core northeastern quadrant, as well as along key corridors such the Mission corridor.

FIGURE 26. DELAY BY SUPERVISOR DISTRICT



**Figure 26** compares the delay from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. This figure shows that TNCs increased delay in all districts relative to 2016 No TNC scenario. The greatest total increases in delay occurred in District 3 and District 6. The greatest relative increase in delay occurred in District 3, while the greatest total amount of delay occurred in District 6.

FIGURE 27. HOURS OF DELAY BY SUPERVISOR DISTRICT



**Figure 27** illustrates the total increase in delay between 2010 and 2016, as well as the share of this delay caused by TNCs, network changes, population changes and employment changes. The greatest increases in delay occurred in Districts 3 and 6, with approximately 73% of the increase in delay in District 3 due to TNCs, and about 45% of the increase in delay in District 6 due to TNCs. We estimate that approximately 36% of total delay in District 3 and District 6 combined is due to TNCs.

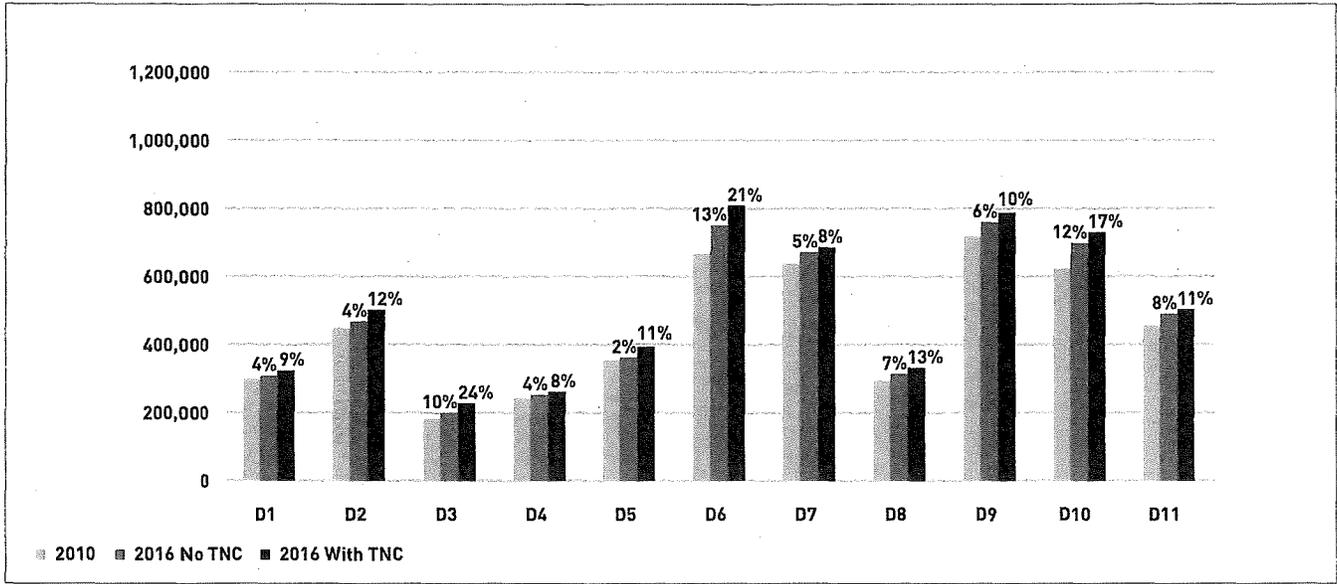
FIGURE 28. % CHANGE IN VMT BY INRIX SEGMENT



### VEHICLE MILES TRAVELED

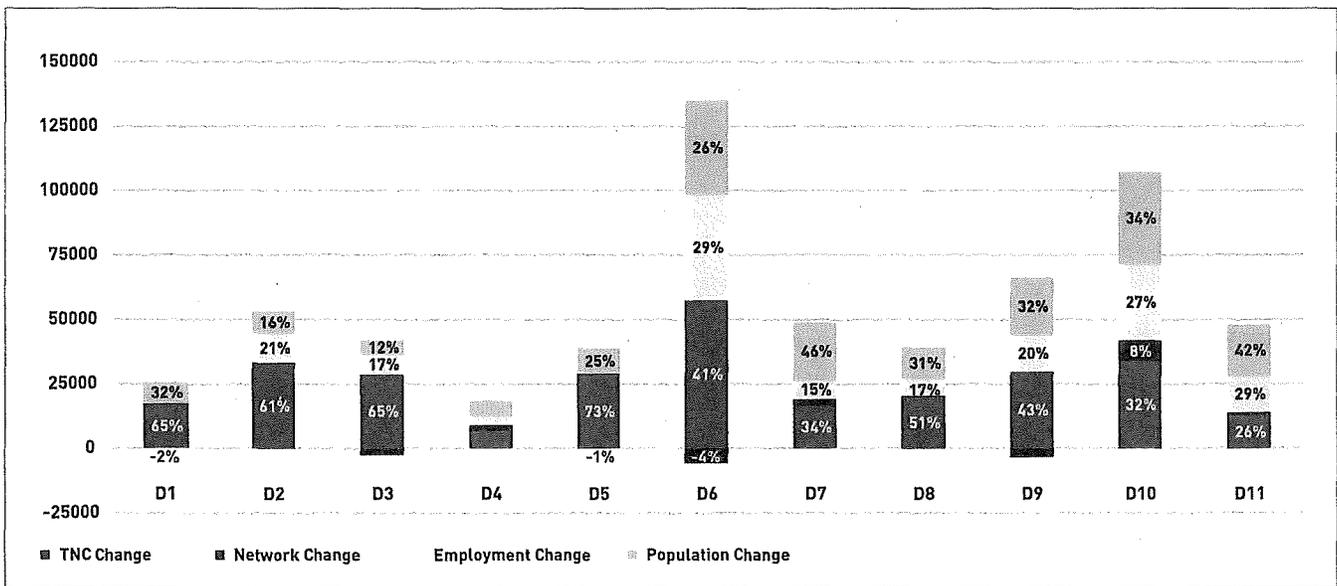
**Figure 28** shows the percent increase in VMT between the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. It indicates that the greatest increases in vehicle miles travelled occurred along key corridors, and with general increases in the northeast quadrant.

FIGURE 29. VMT BY SUPERVISOR DISTRICT



**Figure 29** compares the VMT from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. The percentage change shown is relative to the 2010 Base scenario. This figure shows that TNCs increased VMT in all districts relative to 2016 No TNC scenario, with the greatest total increases occurring in Districts 6 and District 10, and the greatest relative increase occurring in District 3.

FIGURE 30. CHANGE IN VMT BY SUPERVISOR DISTRICT BY FACTOR



**Figure 30** illustrates the total increase in VMT between 2010 and 2016, as well as the share of this delay caused by TNCs, network changes, population changes and employment changes. As noted, the greatest total increases occurred in Districts 6 and 10. TNCs accounted for 44% and 35% the increased VMT in these districts, respectively. While the total increase in VMT in Districts 3 and 5 were less than observed in other districts, the share of this increase attributable to TNCs in these districts was over 70%, the highest in the city.

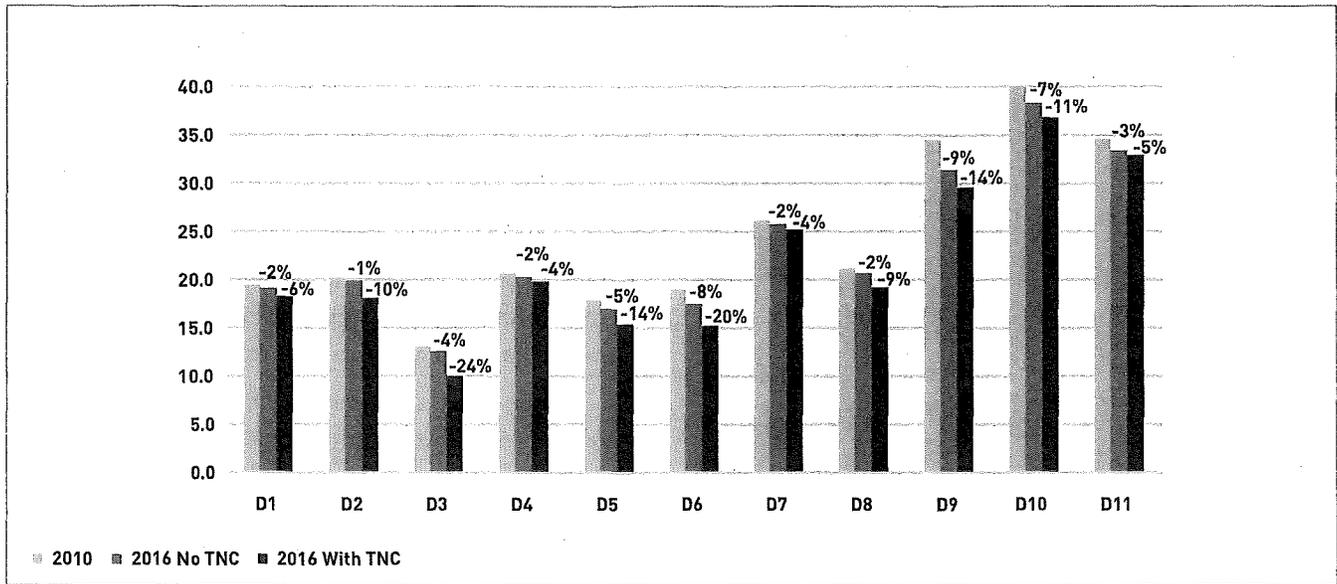
FIGURE 31. % CHANGE IN SPEED BY INRIX SEGMENT



### AVERAGE SPEED

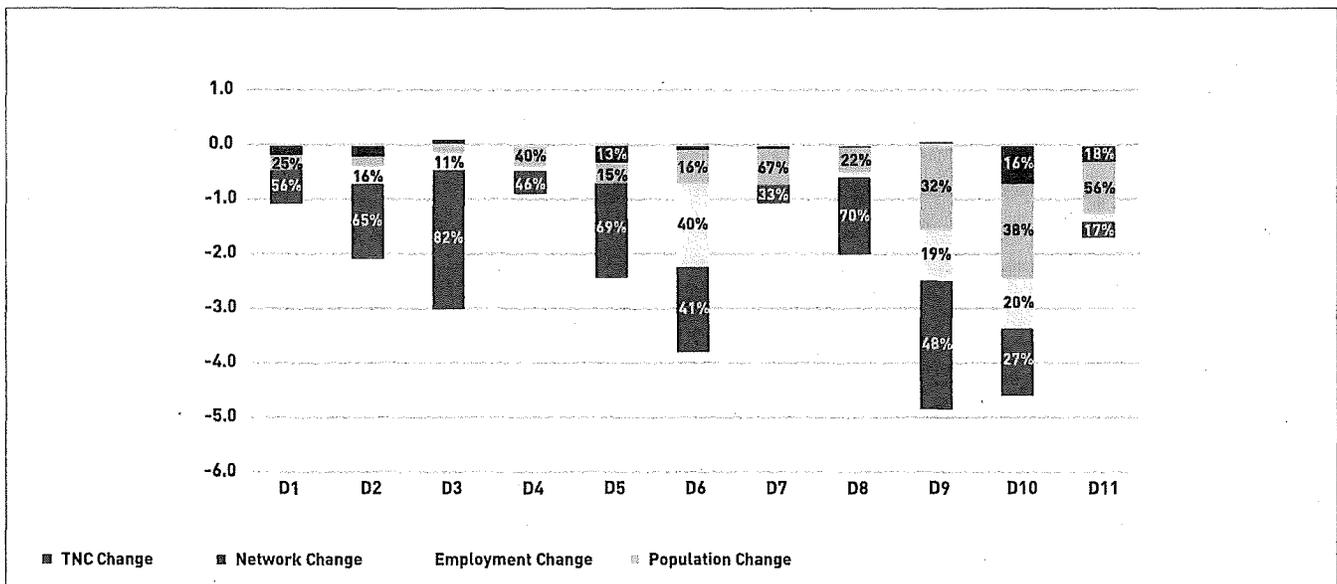
**Figure 31** shows the percent decrease in speed between the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. It indicates that the greatest decreases in speeds occurred South of Market, Downtown, and along the Embarcadero and with general increases in the northeast quadrant.

FIGURE 32. SPEED (MILES PER HOUR) BY SUPERVISOR DISTRICT



**Figure 32** compares speeds from 2010 to the 2016 No TNC scenario in which TNCs don't exist, and to the 2016 with TNC scenario. The percentage change shown is relative to the 2010 Base scenario. This figure shows that average speeds have declined in all districts, with the greatest relative declines between the 2016 No TNC and 2016 With TNC scenarios occurring in Districts 3, 6, 5 and 9. Overall speeds were lowest in District 3 and highest in District 10.

FIGURE 33. CHANGE IN SPEED BY SUPERVISOR DISTRICT BY FACTOR



**Figure 33** shows the decrease in average speeds in each District between 2010 and 2016, as well as the share of this delay caused by different factors. The greatest declines in speed occurred in Districts 9 and 10. While almost 50% of this decline was due to TNCs in District 9, only 27% of the decline in District 10 was due to TNCs. Districts 3 and 6 also experienced notable declines in speed, with 82% of the decline in speed in District 3 attributable to TNCs. Note that the more than half of the decline in speeds in District 6 is attributable to employment and population growth.



