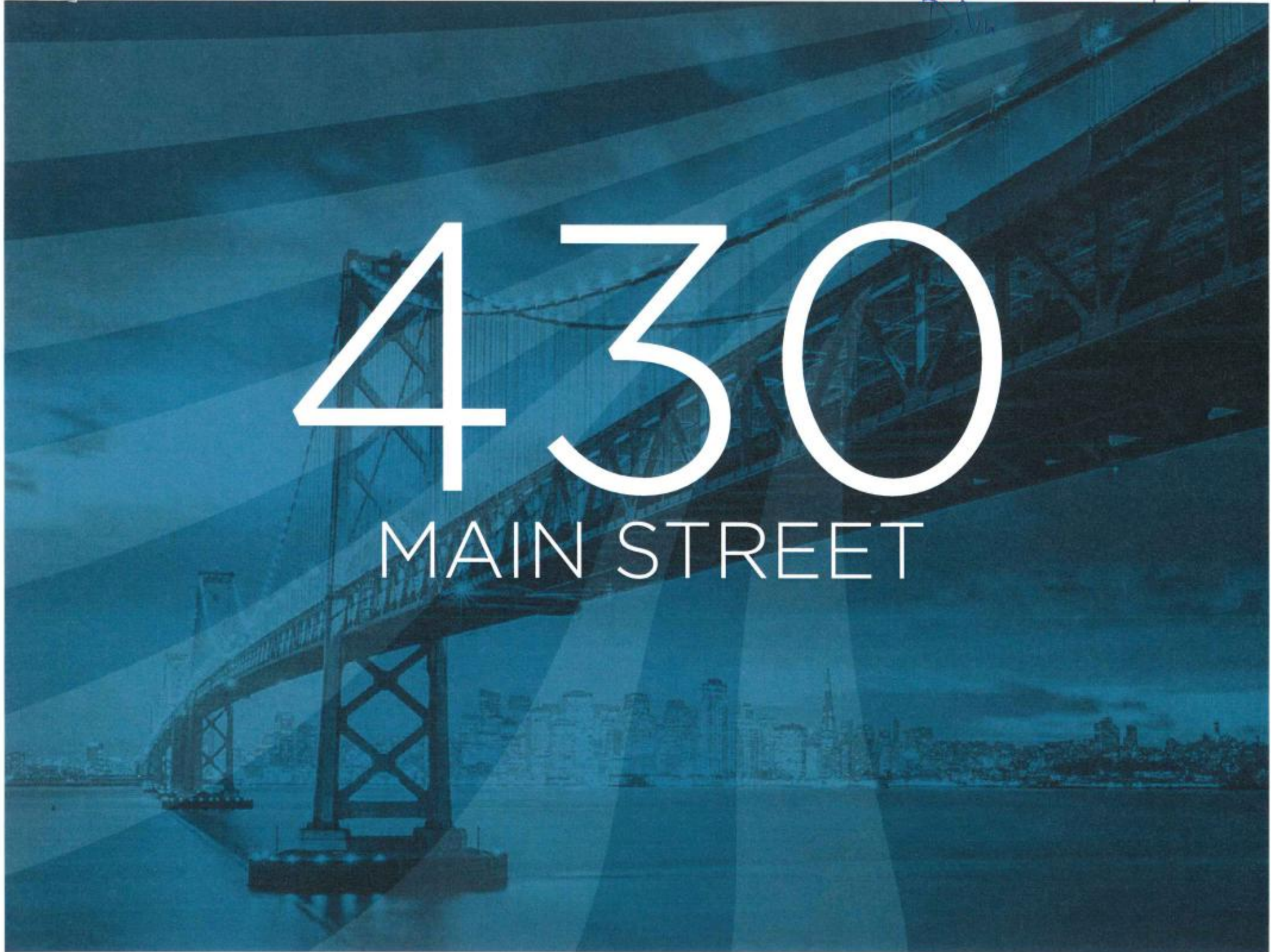


430

MAIN STREET

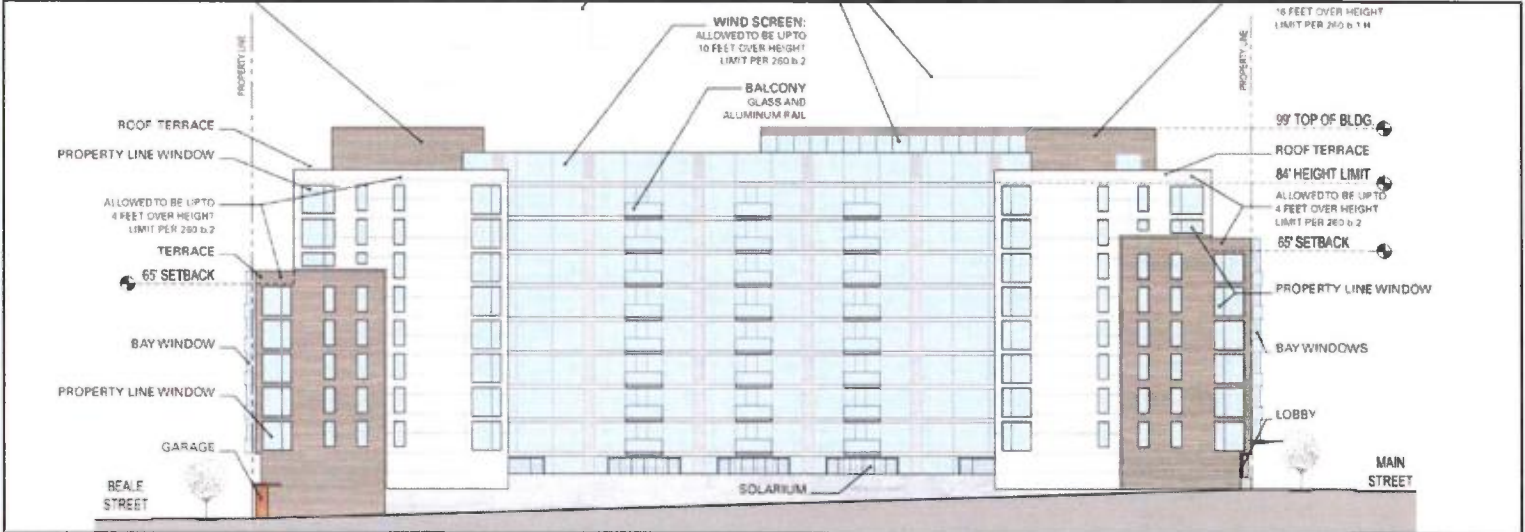




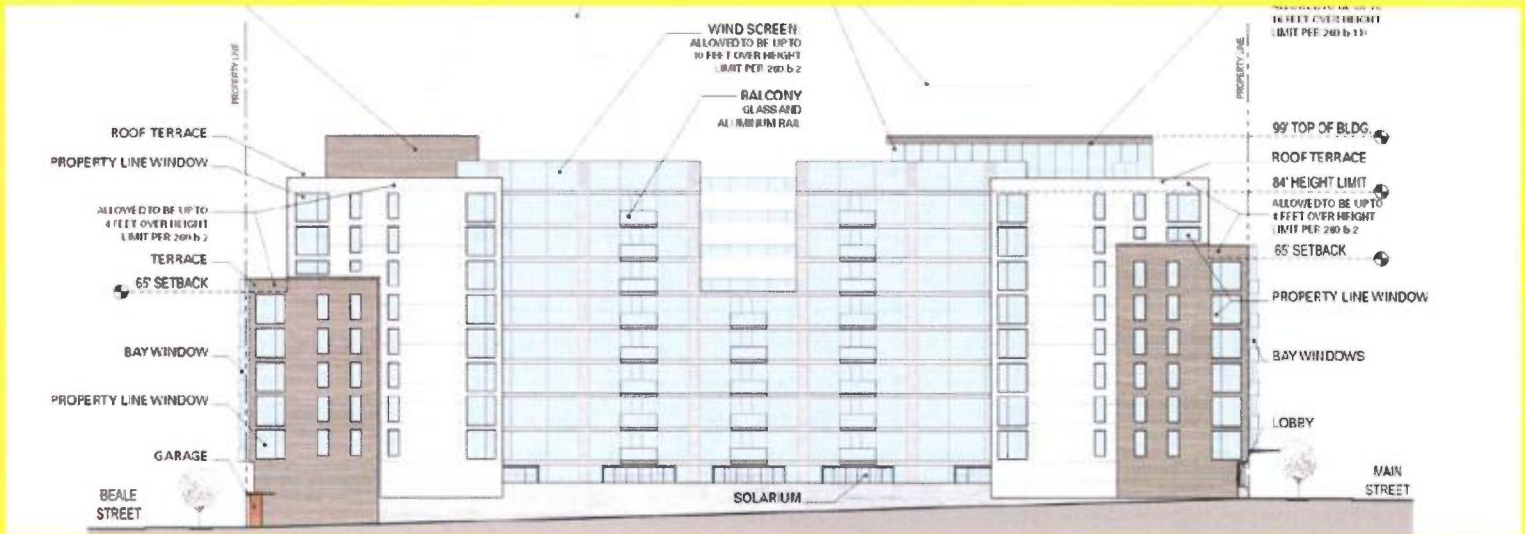
430 Main
Street

PREVIOUS ELEVATION VS. UPDATED ELEVATION

PREVIOUS