## Conclusion

Congestion in San Francisco worsened between 2010 and 2016. The Transportation Authority's Congestion Management Program monitoring indicates that average AM peak arterial travel speeds decreased since 2009 by -26%, while PM peak arterial speeds have decreased by -27% during this same time period. Vehicle hours of delay on the study roadways increased by 40,000 hours on a typical weekday, while vehicle miles travelled on study roadways increased by over 600,000 miles on a typical weekday. In addition, travel times have become less reliable.

During this period significant changes occurred in San Francisco. Roadway and transit networks changed, including the rebuilding of Doyle Drive, the implementation of transit red carpet lanes, and the expansion of the bicycle network. San Francisco added 70,000 new residents and over 150,000 new jobs, and these new residents and workers add more trips to the city's transportation network. Finally, new mobility alternatives emerged, most visibly TNCs. TNCs have become an important travel option in San Francisco.

By late 2016, TNCs were estimated to generate over one million intra-San Francisco vehicle trips in a typical week, representing approximately 15% of all intra-SF vehicle trips, and the number and share of TNC trips in San Francisco has undoubtedly increased since 2016. The rapid growth of TNCs is attributable to the numerous advantages and conveniences that TNCs provide over other modes of transportation, and the availability of this new travel alternative has undeniably provided improved mobility for many San Francisco residents and workers.

TNC vehicle trips contribute significantly to increased congestion. After accounting for the effects of increased employment, increased population, and transportation network changes, TNCs are estimated to cause 51% of the increase in vehicle hours of delay, 47% of the increase in vehicle miles traveled, and 55% of the decline in speeds citywide between 2010 and 2016.

It is important to note that the effect of TNCs on congestion varies considerably by time-of-day. During most of the day, approximately 40% to 50% of the increase in vehicle hours of delay is attributable to TNCs, but in the evening, almost 70% of the increase in vehicle delay is due to TNCs. Similarly, during most of the day approximately 40% on the increase in vehicle miles traveled is due to TNCs, but in the evening TNCs account over 60% of increased VMT. Speeds declined by about 2 to 3 miles per hour during most of the day, with TNCs accounting for about 45% to 55% of this decrease. However, evening speeds declined by almost 4.5 miles per hour on study roadways, and TNCs are estimated to cause 75% of this decrease.

The effects of TNCs on congestion also varies significantly by location. The greatest increases in vehicle hours of delay occurred in Supervisorial Districts 3, 5 and 6, with over 70% of the increase in delay in Districts 3 and 5 due to TNCs, and about 45% of the increase in delay in District 6 due to TNCs. Vehicle miles traveled increased most significantly in Districts 6 and 10, with TNCs accounting for 41% and 32% of the increased VMT in these districts, respectively. While the total increase in VMT in Districts 3 and 5 were less than observed in other districts, the share of this increase attributable to TNCs in these districts was between 65% and 75%, the highest in the city. Average speeds have declined in all districts, with the greatest relative declines occurring in Districts 3, 6, 5 and 9.



## Future Research

The report identifies the extent to which TNCs contributed to roadway congestion in San Francisco between 2010 and 2016, relative to other potential contributing factors including employment growth, population growth, and transportation network changes. The report does not include policy recommendations, but rather seeks to provide knowledge needed by the Transportation Authority board, other policy-makers, the general public, and TNCs themselves to make informed decisions.

Subsequent reports by the Transportation Authority and others will address additional important analytic and policy questions in depth, including:

- **TNCs and Street Safety (SFMTA).** How do TNCs affect the safety of people who use the roads, including public transit riders, bicyclists and pedestrians?
- **TNCs and Transit Ridership (SFCTA).** How do TNCs affect public transit ridership and mode share?
- **TNCs and Public Transit Operations (SFMTA)** How do TNCs affect public transit service operations?
- **TNCs and Disabled Access (SFMTA).** To what extent do TNCs serve people with disabilities?
- **TNCs and Equity (SFCTA).** Can TNCs be accessed by all San Francisco residents including communities of concern and those without smartphones or credit cards? Are all neighborhoods served equitably?
- **TNCs and Land Use.** What effects do TNCs have on trip generation? How does TNC demand vary by land use type and intensity? How do TNCs affect parking and loading demand?

Additional data collection will be necessary in order to help answer these questions. We welcome research collaborations to obtain further information, including data to validate or enhance these findings, TNC vehicle occupancy information, traveler demographics and travel purposes, travel costs, TNC fleet composition data, and a range of other data items.

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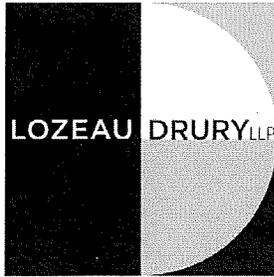
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SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

1455 Market Street, 22nd Floor, San Francisco, CA 94103  
TEL 415.522.4800 FAX 415.522.4829  
EMAIL [info@sfcta.org](mailto:info@sfcta.org) WEB [www.sfcta.org](http://www.sfcta.org)

File Nos. 180490, 180185,  
180453, 180184, 180612  
Received via email  
9/26/18



T 510.836.4200  
F 510.836.4205

410 12th Street, Suite 250  
Oakland, Ca 94607

www.lozeaudrury.com  
richard@lozeaudrury.com

By Email and US Mail

September 26, 2018

Angela Calvillo, Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)  
[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)

Lisa M. Gibson, Environmental Review Officer  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
[lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org)

RE: Central SoMa Plan and Environmental Impact Report for Central SoMa Plan  
(SCH NO. 2013042070)

Dear Ms. Calvillo and Ms. Gibson:

I am writing on behalf of SF Blu, a San Francisco Homeowners' Association representing residents living at 631 Folsom Street, to request that the City and County of San Francisco ("City") provide us with written notice of any and all notices issued under California Planning and Zoning Law and/or the California Environmental Quality Act ("CEQA"), referring or related to the Central SoMa Plan and Environmental Impact Report for Central SoMa Plan (SCH NO. 2013042070).

In particular, we hereby request that the City send by mail or electronic mail to my firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
  - Notices of any public hearing held pursuant to CEQA.

- Notices of determination that an Environmental Impact Report ("EIR") or supplemental EIR is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
- Notices of availability of an EIR or a negative declaration for a project prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notice of approval or certification of any EIR or negative declaration prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notice of exemption from CEQA prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of any Supplemental EIR prepared pursuant to CEQA.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is also filed pursuant to Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092, which require local agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail to:

Richard Drury  
Lozeau Drury LLP  
410 12<sup>th</sup> Street, Suite 250  
Oakland, CA 94607  
[richard@lozeaudrury.com](mailto:richard@lozeaudrury.com)

Please call should you have any questions. Thank you for your attention to this matter.

Sincerely,



Richard Drury  
Lozeau Drury LLP

## **Board of Supervisors, (BOS)**

---

**From:** Cliff Leventhal <cliffleventhal@gmail.com>  
**Sent:** Wednesday, September 19, 2018 3:23 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Owner Opposition to the BLU HOA Board's Appeal on the Central Soma Plan.

I am presenting for the Supervisors' review, a copy of my presentation at the next Supervisors meeting regarding the Central Soma plan and its impact on the BLU. I will also forward a copy of my Cease and Desist letter, objecting to the possible unauthorized use of HOA funds to oppose the plan by some individuals of the HOA Board and its Director.

Cliff

Begin forwarded message:

**From:** Cliff Leventhal <cliffleventhal@gmail.com>  
**Date:** September 19, 2018 at 3:11:51 PM PDT  
**To:** Cliff Leventhal <cliffleventhal@gmail.com>  
**Subject:** Draft of Presentation to Supervisor Board

Hi. I am Cliff Leventhal, and owner and resident at the BLU, 631 Folsom Street, since March 2013, and a former member of the BLU Social Committee. I retired recently as the owner of a Computer Manufacturer and Distributor, headquartered in New York. I would like to speak on behalf of myself and several other owners at the BLU in favor of the Central Soma plan, and opposed by some members of the HOA Board.

I live on the 4th floor of the building, and was not surprised the some of the owners in the Penthouse and upper floors of the 20 floors of residences were opposed to a development over a block away that might obstruct their view of the Bay Bridge. To me, what is more important is what is happening on the streets of San Francisco. Hawthorne Street, adjacent to our building, is nightly strewn with shards of broken car windows, and on Harrison Street you find the homeless pushing shopping carts of their meager possessions past many undeveloped sites. We have to take care of these unfortunate folks, and help upgrade our neighborhood and their lives

What disturbs me is that some members of the Board, living in the upper stories, are pro-orting that the building as a whole is opposed to the Central Soma plan, and have taken it upon themselves to fight it, project by project, possibly using everyone's HOA funds. To the best of my knowledge I and other owners outside the board were never consulted about our views. The legality of the HOA Board representing the building as a whole is questionable. I have documented this with a Cease and Desist letter to the HOA Board and Building Management and an forwarding you a copy of my letter.

I have also twice requested through the Building Manager that the Developers, and even our Supervisor, be invited to present information to the HOA members, and twice been denied by the HOA Board. All that is presented at the HOA meetings are the unsupported views of some of the Board's members and Director.

If the goal is to enhance the value of our properties, it would best be served by helping the homeless, and providing shops, offices, and residences in place of the current conditions on Harrison Street. I am strongly in favor of the Central Soma plan, which took years of effort by professional city planners to develop. My only reservation is that it does not go far enough and should be expanded to provide even more residences, as is being done in several other projects.

## Board of Supervisors, (BOS)

---

**From:** Cliff Leventhal <cliffleventhal@gmail.com>  
**Sent:** Friday, September 21, 2018 3:20 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** DRAFT - Leventhal - Letter to HOA.docx  
**Attachments:** DRAFT - Leventhal - Letter to HOA.docx

Attached, for review by the Board of Supervisors, is a draft copy of the Cease and Desist letter I had my lawyer prepare. It was sent to the BLU Manager, and the HOA Board. It was sent Sept 7. As of today, Sept 21, I have not received any of the information requested.

Cliff Leventhal  
631 Folsom St. 4D  
San Francisco CA 94107

September \_\_\_, 2018

**Via Email and U.S. Mail**

Re: Central SoMa Plan and EIR

This office represents Cliff Leventhal, a homeowner in the SF BLU condominium building. It has come to our client's attention that the SF BLU Homeowners' Association (the "HOA") has recently taken actions relating to the Central SoMa Plan, including the following: (1) filing an appeal challenging the Central SoMa Plan on or about June 8, 2018 (the "Appeal"); and (2) sending a letter dated June 26, 2018 to the San Francisco Board of Supervisors (the "Letter"), threatening legal action on behalf of the HOA.

We understand that there was no HOA Board of Directors ("Board") meeting at which these issues were discussed, no formal Board approval of the Appeal or the Letter, and no advance notice given to the HOA members before these steps were taken. It seems that only the individual Board members, or some of them, were involved in the preparation of the Appeal and the Letter; and that these individuals improperly purported to speak on behalf of the HOA. This conduct was in violation of [cite section of CC&Rs; cite section of Davis-Stirling].

Three weeks after the Letter was sent, the Board held a meeting on July 17, 2018. Although the Central SoMa Plan was not an agenda item, an Owner present at the meeting reportedly raised the issue. The Owner asked the Board how the HOA's opposition to the Central SoMa Plan – as expressed in the Appeal and the Letter – would be funded. In response, the Board discussed using building reserves to finance a lawsuit against the City.

Our client strongly objects to any HOA funds being used to oppose the Central SoMa Plan in any way. This would be a misuse of the HOA's reserves, which are earmarked solely for "the repair, restoration, replacement, or maintenance of, or litigation involving the repair, restoration, replace, or maintenance of, major components of the Common Area and facilities...." (CC&Rs, Section 4.3(d); Davis-Stirling [cite].) Indeed, we understand that the HOA is underfunded as it is, and that the diversion of HOA funds for use in opposing the Central SoMa Plan would only exacerbate this problem. Nor would it be proper for the HOA to increase assessments or impose special assessments for this purpose. The Board's authority to take such action is quite limited and would likely require the approval of a majority of the Owners at a properly-noticed meeting, with a quorum present. (CC&Rs, Section 4.5.)

Further, it would be improper for the Board to commence or pursue litigation against the City regarding the Central SoMa Plan. The CC&Rs only contemplate lawsuits by the HOA

relating to defects in or damage to the building, or enforcement of the Condominium Documents. (CC&Rs Sections 4.9(n), 9.1(b).) Moreover, even assuming the HOA had the authority to file suit against the City (which our client denies), the Board would first be required to comply with Section 9.1(b) of the CC&Rs, which requires written notice to all members of the HOA and a meeting to discuss the contemplated lawsuit.

Any further action in contravention of the CC&Rs and Davis-Stirling, including expending HOA funds to oppose the Central SoMa Plan, will expose the members of the Board to liability for breach of their fiduciary duties owed to the HOA and its members. Our client hereby demands that the members of the Board immediately cease and desist their improper and unauthorized conduct with respect to the Central SoMa Plan, and that the Board instead proceed in strict compliance with the CC&Rs and California law.

Finally, our client demands full disclosure of the Board's past activities related to the Plan, the One Vassar project, and/or the 350 2nd Street project. Please provide me with copies of all notices sent to the Owners, if any, all meeting minutes, and the provisions of the CC&Rs which the Board relied on as authority for filing the Appeal and sending the Letter in the name of the HOA. We will also require copies of all contracts for services entered into by the Board relating to these issues, all legal bills for representing the HOA (whether paid by the HOA or others), all correspondence with outside parties, and summaries of all material conversations or meetings with outside parties relating to the Central SoMa Plan. Please provide these materials by close of business on September 17, 2018.

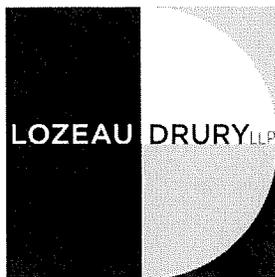
Thank you for your attention to this matter. We look forward to your prompt response.

Very truly yours,

Jessica M. Takano

cc: Client (via email)

180184  
180185  
180490



T 510.836.4200      410 12th Street, Suite 250      www.lozeaudrury.com  
F 510.836.4205      Oakland, Ca 94607      richard@lozeaudrury.com

June 26, 2018

Via E-mail and First Class Mail

Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

Re: Central SOMA Neighbors and SFBlu Objection to Designating the One Vassar Project as a Key Development Site in Central SOMA Plan

Dear Supervisors,

I am writing on behalf of the Central SoMa Neighbors (“CSN”) and SFBlu to object to the proposal to designate the One Vassar Project, located at 400 2<sup>nd</sup> Street, as a “key development site” pursuant to the Central SOMA Plan. The purpose of designating key development sites in the Central SOMA Plan is to “maximize public benefits” at certain large underutilized lot areas within the Plan area and to “ensure that their development directly *delivers* critical public benefits.” Central SOMA Plan and Implementation Strategy, Part II, Draft Key Development Site Guidelines, p. 170 (emphasis added). Key sites that are included in the final Central SOMA Plan would be subjected to a streamlined approval process in exchange for delivering critical public benefits. CSN and SFBlu oppose the inclusion of the One Vassar Project as a key development site in the Central SOMA Plan because rather than delivering public benefits, the One Vassar Project, as currently proposed, will adversely affect the 2<sup>nd</sup> and Harrison area.

First, CSN and SFBlu do not believe the potential public benefits cited in the Implementation Strategy are likely to come to fruition. No commitments have been forthcoming from the developer of the site. The excessive height limits proposed for this Project are not necessary to secure potential public benefits from this site. Indeed, CSN and SFBlu do not believe there is any public benefit in constructing a large hotel at this site. Numerous other hotel projects already are underway or will be spurred on by the Central SOMA Plan in other more appropriate locations. Accelerating the approval of this controversial Project will lessen the likelihood that public pressure would be brought to bear to ensure any heightened public benefits from the Project.

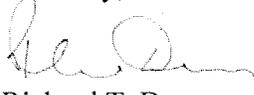
Second, rather than provide public benefits to the area around 2<sup>nd</sup> Street and Harrison Street, the One Vassar Project and its 4,000 plus commercial and residential occupants will

overwhelm the surrounding neighborhood and degrade the quality of life of existing residents. CSN and SFBlu are concerned that the number of occupants envisioned by this Project in this location is out of balance with the surrounding area. In order to restore consistency in this portion of the Central SOMA Plan, the One Vassar Project parcel should be limited to a maximum height of 130-feet. CSN and SFBlu believe that height limit would better balance the number of commuters and visitors accessing the Project, be more in keeping with adjacent projects, and ensure that the Project provides public benefits rather than disproportionately overwhelm public transit and the local neighborhood.

Third, it is CSN's and SFBlu's understanding that the One Vassar project does not intend to further a clear public benefit of ensuring good jobs in either the construction or operation of the Project. CSN and SFBlu are extremely concerned that identifying this site at this planning stage for special treatment as a key development site is premature. It is our understanding that the Planning Commission has endorsed the preparation of Community Good Jobs Employment Plans ("Good Jobs Plans") for any non-residential development over 25,000 square-feet. *See, e.g. <https://hoodline.com/2018/05/planning-commission-unanimously-approves-central-soma-plan>.* These Good Job Plans would be subject to public review and comment prior to a project being considered for approval by the Planning Department. The Good Jobs Plan would provide details of a project's strategy for providing permanent jobs for SOMA residents paying good living wages and benefits. The plan would also explain how a project planned to engage with the local, concerned community and other civic and labor organizations. Prior to identifying this site as a key development site, the City should require the One Vassar Project to prepare a Good Jobs Plan in order to identify and lock in actual public benefits to the community of this oversized development proposal, not merely the potential for such benefits.

Given the current likelihood that the One Vassar Project, as currently designed and envisioned will more likely bestow significant burdens rather than benefits on this portion of Central SOMA, CSN and SFBlu respectfully request that the Board of Supervisors remove this site from the list of key development sites currently proposed in the Central SOMA Plan.

Sincerely,



Richard T. Drury  
Lozeau Drury LLP

on behalf of Central SoMa Neighbors and SFBlu

# REUBEN, JUNIUS & ROSE, LLP

Chloe Angelis  
Cangelis@reubenlaw.com

July 5, 2018

## Delivered Via U.S Mail

Board of Supervisors  
Supervisor Peskin (Aaron.Peskin@sfgov.org)  
Erica Major (erica.major@sfgov.org)  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

**Re: Central SoMa Zoning Amendments – 816 Folsom Street  
BOS File No.: 180184  
Our File No.: 10344.03**

Dear Sir or Madam:

On behalf of Chloe Angelis, please find enclosed letter from CitizenM in regards to Central SoMa Zoning Amendments related to 816 Folsom Street.

Should you have any questions, do not hesitate to contact our office.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



**Jennica Dandan**  
Legal Assistant to Attorney

Enclosures:  
Central SoMa Zoning Amendments

cc: Chloe Angelis

2018 JUL -9 PM 4:12  
BOARD OF SUPERVISORS  
SAMI H. MOGRILO



July 5, 2018

**Delivered Via Email and U.S. Mail**

Land Use & Transportation Committee  
Chair Katy Tang (Katy.Tang@sfgov.org)  
Supervisor Kim (Jane.Kim@sfgov.org)  
Supervisor Safai (Ahsha.Safai@sfgov.org)  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, Ca 94102-4689

**Re: Central SoMa Zoning Amendments  
BOS File No. 180184  
816 Folsom – citizenM**

Dear Chair Tang and Supervisors:

CitizenM proposes to construct a 180-foot-tall, 18-story hotel with 208 guestrooms (the "Project") at 816 Folsom Street (the "Property"), between 4th and 5th Streets within the Central SoMa Plan Area. The Central SoMa Plan permits heights up to 180 feet on the Property, but a number of complex design regulations set forth in the proposed ordinance to implement the Central SoMa Plan (the "Ordinance") result in a substantial loss of development potential and drive up already-steep construction costs. The tower setback and streetwall articulation requirements are the most problematic. **Absent modifications to allow minor exceptions from prescriptive Code requirements, a hotel at this site will be financially infeasible, and citizenM will be forced to walk away from the Project.**

CitizenM is an integrated hotel developer and operator with another San Francisco project entitled and underway at 72 Ellis Street. The company currently has 12 hotels operating worldwide and another 12 under construction in the US, with 5 in California alone. Construction of the hotel at 816 Folsom Street would provide 24-30 permanent employment opportunities and over 200 temporary ones. The company plans to work with Webcor Builders for construction of the Project, and will participate in the City's

**citizenM hotels support office  
leidseweg 219  
2253 AE voorschoten  
the netherlands**



First Source Hiring Program for both the construction phase and ongoing hotel operations. Additionally, citizenM has already executed agreements with UNITE HERE-Local 2 for hotel operations at 816 Folsom and with the Plumbers and Steamfitters Local 38, IBEW Local 6, Sheet Metal Workers Local 104, and Sprinkler Fitters Local 483 (the "Trade Unions") regarding construction of the Project.

CitizenM bought the Property a year and a half ago, and since then, construction costs have increased 10 percent. Prescriptive design standards imposed by the Ordinance effectively add up to an additional \$9.5 million in construction costs. If provisions for minor design flexibility are not incorporated into the legislation, the compounding effect of strict Code requirements on unprecedented construction costs will render the Project financially infeasible. The tower setback and streetwall articulation requirements are particularly difficult for a small site like 816 Folsom to comply with, as outlined below, and suggested redline modifications to address these concerns are attached to this letter.

- **Tower setback requirements would drastically limit development potential on small lots.** The Ordinance requires a 15-foot setback for towers above 85 feet. (Proposed § 132.4(d).) On a small lot like 816 Folsom, a 15-foot setback would limit the maximum floorplate size to only 3,500 square feet, resulting in substandard room sizes. (See massing diagrams attached at **Exhibit A.**) It may also be beneficial at certain properties to reduce setbacks on one side to benefit adjoining neighbors and regain lost area on another side where neighbors would not be impacted. The Ordinance should allow exceptions from the tower setback requirements on small sites: minor changes to the prescribed design may benefit neighboring properties and make it possible to realize additional density, while still achieving the design intent of the setback requirements.
- **Streetwall and tower setback requirements applied in tandem cause building misalignment and increase construction costs on small lots.** The Ordinance requires that buildings be built to the property line up to 65 feet and that towers include a 15-foot setback above 85 feet. On some sites, these requirements force misalignment of the building interior between the tower and podium and would necessitate a transfer of the risers and possibly the structure. This has two consequences for buildings: (1) the more complex structural requirements will increase construction costs, which have dramatically increased

citizenM hotels support office  
leidseweg 219  
2253 AE voorschoten  
the netherlands



in the last several years; (2) transferring risers and structures may take up additional space in the building, resulting in a loss of occupiable space (See section diagram at **Exhibit B.**)

At 816 Folsom, the net result of the tower setback and streetwall articulation requirements is to reduce hotel room count by 33 rooms and add a 15% cost premium over an efficient design that might be allowed with minor exceptions. Giving the Planning Commission flexibility to work within the site constraints to apply these requirements will help minimize critical inefficiencies and promote project feasibility in a very challenging market.

These losses to the development potential of the site make the construction of the Project cost-prohibitive, and citizenM may be forced to walk away from the Project if the Central SoMa legislation is not amended to provide some flexibility in the application of the tower setback and streetwall articulation requirements.

Thank you for your consideration and attention to these concerns.

Very truly yours,

**citizenM**

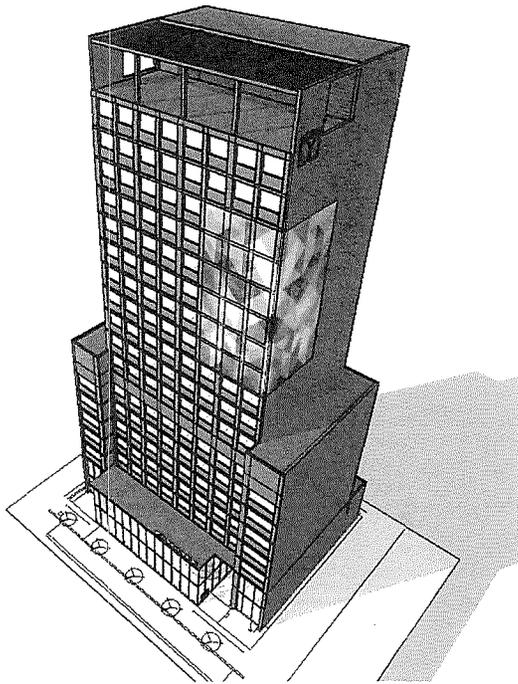
**Scott Bastiani**  
**Project Director USA**

cc:

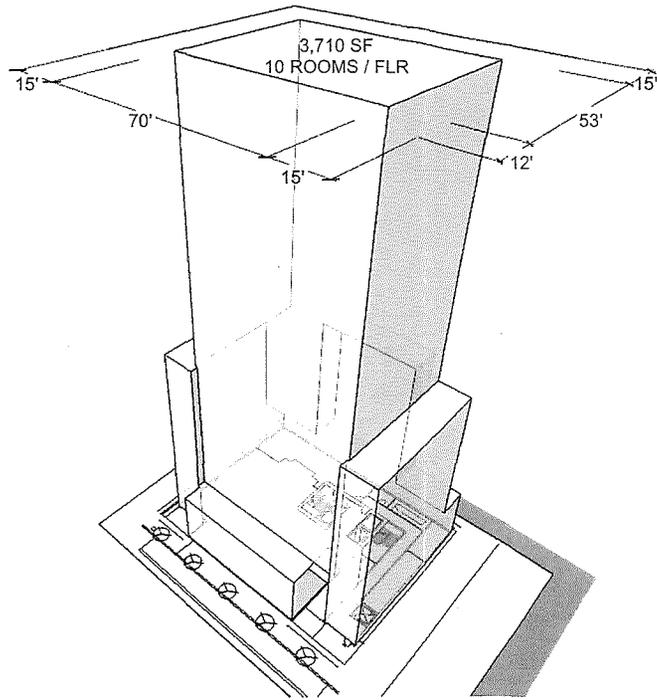
President Cohen (Malia.Cohen@sfgov.org)	Supervisor Ronen (Hillary.Ronen@sfgov.org)
Supervisor Breed (London.Breed@sfgov.org)	Supervisor Stefani (Catherine.Stefani@sfgov.org)
Supervisor Fewer (Sandra.Fewer@sfgov.org)	Supervisor Sheehy (Jeff.Sheehy@sfgov.org)
Supervisor Peskin (Aaron.Peskin@sfgov.org)	Supervisor Yee (Norman.Yee@sfgov.org)
Sarah Dennis Phillips, OEWD (Sarah.Dennis-Phillips@sfgov.org)	Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)
Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)	