ELEVATION



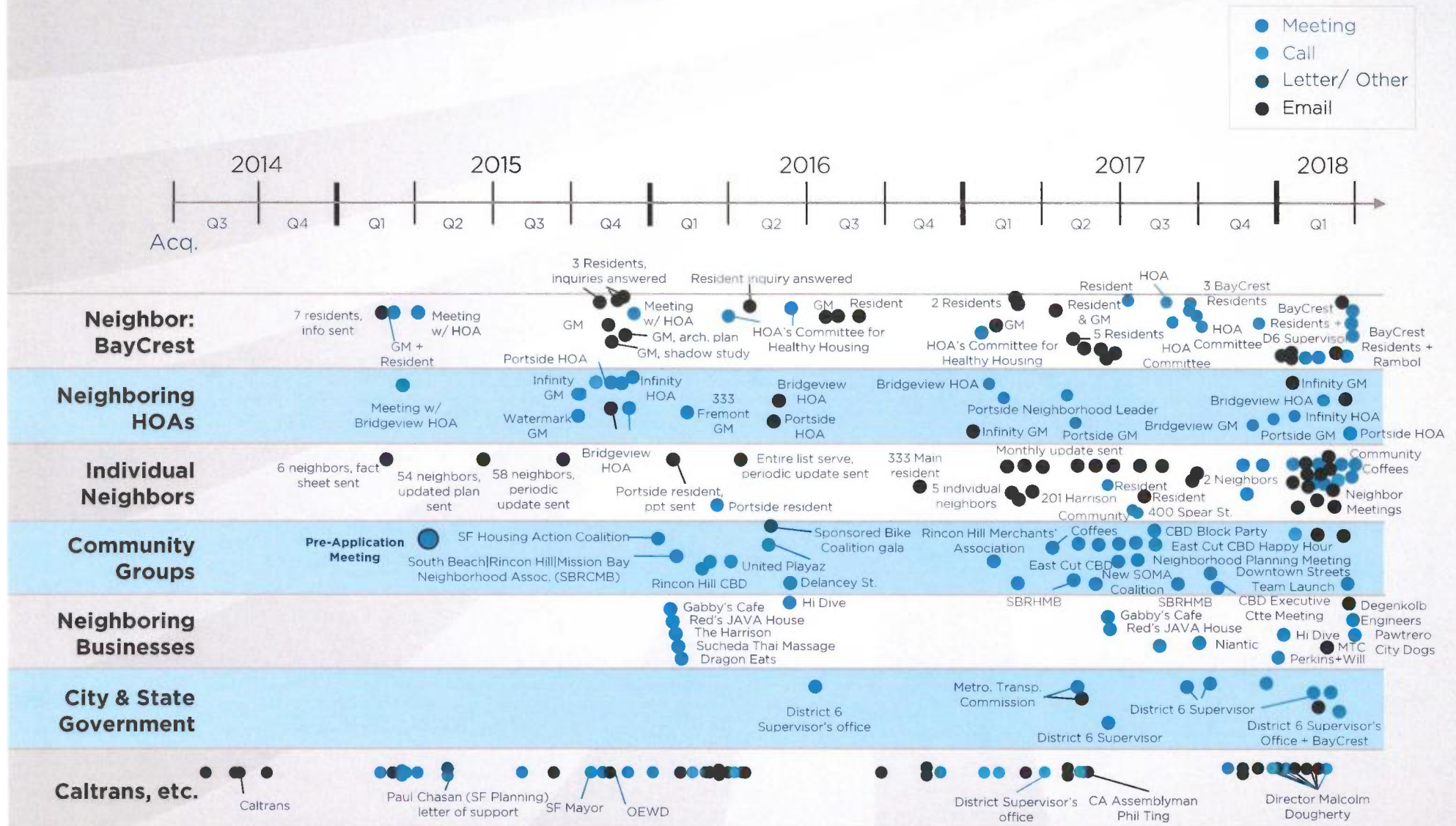
UPDATED
ELEVATION





430 MAIN STREET COMMUNITY OUTREACH

We've engaged in extensive community outreach since our acquisition of the site in 2014



430 MAIN STREET COMMUNITY SUPPORT

We have 71 letters of support from a diverse group of stakeholders

RESIDENTS

BayCrest
Portside
Bridgeview
Embarcadero Lofts
333 1st Street
300 Berry Street
301 Main Street
88 Guy Place
400 Spear Street