**citizenM hotels support office**  
**leidseweg 219**  
**2253 AE voorschoten**  
**the netherlands**

**EXHIBIT A**  
**Massing Diagram**

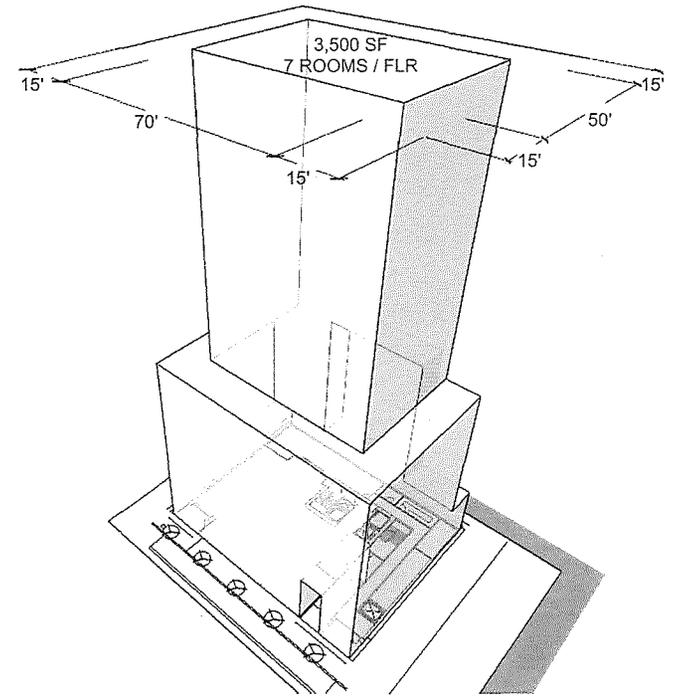


PROPOSED BUILDING



PROPOSED BUILDING (MASSING DIAGRAM)

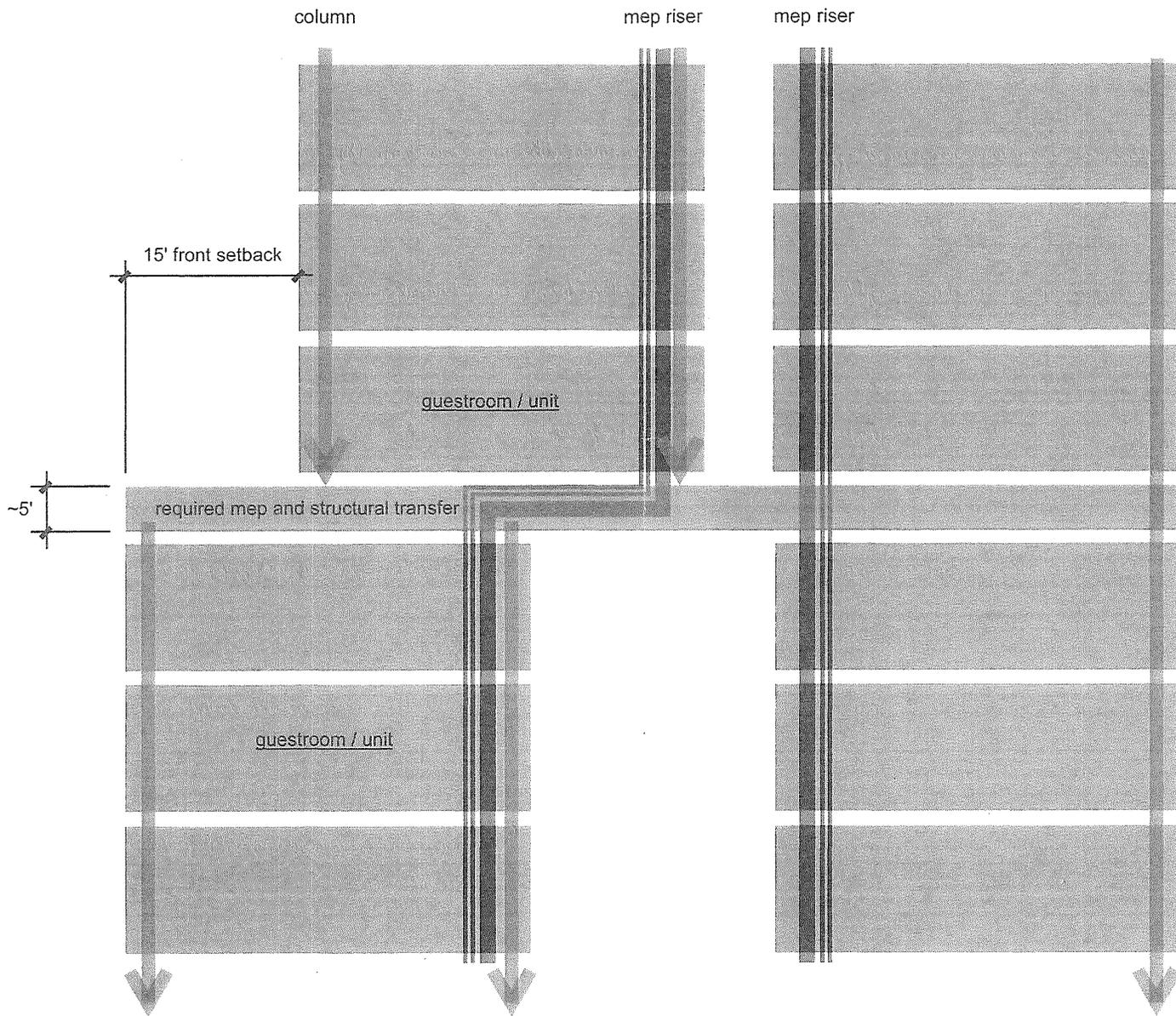
at tower:  
11 floors at 10 rooms / floor = 110 rooms



PER CODE (MASSING DIAGRAM)

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

**EXHIBIT B**  
**Section Diagram**

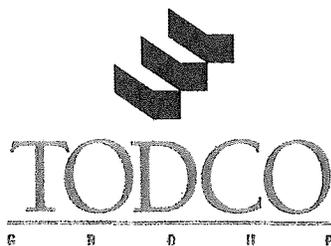


**EXHIBIT C**  
**Suggested Code Modifications**

**Central SoMa Zoning Analysis – Suggested Planning Code Amendments**

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

Topic	Planning Code Section	Issue	Suggested Revision
Streetwall Articulation	Proposed § 132.4(d)(1)	The streetwall articulation requirements mandate that new projects be built up to the property line up to 65 feet in height. Application of the streetwall articulation requirements in tandem with the tower setback requirements creates building misalignment that drives up construction costs.	<p>Revise proposed § 132.4(d)(1)(B) to allow a permitted streetwall setback above the ground floor on sites that are less than 100 feet deep.</p> <p><i><u>(B) Permitted Streetwall Setbacks. Notwithstanding the requirements of subsection (A), any building may be recessed from the property line as follows:</u></i></p> <p><i><u>(i) To the extent necessary to accommodate any setback required by this Code;</u></i></p> <p><i><u>(ii) For portions of residential buildings with walk-up dwelling units that have setbacks in accordance with the Ground Floor Residential Guidelines;</u></i></p> <p><i><u>(iii) For publicly-accessible open space built pursuant to the requirements of Section 138; or</u></i></p> <p><i><u>(iv) For building façade architectural articulation and modulation up to a maximum depth of 5 feet;</u></i></p> <p><i><u>(v) Above the ground floor on parcels less than 100 feet deep, up to a maximum depth of 12 feet.</u></i></p>
Tower Setbacks	Proposed § 132.4(d)(2)(B)	The proposed language mandates a 15-foot setback for towers for the portion above 85 feet. On small parcels, this setback will drastically limit floorplate sizes and will prevent projects from shifting massing so as to avoid undesirable conditions for adjacent properties.	<p>Revise proposed § 132.4(d)(2)(B) to provide a reduced setback where the Commission finds that a 15-foot setback would unduly restrict the development potential of a site, so long as at least an 8-foot setback is provided.</p> <p><i><u>(B) For Towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the Tower Portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Pursuant to Section 329, the Planning Commission may grant a modification to this setback requirement as applied to a proposed project if it finds that (1) a 15-foot setback would unduly restrict the development potential of the site and (2) that a setback of no less than five (5) feet is provided along all property lines.</u></i></p>



Received in Committee  
7/9/2018 @ 10:30am  
A

San Francisco Board of Supervisors  
City Hall  
San Francisco CA 94102

July 9, 2018

RE: CENTRAL SOMA PLAN  
Establishing The South of Market Community Advisory Committee

Honorable Supervisors:

The Department of City Planning now recommends establishing a new South of Market CAC by splitting the existing Eastern Neighborhoods Citizens Advisory Committee in two. That is a logical starting point, but falls far short of what is really need to ensure full public and community participation in determining the future of our dynamic Neighborhood.

The current Eastern Neighborhoods CAC suffers from two fatal flaws:

1. As the Department now admits, it is too big, attempting to provide community engagement for three very complex and different neighborhoods – SOMA, the Mission District, and Potrero/Central Waterfront.
2. Its scope of City development review is far too limited – limited to just MTA, DPW, Park/Rec, and Childcare planning. The crucial Mayor's Office of Housing affordable housing programs are completely omitted, and also the Mayor's Offices of Community Development and Economic and Workforce Development.

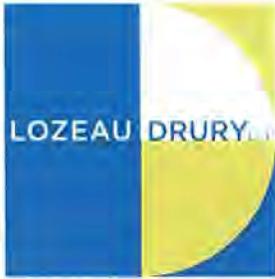
To correct this, the scope of the purview of the new Central SOMA CAC must be substantially enlarged and very clearly specified, as follows (this would be a revision of the Eastern Neighborhoods ordinance section outlining that CAC's role):

"The SOMA CAC shall be the central community advisory body charged with providing input to City agencies and decision makers with regard to all activities related to implementation of the Central SOMA Plan and Eastern Neighborhoods Area Plans within the South of Market Special Use District by all City agencies, including but not limited to the City Planning Department, the Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and Workforce Development, the Municipal Transportation Authority, the Recreation and Parks Department, the Department of Public Works, and the Arts Commission. The CAC is established for the purposes of providing input regarding Central SOMA Plan Area and Eastern Neighborhoods Plan Areas within the South of Market Special Use District on the (i) prioritization of Public Benefits, (ii) updating the

Public Benefits program, (iii) programming of public investments in South of Market including community facilities districts, (iv) proposed revisions to planning code and zoning provisions, (v) relaying information to community members in the South of Market neighborhood regarding the status of development proposals, and (vi) providing input to plan area monitoring efforts as appropriate. The CAC shall be advisory, as appropriate, to the Planning Department, the Interagency Planning & Implementation Committee (IPIC), the Planning Commission, relevant City departments and agencies, and the Board of Supervisors.”

Sincerely,

John Elberling  
President



1-800-448-4200  
510-461-4100

510-461-4100  
510-461-4100

www.lozeaudrury.com  
www.lozeaudrury.com

June 26, 2018

Via E-mail and First Class Mail

Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

2018 JUN 28 PM 2:58  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
W

Re: Central SOMA Neighbors and SFBlu Objection to Designating the One Vassar Project as a Key Development Site in Central SOMA Plan

Dear Supervisors,

I am writing on behalf of the Central SoMa Neighbors (“CSN”) and SFBlu to object to the proposal to designate the One Vassar Project, located at 400 2<sup>nd</sup> Street, as a “key development site” pursuant to the Central SOMA Plan. The purpose of designating key development sites in the Central SOMA Plan is to “maximize public benefits” at certain large underutilized lot areas within the Plan area and to “ensure that their development directly *delivers* critical public benefits.” Central SOMA Plan and Implementation Strategy, Part II, Draft Key Development Site Guidelines, p. 170 (emphasis added). Key sites that are included in the final Central SOMA Plan would be subjected to a streamlined approval process in exchange for delivering critical public benefits. CSN and SFBlu oppose the inclusion of the One Vassar Project as a key development site in the Central SOMA Plan because rather than delivering public benefits, the One Vassar Project, as currently proposed, will adversely affect the 2<sup>nd</sup> and Harrison area.

First, CSN and SFBlu do not believe the potential public benefits cited in the Implementation Strategy are likely to come to fruition. No commitments have been forthcoming from the developer of the site. The excessive height limits proposed for this Project are not necessary to secure potential public benefits from this site. Indeed, CSN and SFBlu do not believe there is any public benefit in constructing a large hotel at this site. Numerous other hotel projects already are underway or will be spurred on by the Central SOMA Plan in other more appropriate locations. Accelerating the approval of this controversial Project will lessen the likelihood that public pressure would be brought to bear to ensure any heightened public benefits from the Project.

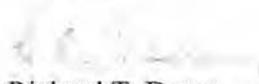
Second, rather than provide public benefits to the area around 2<sup>nd</sup> Street and Harrison Street, the One Vassar Project and its 4,000 plus commercial and residential occupants will

overwhelm the surrounding neighborhood and degrade the quality of life of existing residents. CSN and SFBLU are concerned that the number of occupants envisioned by this Project in this location is out of balance with the surrounding area. In order to restore consistency in this portion of the Central SOMA Plan, the One Vassar Project parcel should be limited to a maximum height of 130-feet. CSN and SFBLU believe that height limit would better balance the number of commuters and visitors accessing the Project, be more in keeping with adjacent projects, and ensure that the Project provides public benefits rather than disproportionately overwhelm public transit and the local neighborhood.

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Given the current likelihood that the One Vassar Project, as currently designed and envisioned will more likely bestow significant burdens rather than benefits on this portion of Central SOMA, CSN and SFBLU respectfully request that the Board of Supervisors remove this site from the list of key development sites currently proposed in the Central SOMA Plan.

Sincerely,

  
Richard T. Drury  
Lozeau Drury LLP  
on behalf of Central SoMa Neighbors and SFBLU



DO NOT WRITE IN THESE SPACES

2018 JUL -2 PM 2:12

*eu*

File Nos  
180184 &  
180185

**MEMORANDUM**

Date: July 2, 2018

To: Supervisor Jane Kim

cc: Barbara Lopez  
Christine Linnenbach  
Carlton Linnenbach

From: Steven L. Vettel

Re: Central SOMA Planning Code amendments

Subject: Amendments relative to 636 Fourth Street

I understand that an issue has arisen as to whether certain amendments to Board File 180184 relative to the bulk and setback requirements for a proposed residential tower at 636 Fourth Street can be enacted by the Board of Supervisors without referral back to the Planning Commission. I am writing on behalf of the Linnenbach family, the sponsors of the 636 Fourth Street project (the "Project"), to explain why we do not believe there is a legal requirement for such a referral back in this case.

1. The proposed amendments were previously considered by the Planning Commission. Attached hereto is a summary of the several Planning Commission hearings during which the issue of the orientation of the proposed tower on the Project site, including its tower separation from 505 Brannan Street, were discussed during public testimony and in the Commissioners' deliberations. The attachment includes minute cites to the video recordings of the hearings. The precise amendments at issue, including tower separation, tower setback, tower size and tower length, were provided to the Planning Department on May 1, 2018, via my email to Steve Wertheim. We also presented the proposed amendments to the Planning Commission in writing and in my and Christine Linnenbach's oral testimony during its May 10, 2018, hearing. At that hearing, the Commissioners had 30 staff recommended amendments before them, as well as the amendments we proposed. Staff did not provide the Commissioners with an explanation of the vast majority of these staff amendments (unlike our testimony that directly explained the

proposed amendments). Nonetheless, I understand the City Attorney has determined that all 30 of those amendments were adequately considered by the Commission on May 10. Given the perfunctory nature of the Commission's consideration of staff's amendments, we believe the Commission did consider our proposed amendments relative to 636 Fourth Street, likely believing they were included in the 30 staff recommendations and therefore did not warrant specific discussion. On several occasions the Commissioners directed staff to bring them amendments that would improve the Plan's jobs-housing balance, as these amendments do.

2. Even if not adequately considered by the Commission, the Board of Supervisors is authorized to make non-material modifications to Planning Code provisions without referral back to the Commission. Planning Code Section 302(d) provides: "In acting upon any proposed amendment to the text of the [Planning] Code, the Board of Supervisors may modify said amendment but shall not take final action upon any material modification that has not been approved or disapproved by the Planning Commission." The amendments proposed for the 636 Fourth Street Project are not "material modifications" of the Central SOMA Code amendments requiring referral back. The Central SOMA Code amendments legislation is 194 pages in length. The legislation will regulate land uses in a 17-block area and enable 33,000 new jobs and 8,300 dwelling units. In comparison, the 636 Fourth Street amendments concern the orientation and bulk of a single building. Should the amendments be enacted, the height of the Project would remain unchanged at 250 feet, and the dwelling unit count would potentially increase by only approximately 40 units (0.5% of the enabled 8,300 units). The floor plate of the tower would increase by 500 square feet, and the horizontal length of the tower would increase by 15 feet. These minor changes to the physical characteristics of a single building are not "material modifications" of the legislation requiring referral back.

For sake of analogy, the Planning Department has a rule of thumb that approved projects may increase in unit count by 5% without requiring referral back to the Planning Commission for a new hearing on the modified project. The 636 Fourth Street amendments would not come close to increasing the development density in the Central SOMA area by 5% or more.

Similarly, CEQA provides standards for when modifications to a project are material enough to require additional CEQA review. CEQA Guidelines Section 15162 states:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The minor modifications to the Code represented by the proposed 636 Fourth Street amendments would not fall within any of these situations requiring further CEQA review.

**636 Fourth Street Project: Planning Commission hearings during which tower separation, setbacks, tower size and horizontal dimensions were discussed**

February 1, 2018 [tower separation and increasing size of 636 Fourth Street project]

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=20&clip\\_id=29695](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=29695)

2:00 Steve Vettel  
2:17 Commissioners Melgar  
2:23 Commissioner Richards  
2:35 Director Rahaim  
2:36 Commissioner Moore

March 15, 2018

In general public comment, Christine Linnenbach presented Steve Vettel's March 14, 2018 letter addressing tower separation, height and unit count at 636 Fourth Street to the Commissioners.

March 22, 2018 [tower separation and increasing size of 636 Fourth Street project]

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=20&clip\\_id=30100](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=30100)

2:09 Steve Vettel following up on letter dated March 14, 2018  
2:15 Commissioner Moore

April 12, 2018 [tower separation]

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=20&clip\\_id=30263](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=30263)

1:22 Tara Sullivan/RJR (counsel for 505 Brannan)  
1:38 Commissioner Richards  
1:47 Commissioner Koppel  
1:49 Commissioner Moore  
1:50 Commissioner Richards

May 10, 2018 [tower separation, setbacks from streets and property lines, tower size and tower horizontal dimension]

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=20&clip\\_id=30502](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=30502)

5:58 Steve Vettel introduces the code amendments referencing the reduced setbacks on 4th and Bluxome Streets, the tower resulting shift to the southeast, the proposed 13,000 sf tower floorplate with a longer horizontal dimension than previously proposed

6:42 Christine Linnenbach follows up on Steve's comments to provide the written proposed code amendments for 636 Fourth Street to the Commissioners

6:43:40 Christine hands the code amendments to Jonas Ionin, the Commission Secretary, and requests that the documents be put in the record and that Mr. Ionin give copies directly to the Commissioners and the Director. Mr. Ionin retrieved the code amendments from Christine and handed them directly to the Commissioners

The Commissioners did not directly address the amendments presented by Vettel and Linnenbach during their deliberations. But neither did the Commission discuss at the hearing the 30 other amendments proposed by Planning Department staff on pages 239 to 244 of the staff, including designating 505 Brannan as a key site:

[http://commissions.sfplanning.org/cpcpackets/2011.1356EMTZU\\_Central%20SoMa.pdf](http://commissions.sfplanning.org/cpcpackets/2011.1356EMTZU_Central%20SoMa.pdf)

30840\6761127.1

# REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin  
dfrattin@reubenlaw.com

June 8, 2018

## Delivered Via Email and U.S. Mail

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

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

Dear President Breed and Supervisors:

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

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

San Francisco Office  
One Bush Street, Suite 600, San Francisco, CA 94104  
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office  
456 8th Street, 2<sup>nd</sup> Floor, Oakland, CA 94607  
tel: 510-257-5589

[www.reubenlaw.com](http://www.reubenlaw.com)

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

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

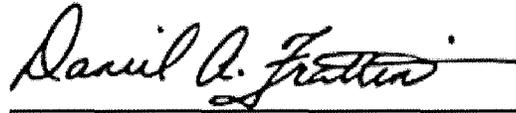
- **Streetwall and tower setback requirements applied in tandem cause building misalignment and increase construction costs on small lots.** The Ordinance requires that buildings be built to the property line up to 65 feet and that towers include a 15-foot setback above 85 feet. On some sites, these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

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

Thank you for your consideration and attention to these concerns.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**

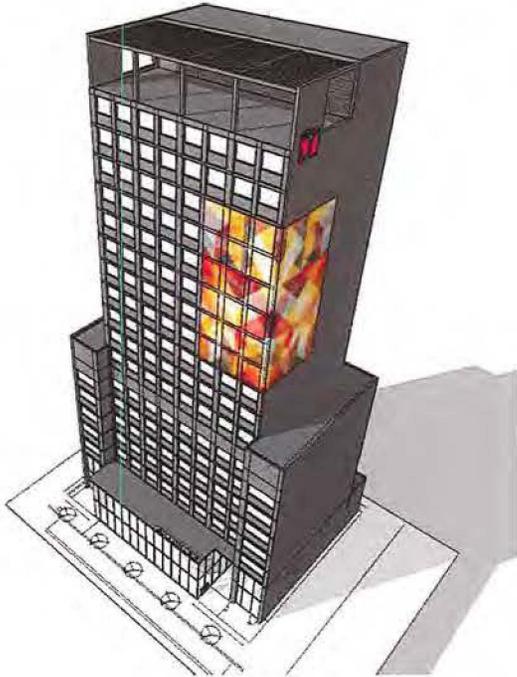
A handwritten signature in black ink, reading "Daniel A. Frattin", written over a horizontal line.

**Daniel A. Frattin**

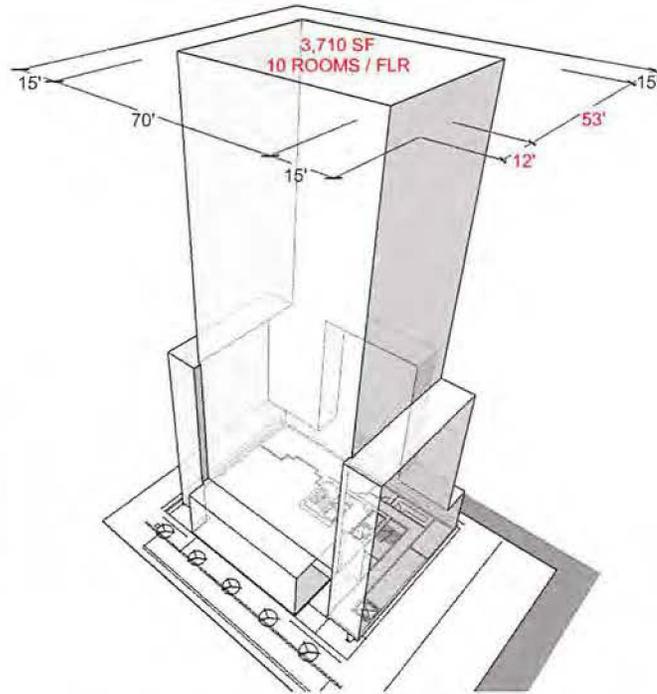
cc:

Supervisor Cohen (Malia.Cohen@sfgov.org)  
Supervisor Stefani (Catherine.Stefani@sfgov.org)  
Supervisor Fewer (Sandra.Fewer@sfgov.org)  
Supervisor Peskin (Aaron.Peskin@sfgov.org)  
Supervisor Ronen (Hillary.Ronen@sfgov.org)  
Supervisor Safai (Ahsha.Safai@sfgov.org)  
Supervisor Sheehy (Jeff.Sheehy@sfgov.org)  
Supervisor Tang (Katy.Tang@sfgov.org)  
Supervisor Yee (Norman.Yee@sfgov.org)  
John Rahaim, Planning Director (John.Rahaim@sfgov.org)  
Lisa Chen, Planning Department (Lisa.Chen@sfgov.org)  
Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)  
Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)

**EXHIBIT A**  
**Massing Diagram**

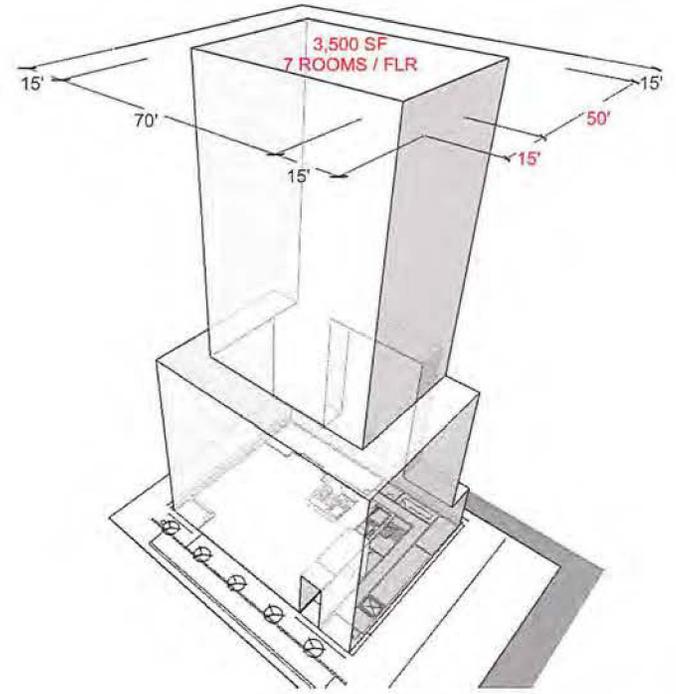


PROPOSED BUILDING



PROPOSED BUILDING (MASSING DIAGRAM)