NEIGHBORHOOD BUSINESSES



UNIONS / GENERAL CONTRACTORS

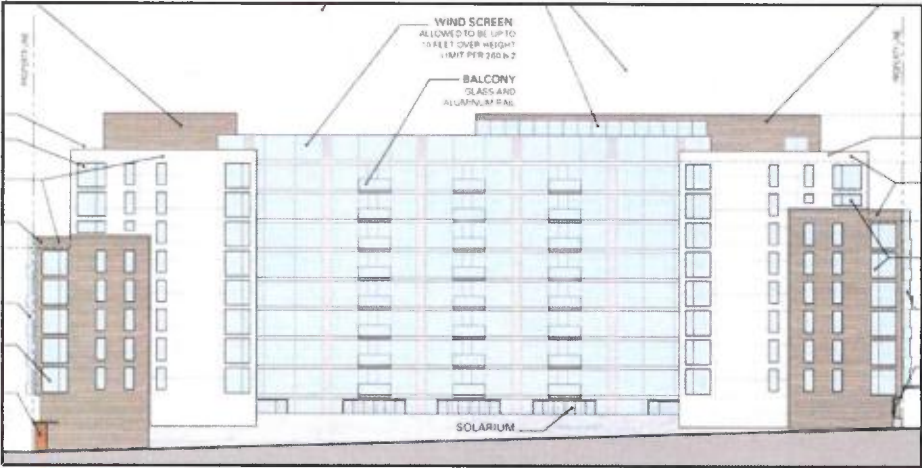


COMMUNITY GROUPS

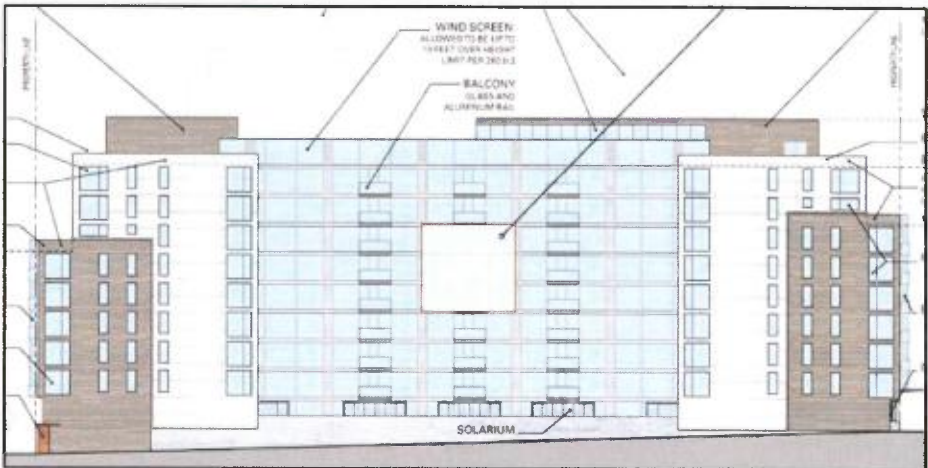


TOTAL LETTERS: 78

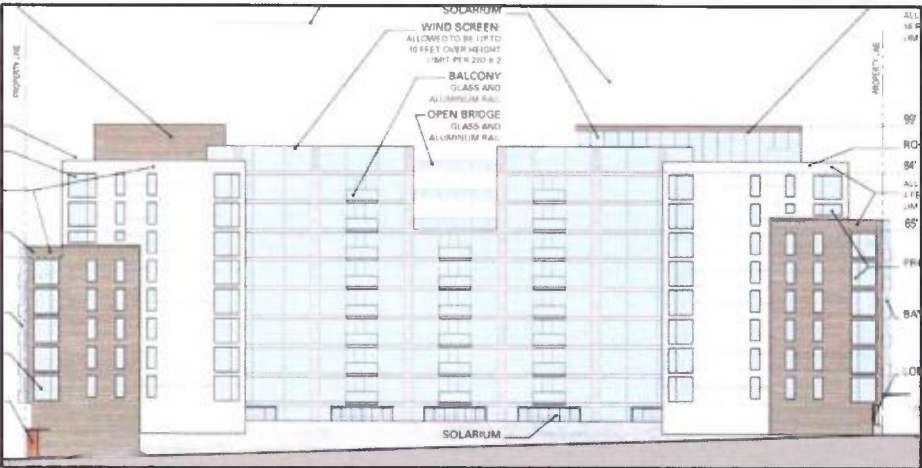