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

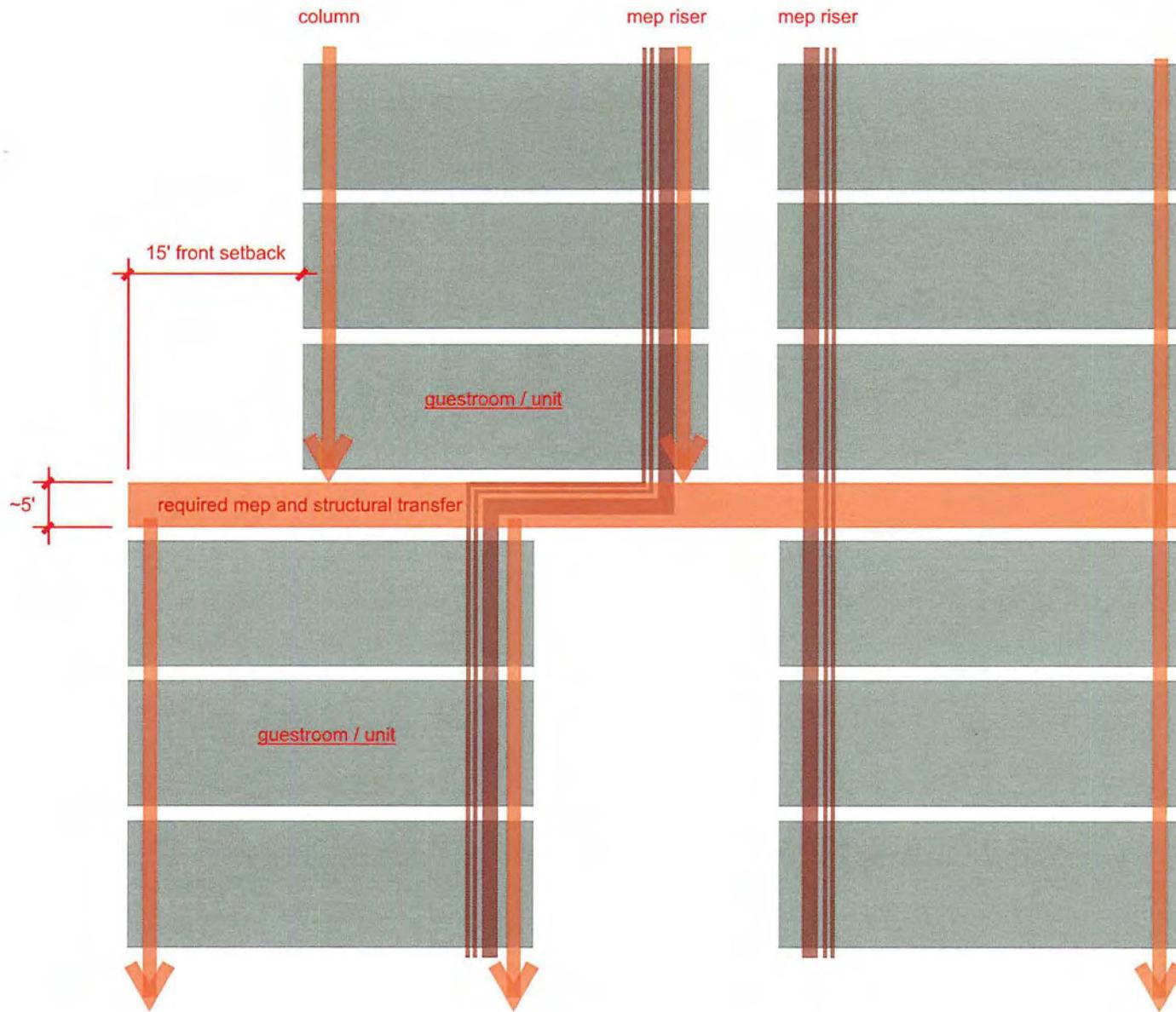


PER CODE (MASSING DIAGRAM)

at tower:  
11 floors at 7 rooms / floor = 77 rooms

Δ -33 rooms  
-16%

**EXHIBIT B**  
**Section Diagram**



**EXHIBIT C**  
**Suggested Code Modifications**

**Central SoMa Zoning Analysis – Suggested Planning Code Amendments**

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

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

			<i>(v) Above the ground floor on parcels less than 100 feet deep, up to a maximum depth of 12 feet.</i>																				
Tower Setbacks	Proposed § 132.4(d)(2)(B)	The proposed language mandates a 15-foot setback for towers for the portion above 85 feet. On small parcels, this setback will drastically limit floorplate sizes and will prevent projects from shifting massing so as to avoid undesirable conditions for adjacent properties.	<p>Revise proposed § 132.4(d)(2)(B) to provide a reduced setback where the Commission finds that a 15-foot setback would unduly restrict the development potential of a site, so long as at least an 8-foot setback is provided.</p> <p><i>(B) For Towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the Tower Portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Pursuant to Section 329, the Planning Commission may grant a modification to this setback requirement as applied to a proposed project if it finds that (1) a 15-foot setback would unduly restrict the development potential of the site and (2) that a setback of no less than five (5) feet is provided along all property lines.</i></p>																				
Skyplane	Proposed § 270(h)	The proposed apparent mass controls applicable in a height district above 160 feet are not clearly drafted. Table 270(h) applies an 80% apparent mass reduction requirement to the non-tower portion of a building, i.e. the portion below 85 feet. It is unclear how this can be implemented consistent with the street wall articulation requirement or while allowing construction of a tower above.	<p>Table 270(h) should be revised to clarify how the apparent mass reduction requirements apply in a height district above 160 feet.</p> <table border="1" data-bbox="1136 824 1946 1263"> <thead> <tr> <th colspan="5"><i>Table 270(h)</i></th> </tr> <tr> <th colspan="5"><i>Apparent Mass Reduction</i></th> </tr> <tr> <th><i>Building Frontage</i></th> <th><i>Side of the Street</i></th> <th><i>Height District</i></th> <th><i>Base Height</i></th> <th><i>Apparent Mass Reduction</i></th> </tr> </thead> <tbody> <tr> <td><i>Major Street</i></td> <td><i>All</i></td> <td><i>Above 160 feet</i></td> <td><i>85 feet</i></td> <td><i>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</i></td> </tr> </tbody> </table>	<i>Table 270(h)</i>					<i>Apparent Mass Reduction</i>					<i>Building Frontage</i>	<i>Side of the Street</i>	<i>Height District</i>	<i>Base Height</i>	<i>Apparent Mass Reduction</i>	<i>Major Street</i>	<i>All</i>	<i>Above 160 feet</i>	<i>85 feet</i>	<i>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</i>
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<i>Major Street</i>	<i>All</i>	<i>Above 160 feet</i>	<i>85 feet</i>	<i>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</i>																			

Skyplane	Proposed § 270(h); Amended § 329	If the apparent mass reduction requirements apply to towers in 180-foot height districts, an exception should be provided for small sites. At 816 Folsom, which is only 80 feet deep and 100 feet wide, an 80% apparent mass reduction will substantially decrease the development potential of the site.	<p>Revise amended § 329(d) to allow the Planning Commission to provide a modification from the skyplane requirements for sites with less than 10,000 square feet.</p> <p>(d) <b>Exceptions.</b> As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>* * * *</p> <p><i>(12) Within the Central SoMa SUD, exception from the Apparent Mass Reduction requirements required by Section 270(h)(2) for projects on a Major Street with a parcel area of less than 10,000 square feet.</i></p> <p><del>(13)</del> Where not specified elsewhere in this § subsection (d), modification of other Code requirements <del>which that</del> could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <u>except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</u></p>
POPOS & Open Space Exception	Amended §§ 426 & 329(d)	<p>Neither the existing nor the proposed § 329 provides for an exception from non-residential open space or POPOS requirements. While § 426 provides for payment of an in lieu fee, non-residential projects would first need to obtain a variance, which is difficult to justify for new construction.</p> <p>The Code should allow for an open space/POPOS exception rather than require a variance for these projects.</p>	<p>Revise amended § 329(d) to allow for an exception from the non-residential and POPOS requirements for Central SoMa projects that pay the in lieu fee rather than provide on-site open space.</p> <p>(d) <b>Exceptions.</b> As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>* * * *</p> <p><i>(12) Exception from non-residential usable open space requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p><i>(13) Exception from POPOS requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p><del>(14)</del> Where not specified elsewhere in this § subsection (d), modification of other Code requirements <del>which that</del> could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is</p>

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

BOARD of SUPERVISORS



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

October 26, 2018

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

Dear Commissioners:

On October 22, 2018, the Land Use and Transportation Committee heard and amended the following legislation:

**File No. 180184-6**

**Ordinance amending the Administrative Code and Planning Code to give effect to the Central South of Market (SoMa) Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.**

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

Angela Calvillo, Clerk of the Board

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

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

c: John Rahaim, Director  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
AnMarie Rodgers, Director of Citywide Planning  
Dan Sider, Director of Executive Programs  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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**File No. 180184-6**

**Ordinance amending the Administrative Code and Planning Code to give effect to the Central South of Market (SoMa) Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.**

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

Angela Calvillo, Clerk of the Board

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

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

c: John Rahaim, Director  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
AnMarie Rodgers, Director of Citywide Planning  
Dan Sider, Director of Executive Programs  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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

## NOTICE OF PUBLIC HEARING

### RULES COMMITTEE

### SAN FRANCISCO BOARD OF SUPERVISORS

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

**Date:** Monday, July 9, 2018

**Time:** 10:00 a.m.

**Location:** Committee Room 263, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** **File No. 180184.** Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If the legislation passes, projects within the Central SoMa Special Use District (SUD) that have a Central SoMa Fee Tier of A, B, or C shall be subject to the Transportation Sustainability Fee (TSF) as follows: (A) Residential Uses shall pay 100% of the applicable residential TSF rate, as well as any other applicable fees; and (B) the Non-residential or Production, Distribution and Repair (PDR) portion of any project shall pay 100% of the applicable Non-residential or PDR TSF rate, as well as any other applicable fees.

The Non-residential open space requirement may be satisfied in the Central SoMa Mixed Use Office (CMUO) Zoning District through payment of a new fee in the amount of \$890 for each square foot of required usable open space not provided. The Residential open space requirement may be satisfied in the CMUO District through payment of a new fee in the amount of \$890 for each square foot of required useable

open space not provided. These fees shall be paid into the Recreation and Open Space subset of the Eastern Neighborhoods Community Improvements Fund.

A new Central SoMa Community Services Facilities Fee shall be established for any development projects in the Central SoMa Special Use District (SUD) that are in any Central SoMa Tier or includes new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which may issue a fee waiver for the Central SoMa Community Services Facilities Fee. These fees shall be paid to the Development Fee Collection Unit of the Department of Building Inspection (DBI) and deposited into the Central SoMa Community Services Facilities Fund.

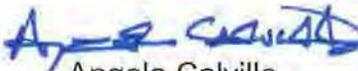
- For Residential uses the fee shall be \$1.30 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses.
- For Non-residential uses the fee shall be (A) \$1.75 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses; or (B) \$0.45 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses.

A new Central SoMa Infrastructure Impact Fee shall be established for any development projects in the Central SoMa SUD that are in any Central SoMa Tier and that include new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which may issue a fee waiver for the Central SoMa Infrastructure Impact Fee. These fees shall be paid to the Development Fee Collection Unit of DBI and deposited into the Central SoMa Infrastructure Impact Fund.

- For Residential Uses in Central SoMa Fee Tier B the fee shall be \$20 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses.
- For Non-residential uses in Central SoMa Fee Tiers a and B that are seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$21.50 per gross square foot of additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses.
- For Non-residential uses in Central SoMa Fee Tiers A and B that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be:

- \$41.50 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses; or
- \$21.50 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses.
- For Non-residential uses in Central SoMa Fee Tier C that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$20 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses.

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

  
Angela Calvillo  
Clerk of the Board

DATED/POSTED: June 25, 2018  
PUBLISHED: June 28 & July 5, 2018

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

**COPY OF NOTICE**

Notice Type: GPN GOVT PUBLIC NOTICE  
Ad Description AS - 07.09.18 Rules Committee - 180184 Central SoMa Plan

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

06/28/2018 , 07/05/2018

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

EXM# 3148937

**NOTICE OF PUBLIC HEARING  
RULES COMMITTEE  
SAN FRANCISCO BOARD  
OF SUPERVISORS  
MONDAY, JULY 9, 2018 -  
10:00 AM  
CITY HALL, COMMITTEE  
ROOM 263  
1 DR. CARLTON B.  
GOODLETT PLACE, SAN  
FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Rules Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows: at which time all interested parties may attend and be heard: File No. 180184. Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. If the legislation passes, projects within the Central SoMa Special Use District (SUD) that have a Central SoMa Fee Tier of A, B, or C shall be subject to the Transportation Sustainability Fee (TSF) as follows: (A) Residential Uses shall pay 100% of the applicable residential TSF rate, as well as any other applicable fees; and (B) the Non-residential or Production, Distribution and Repair (PDR) portion of any project shall pay 100% of the applicable Non-residential or PDR TSF rate, as well as any other applicable fees. The Non-residential open space requirement may be satisfied in the Central SoMa Mixed Use Office (CMUO) Zoning District through payment of a new fee in the amount of \$890 for each square foot of required usable open space not provided. The Residential

open space requirement may be satisfied in the CMUO District through payment of a new fee in the amount of \$890 for each square foot of required useable open space not provided. These fees shall be paid into the Recreation and Open Space subset of the Eastern Neighborhoods Community Improvements Fund. A new Central SoMa Community Services Facilities Fee shall be established for any development projects in the Central SoMa Special Use District (SUD) that are in any Central SoMa Tier or includes new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which may issue a fee waiver for the Central SoMa Community Services Facilities Fee. These fees shall be paid to the Development Fee Collection Unit of the Department of Building Inspection (DBI) and deposited into the Central SoMa Community Services Facilities Fund. For Residential uses the fee shall be \$1.30 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses the fee shall be (A) \$1.75 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses; or (B) \$0.45 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses. A new Central SoMa Infrastructure Impact Fee shall be established for any development projects in the Central SoMa SUD that are in any Central SoMa Tier and that include new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which may issue a fee waiver for the Central SoMa Infrastructure Impact Fee. These fees shall be paid to the Development



Fee Collection Unit of DBI and deposited into the Central SoMa Infrastructure Impact Fund. For Residential Uses in Central SoMa Fee Tier B the fee shall be \$20 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses in Central SoMa Fee Tiers A and B that are seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$21.50 per gross square foot of additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses in Central SoMa Fee Tiers A and B that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be: \$41.50 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses; or \$21.50 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses. For Non-residential uses in Central SoMa Fee Tier C that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$20 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 6, 2018. -

Angela Calvillo, Clerk of the Board

**CITY OF SAN MATEO  
RESOLUTION NO.72 (2018)**

**ACCEPTING THE 2017-2018 DOWNTOWN BUSINESS IMPROVEMENT AREA (DBIA) ANNUAL REPORT, RESOLUTION OF INTENTION TO LEVY THE ANNUAL DBIA ASSESSMENT FOR 2018-2019, AND SETTING THE PUBLIC HEARING**

WHEREAS, Streets and Highways Code Section 36533 (Parking and Business Improvement Area Law of 1989) requires the City Council to approve an annual report specifying: (1) the improvements and activities to be provided for that fiscal year; (2) an estimate of the cost of providing the improvements and the activities for that fiscal year; and other information required by Section 36533; and

WHEREAS, pursuant to Section 36534 of the Streets and Highways Code, after approving the annual report, the City Council is authorized to issue a resolution of intention to levy an assessment for the 2018-2019 fiscal year; and

WHEREAS, the City Council has received and reviewed the report submitted by the Downtown San Mateo Association, in conjunction with City Staff, and hereby confirms said Association, in conjunction with City Staff, as the advisory board for the DBIA; and

WHEREAS, this project is exempt from California Environmental Quality Act (CEQA) requirements because it is an administrative activity that will not have a significant effect on the environment per CEQA Guidelines section 15378(b)(5);

NOW, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY DETERMINES and RESOLVES that:

- The City Council approves the Downtown San Mateo Association Fiscal Year 2017-18 Annual Report filed by the Downtown San Mateo Association with the City Clerk, attached to the accompanying Administrative Report, and declares its intention to levy and collect assessments for the Downtown Business Improvement Area for the Fiscal Year 2018-2019 set forth in Exhibit A attached to this Resolution.
- The proposed improvements and activities are generally characterized as those activities set forth in Streets and Highways Code Section 36513, including but not limited to: street cleaning, promotion of public events, activities which benefit businesses, decorations and administrative expenses, including salary, rent, and similar expenditures. The annual report on file with the City Clerk provides a full and detailed description of proposed expenditures and activities, provides the boundaries and zones of benefit of the DBIA, and designates the proposed assessments. A map of the business district boundaries is set forth in Exhibit B attached to this Resolution.

3. A public hearing is hereby scheduled for Monday, July 16, 2018, at City Hall, 330 West 20th Avenue, San Mateo. In accordance with Streets and Highways Code section 36534, the City Clerk is directed to publish this, once in a newspaper of general circulation in the City not less than seven days before the public hearing. Oral and written protests in compliance with Sections 36524 and 36525 of the Streets and Highways Code may be made at the public hearing.

RESOLUTION NO. 72 (2018) adopted by the City Council of the City of San Mateo, California, at a regular meeting held on June 18, 2018, by the following vote of the City Council:

AYES: Council Members Bonilla, Papan, Freschet, Goethals and Rodriguez

NOES: None

ABSENT: None

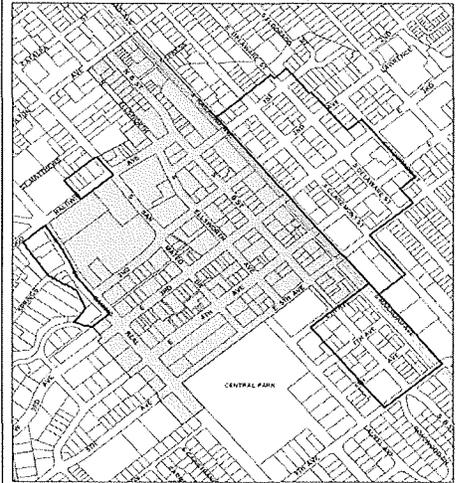
(SEAL)/s/ PATRICE OLDS, CITY CLERK

(SEAL)/s/ RICK BONILLA, MAYOR

**Exhibit A: Proposed Annual Assessment Schedule 2018-2019**

Category	Proposed 18-19		Previous 17-18	
	Zone 1	Zone 2	Zone 1	Zone 2
Professional	99.82	66.55	99.82	66.55
Financial	998.15	665.44	998.15	665.44
Hotels	266.18	66.55	266.18	66.55
Miscellaneous	99.82	66.55	99.82	66.55
Service	133.08	66.55	133.08	66.55
Retail (based on annual gross receipts)				
0- \$150,000	166.36	66.55	166.36	66.55
\$150,001-	332.72	99.82	332.72	99.82
\$400,001-	665.43	133.10	665.43	133.10
\$600,001-				
\$1,000,000	998.15	199.62	998.15	199.62
\$1,000,000+	1330.88	332.72	1330.88	332.72

**Exhibit B: DBIA Boundary Map 2018-2019**



**CITY STAFF CONTACT**  
Jennifer P. Chen  
Economic Development Manager  
330 West 20th Ave  
San Mateo CA 94403  
(650) 522-7009  
jchen@cityofsanmateo.org

**DSMA CONTACT**  
Colleen Rafferty  
President of the Board,  
Downtown San Mateo Association  
100 South Ellsworth Ave, Suite 607  
San Mateo CA 94401  
(650) 759-4510  
Colleen@crfinejewelry.com

CNS-3148096#

**COUNTY OF SAN MATEO  
OFFICE OF THE SHERIFF**  
CARLOS G. BOLANOS SHERIFF  
MARK C. ROBBINS UNDER-SHERIFF  
400 COUNTY CENTER - REDWOOD CITY - CALIFORNIA 94063-1867 - TELEPHONE (650) 599-1664 - www.smcsheriff.com  
ADDRESS ALL COMMUNICATIONS TO THE SHERIFF

**NOTICE OF UNCLAIMED FUNDS**

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING UNCLAIMED MONEY WILL BECOME PROPERTY OF THE SAN MATEO COUNTY SHERIFF'S OFFICE ON 08/08/2018 UNLESS THE OWNER THEREOF APPEARS AT THE SHERIFF'S OFFICE PROPERTY BUREAU, 400 COUNTY CENTER, REDWOOD CITY, CALIFORNIA, OR MAKES CONTACT BY TELEPHONE AT 650 599-1520 BEFORE 08/08/2018 AND PROVES OWNERSHIP OF SAID MONEY:

NAME	AMOUNT (\$)	FUND WHERE MONEY HELD
KENNETH JARED BANDY	\$48.00	1202-0045(CASH)
MONICA MARIE SANDOVAL	\$78.00	12-08538(CASH)
VICKY JO FRELAND	\$150.00	13-02973(CASH)
OSCAR ALBERT GONZALEZ	\$146.00	13-05908(CASH)
RAQUEL LOUISE PENNYWELL	\$26.00	13-09806(CASH)
JOSEPH MATTHEW VERDUCCI	\$80.00	14-00925(CASH)
JOSHUA CRUZ TORRES	\$131.00	15-00863(CASH)
ANTHONY JAMES GASPER	\$65.00	15-00875(CASH)
JESUS MICHAEL GOMEZ	\$793.00	15-00991(CASH)
JOEL BALTAZAR-PENA	\$436.00	15-00991(CASH)
STEVEN ALEXANDER VERGARA	\$77.00	15-02680(CASH)
THOMAS CANNE	\$30.00	16-024-58(CASH)

CARLOS G. BOLANOS, SHERIFF  
BY: Rose Henry  
PROPERTY OFFICER  
CNS-3143587#

**GOVERNMENT**

**NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS  
OF THE CITY AND COUNTY  
OF SAN FRANCISCO  
LAND USE AND  
TRANSPORTATION  
COMMITTEE**

MONDAY, JULY 9 - 1:30 PM  
CITY HALL, LEGISLATIVE  
CHAMBER, ROOM 250  
1 DR. CARLTON B.  
GOODLETT PLACE, SAN  
FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 17013. Ordinance amending the Planning Code by revising Zoning Map Sheet ZN06 to rezone Assessor's Parcel Block No. (AB) 2719C, Lot No. 023, located at Burnett Avenue and Burnett Avenue North, from Public (P) to Residential, Mixed Districts, Low Density (RM-1); rezoning a portion of Burnett Avenue North generally bounded by AB 2745, Lot No. 006, and AB 2719C, Lot No. 023, to RM-1; affirming the Planning Department's determination 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 6, 2018. - Angela Calvillo, Clerk of the Board

**NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS  
OF THE CITY AND COUNTY  
OF SAN FRANCISCO  
LAND USE AND  
TRANSPORTATION  
COMMITTEE**  
MONDAY, JULY 9 2018 -  
1:30 PM  
CITY HALL, CHAMBER

ROOM, ROOM 250  
1 DR. CARLTON B.  
GOODLETT PLACE, SAN  
FRANCISCO, CA  
NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 180490. Ordinance amending the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by Townsend Street, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. File No. 180185. Ordinance amending the Zoning Map of the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk

District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on

Friday, July 6, 2018. - Angela Calvillo, Clerk of the Board

**NOTICE OF PUBLIC HEARING  
RULES COMMITTEE  
SAN FRANCISCO BOARD  
OF SUPERVISORS  
MONDAY, JULY 9, 2018 -  
10:00 AM  
CITY HALL, COMMITTEE  
ROOM 263  
1 DR. CARLTON B.  
GOODLETT PLACE, SAN  
FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Rules Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 180184. Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency

with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. If the legislation passes, projects within the Central SoMa Special Use District (SUD) that have a Central SoMa Fee Tier of A, B, or C shall be subject to the Transportation Sustainability Fee (TSF) as follows: (A) Residential Uses shall pay 100% of the applicable residential TSF rate, as well as any applicable fees and (B) Non-residential or Production, Distribution and Repair (PDR) portion of any project shall pay 100% of the applicable non-residential or PDR TSF rate, as well as any applicable fees. Non-residential open space requirement may be satisfied in the Central SoMa Mixed Use Office (CMUO) Zoning District through payment of a new fee in the amount of \$890 for each square foot of required usable open space not provided. The Residential open space requirement may be satisfied in the CMUO Zoning District through payment of a new fee in the amount of \$890 for each square foot of required usable open space not provided. These fees shall be paid into the Recreation and Open Space subset of the Eastern Neighborhoods Community Improvements Fund. A new Central SoMa Special Use District Zoning Fee shall be established for any development projects in the Central SoMa Special Use District. Additional fees shall be established for any development projects in any Central SoMa Tier or includes new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which may include the Central SoMa Community Services Facilities Fee. These fees shall be paid to the Development Fee Collection Unit of the Department of Building Inspection (DBI) and deposited into the Central SoMa Community Services Facilities Fund. For Residential uses the fee shall be \$1.30 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from Residential uses. For Non-residential uses the fee shall be (A) \$1.75 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses; or (B) \$0.45 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses. A new Central SoMa Infrastructure Impact Fee shall be established for any development projects in the Central SoMa SUD that are in any Central SoMa Tier and includes new construction or an additional of space in excess of 800 gross square feet. Project sponsors may propose to directly provide community improvements to the City and enter into an In-Kind Improvements Agreement with the City, which

may issue a fee waiver for the Central SoMa Infrastructure Impact Fee. These fees shall be paid to the Development Fee Collection Unit (DFU) and deposited into the Central SoMa Infrastructure Impact Fund. For Residential Uses in Central SoMa Fee Tier B the fee shall be \$20 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses in Fee Tiers A and B that are seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$21.50 per gross square foot of additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses in Fee Tiers A and B that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$41.50 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. For Non-residential uses in Fee Tiers A and B that are not seeking an Office Allocation of 50,000 gross square feet or more the fee shall be \$41.50 per gross square foot of net replacement of gross square feet from Residential uses or net change of use of gross square feet from Residential uses. For Non-residential uses in Central SoMa Fee Tier C the fee shall be \$1.30 per gross square foot of net additional gross square feet, net replacement of gross square feet from PDR uses, or net change of use of gross square feet from PDR uses. In accordance with Administrative Code, Section 87.7.1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Cavillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 6, 2018. - Angela Cavillo, Clerk of the Board

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS; FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN; AND NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

June 28 2017 Mayor's Office of Housing and Community Development City and County of San Francisco 1 South Van Ness Avenue, 5th Floor San Francisco, CA 94103 415-701-5598

by the Mayor's Office of Housing and Community Development. I. REQUEST FOR RELEASE OF FUNDS On or about July 16, 2018 the Mayor's Office of Housing and Community Development of the City and County of San Francisco (MOHCD) will authorize the San Francisco Housing Authority (SFHA) to submit a request to the U.S. Department of Housing and Urban Development Office of Public Housing for the release of Project Based Section 8 Vouchers under Section 8(a) (13) of the Housing Act of 1937 (42 U.S.C. § 1437(f)(13)), as amended, to undertake a project known as Mission Bay 6 West Affordable Housing Development. The project will develop a 152-unit affordable housing structure with roughly a quarter of the units as one-bedroom, half percent as two-bedroom, and a quarter as three-bedroom, and additional units in the form of studios and 4- and 5-bedroom family units. The project ground floor would provide amenities including: building services community room, multipurpose room, bike and car parking, offices (social services and building maintenance rooms, a space dedicated to commercial use, a childcare facility, along with various utilities, storage and maintenance rooms. The project would include parking for up to 28 cars, 2 car share spaces, and up to 110 Class 1 bicycle spaces. The project would also provide a variety of open spaces, including residential ground floor patios and stoops, a central ground level courtyard, a podium courtyard, and balconies.