ELEVATION PROGRESSION



No Notch



3 Story Enclosed Center Notch

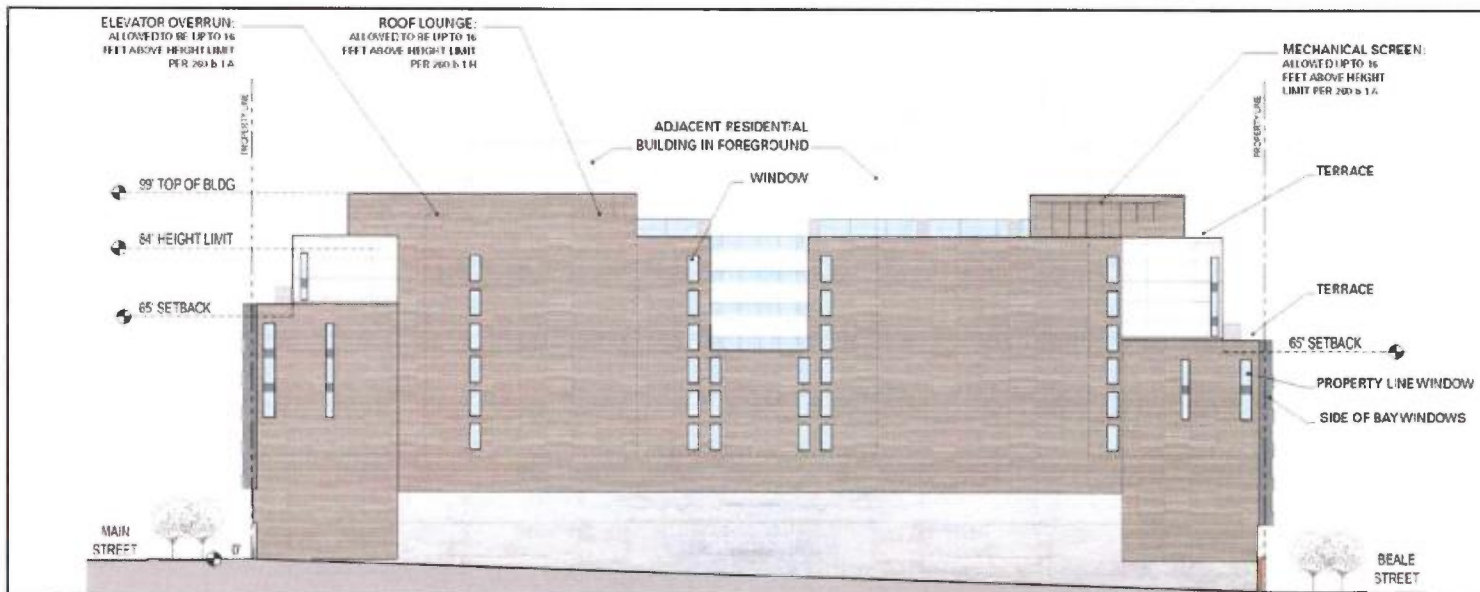


2 Story Open Top Notch

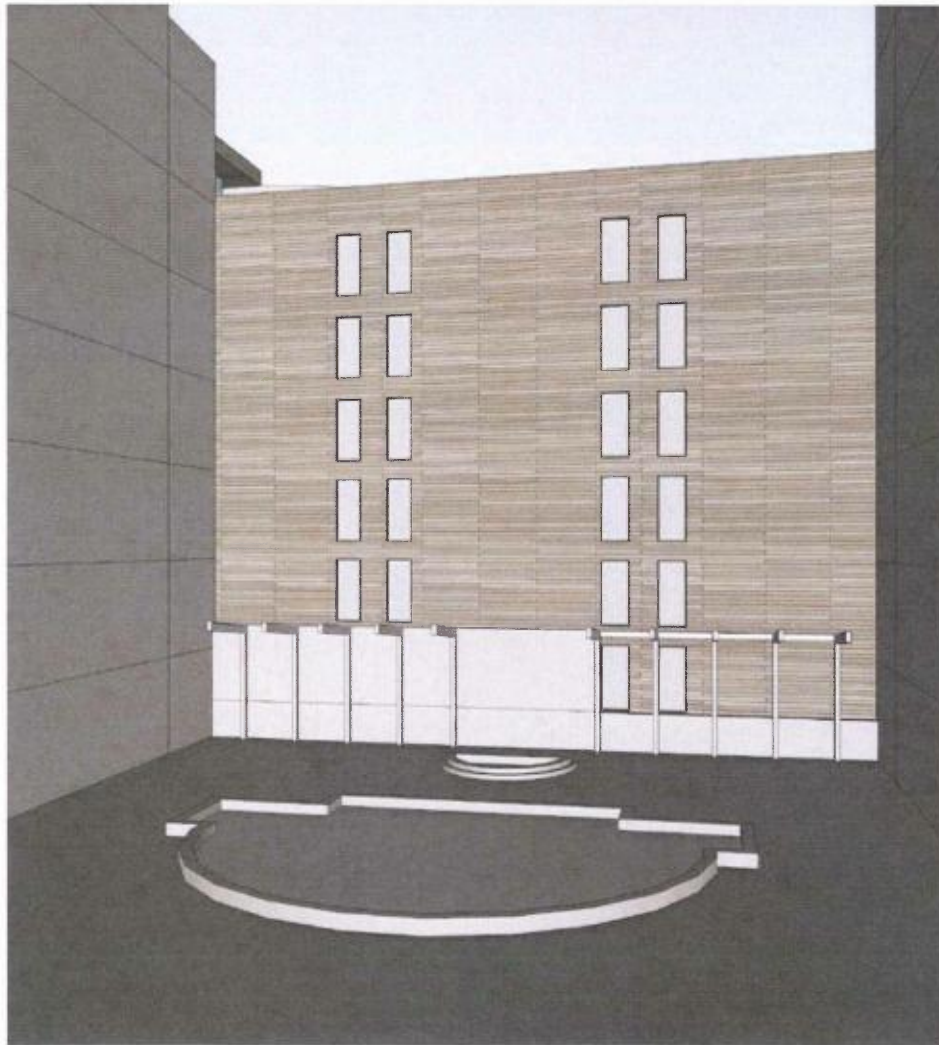


3 Story Open Top Notch

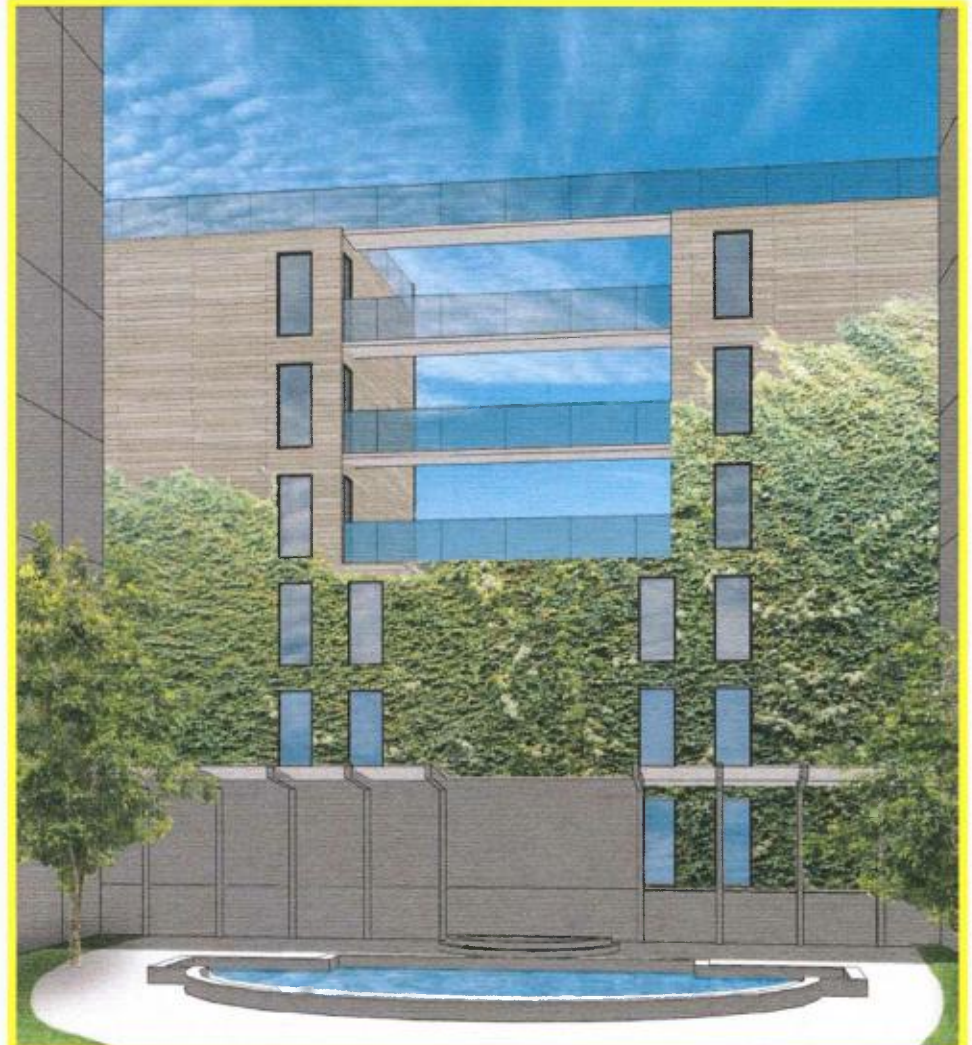
UPDATED ELEVATIONS



NEIGHBOR COURTYARD PERSPECTIVE



PREVIOUS PROPOSAL



CURRENT PROPOSAL

PROPOSED PROJECT OVERVIEW

Our proposed project will add 141 residential units of mixed income housing to 430 Main Street