The building would consist of a maximum of seven floors in various step-down increments (from four to seven stories), with a maximum height not to exceed 74 feet (including stair, penthouse, and tower) wing would consist of Type I concrete. Any earthwork or ground disturbing activities would occur on the project site, an area within the Mission Bay basin that overlays Bay Mud and Hill, and therefore requires pile driving to reach bedrock. Project construction would take approximately 24 months to complete.

II. FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN MOHCD has conducted an evaluation as required by Executive Order 11989, in accordance with HUD regulations at 24 CFR 555.20 Subpart C Procedures for Making Determinations on Floodplain Management to determine the potential effect that the activity in the proposed floodplain will have on the human environment for the Mission Bay 6 West Affordable Housing Project.

MOHCD has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: (i) The parcels cannot

cause current City residents to become displaced; they are within City limits in order for grants to be used by MOHCD and Mercy Housing; they are within the Mission Bay Redevelopment Project area to meet the affordable housing requirement of the larger plan area; and the site is available and can accommodate the 152 affordable housing units proposed by Mercy Housing, with access to public services. (ii) The following alternatives were considered and determined to be impracticable: Alternative 1, a. and 1.b. Locate the Project Outside of the Floodplain is impracticable due to limited availability within the required area, small plot sizes, and lack of current ownership by, or Alternatives 3, No Action Alternative 2, Alternate Action: Locate and Modify the Project Layout within the Floodplain is impracticable as locating the project within the floodplain with a modified and reduced footprint would fail to provide 152 affordable units within the larger Mission Bay Redevelopment Project area; and Alternative 3, No Action Alternative is impracticable because it would not include raising the base elevation, as discussed below, and would present continued risk to human life and property, and risks feasibility of full buildout due to increased costs. (iii) The following project mitigation measures are proposed: 1) Project Mitigation Measure 1: Construction above the BFE and; 2) Project Mitigation Measure 2: FEMA Map Revisions. These two measures would reduce risk to life and property and would not impact the existing uses that are currently located on the site nor serve as a floodplain in a manner compliant with state and local floodplain protection procedures.

MOHCD has reevaluated the potential for flooding in the floodplain. The project has been modified and proposes mitigation to elevate the site so that structures are located outside of the floodplain. Environmental files that document compliance with steps 1 through 5 of Executive Order 11989 are available for public inspection, review and copying upon request at the times and location delineated in the Section III of this notice for receipt of comments. Based on the analysis of the EA this activity will have no significant impact on the environment as all impacts are mitigatable and elevating the site above the anticipated BFE would not interfere with future water patterns.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool in the dissemination of information about floodplains can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government

determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

III. FINDING OF NO SIGNIFICANT IMPACT The Mayor's Office of Housing and Community Development has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Mayor's Office of Housing and Community Development, 1 South Van Ness Avenue, 5th Floor, San Francisco, CA 94103 and may be examined or copied weekdays 9 A.M. to 5 P.M. The ERR can also be viewed at the MOHCD website at: http://www.sfmohcd.org/index.aspx?page=1014. The ERR can also be viewed at https://www.hudexchange.info/programs/environmental-review/environmental-review-err/

IV. PUBLIC COMMENTS Any individual, group, or agency may submit written comments on the ERR to the Mayor's Office of Housing and Community Development, City and County of San Francisco, 1 South Van Ness Avenue, 5th Floor, San Francisco, CA 94103, attn: Eugene Flannery or to Eugene.Flannery@stgvo.org. All comments received will be reviewed. On July 16, 2018 will be considered by the Mayor's Office of Housing and Community Development prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

V. ENVIRONMENTAL CERTIFICATION The City and County of San Francisco Mayor's Office of Housing and Community Development, City and County of San Francisco, in her capacity as Acting Director of the Mayor's Office of Housing and Community Development, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Mayor's Office of Housing and Community Development to use Program funds.

VI. OBJECTIONS TO RELEASE OF FUNDS HUD will accept objections to the Responsible Entity's (RE) Request for Release of Funds and Environmental Certification for a period of fifteen days following the anticipated submission date specified above or its actual receipt of the request (whichever is later) only if they are one of the following bases: (a) the certification was not executed by the Certifying Officer of the Mayor's Office of Housing and Community Development; (b) the Mayor's Office of Housing and Community Development has omitted a step or failed to

make a decision or finding required by HUD regulations at 24 CFR part 58 or by CEQ regulations at 40 CFR 1500-1508, as applicable; (c) the Mayor's Office of Housing and Community Development has omitted one or more steps in the preparation, completion or publication of the Environmental Assessment or Environmental Impact Study per 24 CFR Subparts E, F or G of Part 58, as applicable; (d) the grant recipient or other participant in the development process has committed funds for the project that are not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; (e) another Federal, State or local agency has submitted a written objection that project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Director, Office of Indian and Public Housing, U.S. Department of Housing and Urban Development, 1 Sansome St #1200, San Francisco, CA 94104. Potential objectors should contact Director, Office of Indian and Public Housing, San Francisco Regional Office - Region IX, One Sansome Street, Suite 1200, San Francisco, California 94104-4430 to verify the actual last day of the objection period.

Katha Hartley Director, Mayor's Office of Housing and Community Development

Pursuant to Public Works Code Article 25 and Public Works Order 184504, Public Works will conduct a public hearing to consider the proposed project and to the issuance of tentative approvals for the following applications: Personal Services Facility Site permits; Application # Company - Address: 127R-0306 - ExteNet Systems, Inc. - 184 FRANCISCO ST.; 18WR-0033 - Mobilite, LLC - 1509 SHRADER ST.; 18WR-0060 - ATAT Mobility - 1178 CLAYTON ST. The public hearing will be held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, B-00AM, Monday, July 9, 2018. All interested parties are invited to attend. Any interested party may also submit written comments regarding the subject matter to: DPW-Wireless-Program@sf.gov OR San Francisco Public Works, Bureau of Street-Use & Mapping, 1155 Market Street 3rd Floor, San Francisco, CA 94103, Attention: Wireless Facility Program. If received the day before the hearing, written comments shall be brought to the attention of the Hearing Officer and will be made a part of the official public record of this proceeding.

NOTICE OF HEARING REGARDING CHANGING THE EFFECTIVE DATE OF FARE DECREASES FOR MUNI VISITOR PASSPORTS AND DECREASING THE FARE FOR MUNI MONTHLY DISCOUNT AND LOW-INCOME MONTHLY PASSES.

The San Francisco Municipal Transportation Agency Board of Directors will hold a public hearing on Tuesday, July 17, 2018 to discuss changing the effective date of approved fare decreases for Muni Visitor Passports purchased on MuniMobile or Clipper and decreasing the approved fare increase for Muni Monthly Discount and Low-Income Passes by \$1.00 in both Fiscal Years 2019 and 2020. The hearing will be held at City Hall, #1 Dr. Carlton B. Goodlett Place, Room 400 at 1 p.m. More information can be found at www.sfmta.com.

CIVIL

SUMMONS Cross-Complaint (CITACION JUDICIAL- CONTRADEMANDA) SHORT NAME OF CASE (from Complaint): (Nombre de Caso): YANS V ESCAMILLA CASE NUMBER (Número del Caso): 30-2016-00849676

NOTICE TO CROSS-DENOTICE (AVISO AL CONTRA-DEMANDADO): ANDRY Y FENG YANG, LAN TING WU, TIAN HAO YANG, a minor by and through his guardian ad litem, KAREN JIN, YUTENG YANG, KAREN JIN, MICHAEL N. JIN, ANNE YU YANG, BOBBY FONG AND ROES I THROUGH 20

YOU ARE BEING SUED BY CROSS-COMPLAINANT (LO ESTA DEMANDANDO EL CONTRA-DEMANDANTE): DANIEL ESCAMILLA. You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy of the response and approvals for the following applications: Personal Services Facility Site permits; Application # Company - Address: 127R-0306 - ExteNet Systems, Inc. - 184 FRANCISCO ST.; 18WR-0033 - Mobilite, LLC - 1509 SHRADER ST.; 18WR-0060 - ATAT Mobility - 1178 CLAYTON ST. The public hearing will be held at: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, B-00AM, Monday, July 9, 2018. All interested parties are invited to attend. Any interested party may also submit written comments regarding the subject matter to: DPW-Wireless-Program@sf.gov OR San Francisco Public Works, Bureau of Street-Use & Mapping, 1155 Market Street 3rd Floor, San Francisco, CA 94103, Attention: Wireless Facility Program. If received the day before the hearing, written comments shall be brought to the attention of the Hearing Officer and will be made a part of the official public record of this proceeding.

a civil case. The court's lien must be paid before the court will dismiss the case. Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al contrademandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es importante que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Si desea más información, llame al Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), o envíndose la cartita con la corte o al colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las costas y los costos aversos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor residual mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desahar el caso. The name and address of the court is (El nombre y dirección de la corte es) Orange County Superior Court Central Justice Center, 7000 Civic Center Drive, West, Santa Ana, CA 92701

The name, address, and telephone number of cross-complainant's attorney, or cross-complainant without an attorney, is (El nombre, la dirección y el número de teléfono del abogado del contrademandante, o del contrademandante que no tiene abogado, es): Daniel Escamilla, 888 W Santa Ana Blvd Ste 100, Santa Ana, CA 92701 714-210-3500 DATE (Fecha): June 12 2018 DAVID H. YAMASANG, Clerk, by (Secretario), C. BUSIQUANTE, Deputy (Adjunto) (SEAL) NOTICE TO THE PERSON SERVED: You are being sued as an individual cross-defendant. 6/21, 6/28, 7/5, 7/12/18 CNS-3143879# SAN FRANCISCO EXAMINER

BOARD of SUPERVISORS



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

April 13, 2018

**File No. 180184-2**

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

Dear Ms. Gibson:

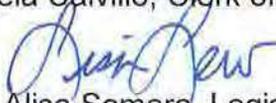
On April 10, 2018, Mayor Farrell introduced the following substitute legislation:

**File No. 180184-2**

**Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

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

BOARD of SUPERVISORS



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

April 13, 2018

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

Dear Commissioners:

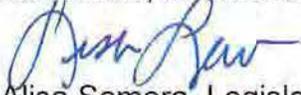
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The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Rules Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

*For* By:  Alisa Somera, Legislative Deputy Director  
Rules Committee

c: John Rahaim, Director of Planning  
Aaron Starr, Acting Manager of Legislative Affairs  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer

Dan Sider, Policy Advisor  
Laura Lynch, Environmental Planning  
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



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

March 6, 2018

File No. 180184

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

Dear Ms. Gibson:

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

**File No. 180184**

**Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By: *Alisa Somera*  
Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

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

BOARD of SUPERVISORS



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

March 6, 2018

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

Dear Commissioners:

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

**File No. 180184**

**Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

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

Angela Calvillo, Clerk of the Board

  
By: Alisa Somera, Legislative Deputy Director  
Rules Committee

c: John Rahaim, Director of Planning  
Aaron Starr, Acting Manager of Legislative Affairs  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer

AnMarie Rodgers, Senior Policy Advisor  
Laura Lynch, Environmental Planning  
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



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

July 26, 2018

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

Dear Commissioners:

On July 23, 2018, the Land Use and Transportation Committee amended the following ordinances. The Office of the City Attorney has advised that these ordinances requires an additional Planning Commission hearing:

**File No. 180185      Planning Code, Zoning Map - Central South of Market Special Use District**

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

**File No. 180453      Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District**

Ordinance amending the Business and Tax Regulations and Planning Codes to create the Central South of Market Housing Sustainability District (encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally tracks Folsom, Howard, or Stevenson Streets), and on its southern portion by Townsend Street) to provide a streamlined and ministerial approval process for certain housing projects within the District meeting specific labor, on-site affordability, and other requirements; creating an expedited Board of Appeals process for appeals of projects within the District; and making approval findings under the California Environmental Quality Act, findings of public convenience, necessity, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**File No. 180184      Administrative, Planning Codes - Central South of Market  
Area Plan**

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

Angela Calvillo, Clerk of the Board



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

- c: John Rahaim, Director
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- Devyani Jain, Deputy Environmental Review Officer
- AnMarie Rodgers, Director of Citywide Planning
- Dan Sider, Director of Executive Programs
- Aaron Starr, Manager of Legislative Affairs
- Joy Navarrete, Environmental Planning
- Laura Lynch, Environmental Planning

OFFICE OF THE MAYOR  
SAN FRANCISCO



MARK FARRELL  
MAYOR

TO:  Angela Calvillo, Clerk of the Board of Supervisors  
FROM: Mayor Farrell  
RE: Substitute Ordinance – File 180184 - Administrative, Planning Codes -  
Central South of Market Area Plan  
DATE: April 10, 2018

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Attached for introduction to the Board of Supervisors is a substitute ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

  
APR 10 2018  
5:11 PM  
SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200  
SAN FRANCISCO, CALIFORNIA 94102-4681  
TELEPHONE: (415) 554-6141

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date  
4:11  
AK

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

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

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

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

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

Sponsor(s):

Mayor Farrell; Kim

Subject:

Ordinance amending the Administrative Code and Planning Code to give effect to the Central South of Market (SoMa) Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.

The text is listed:

Attached

Signature of Sponsoring Supervisor: [ ]