141 FOR-RENT APARTMENTS

STUDIO, ONE, AND TWO BEDROOM UNITS

19 BELOW MARKET RATE UNITS

119 BICYCLE PARKING SPACES

72 CAR SPACES (INC. CAR SHARE AND EV PARKING)

430 MAIN STREET PROJECT BENEFITS

The project has significant benefits to the community

CREATING approximately **170** jobs through union signatory GC

BUILDING **19** on-site Below Market Rate units

INSTALLING bike parking, street trees, and outdoor seating

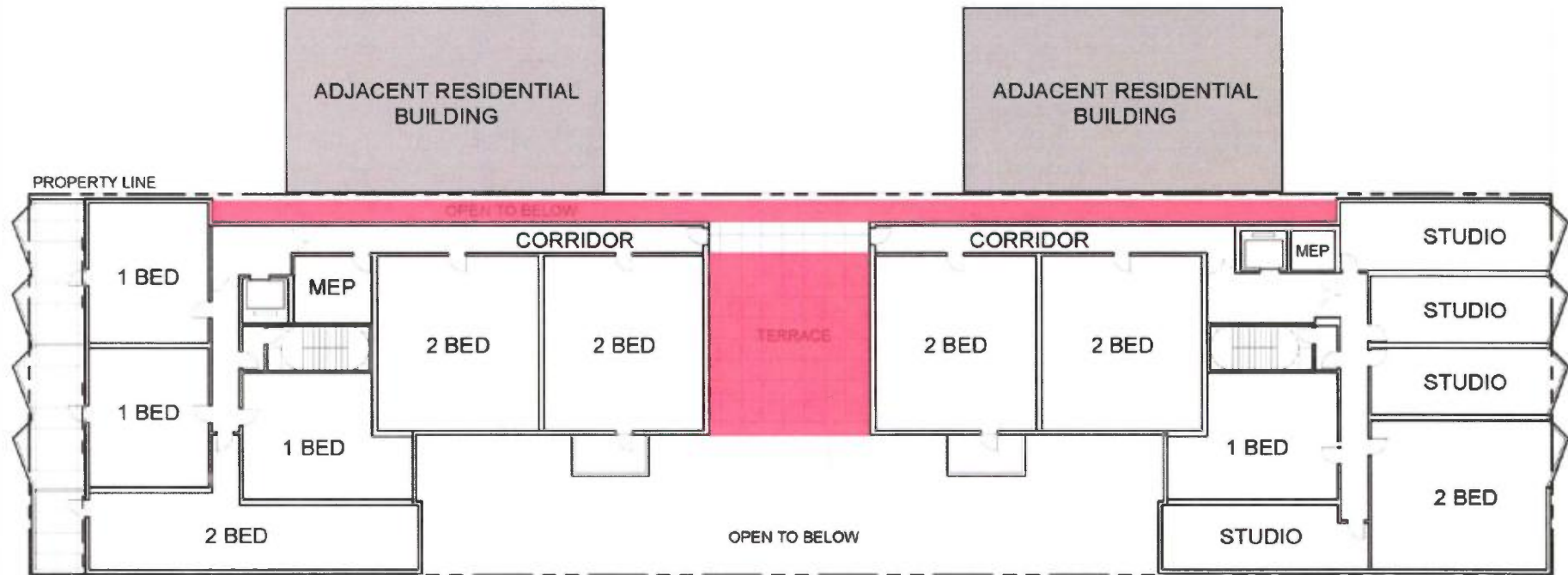
JOINING the East Cut CBD to further capitalize their efforts

SUPPORTING local businesses through additional residents

CONTRIBUTING **\$6 Million** in Impact Fees

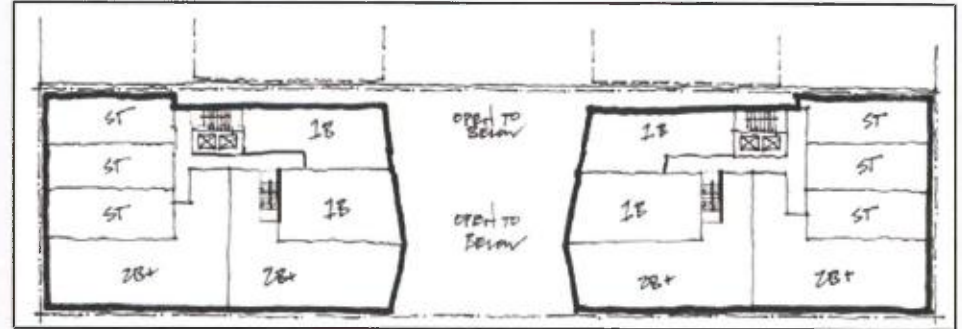
CONTRIBUTING **\$14 Million** in taxes over 10 years

DECREASED DENSITY FROM NEIGHBORLY CONCESSIONS



LOSS IN NET RENTABLE SF: **8,125 SF**
LOSS OF RESIDENTIAL UNITS (700 SF AVG.): **12 UNITS**
LOSS OF PERMINANTLY AFFORDABLE UNITS (700 SF AVG.): **2 UNITS**

TWO TOWER SCHEME



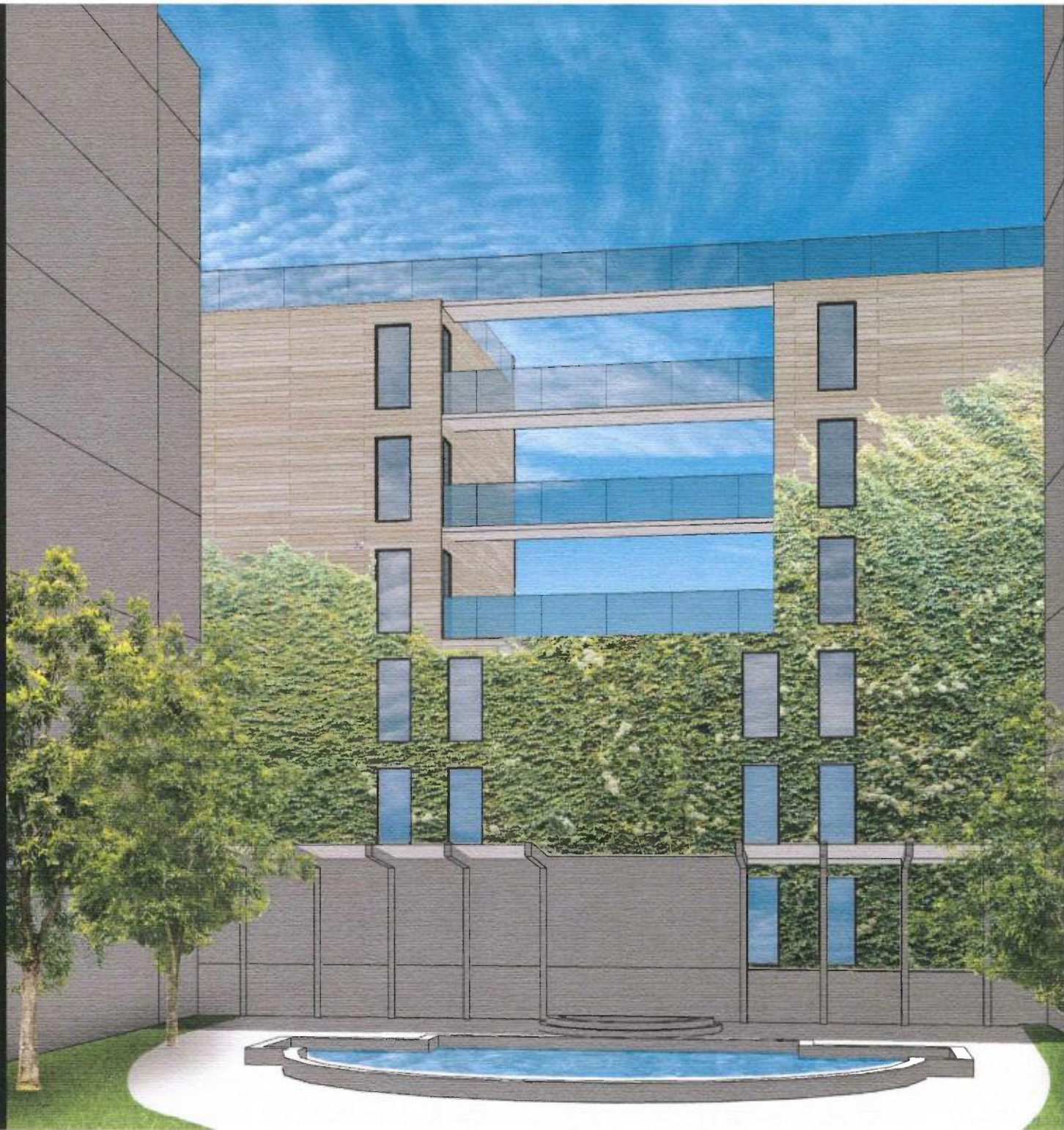
| | Two Tower | Base Case |
|---------------------------|------------------|-----------------------|
| Units | 116 Units | 144 Units |
| Efficiency | 70% | 75% |
| Construction Costs | + 15% Increase | - |
| Livability | Deep, dark units | Great access to light |

Planning not supportive of this design

Neighborhood not supportive of this design

Planning not supportive of this design

Neighborhood not supportive of this design

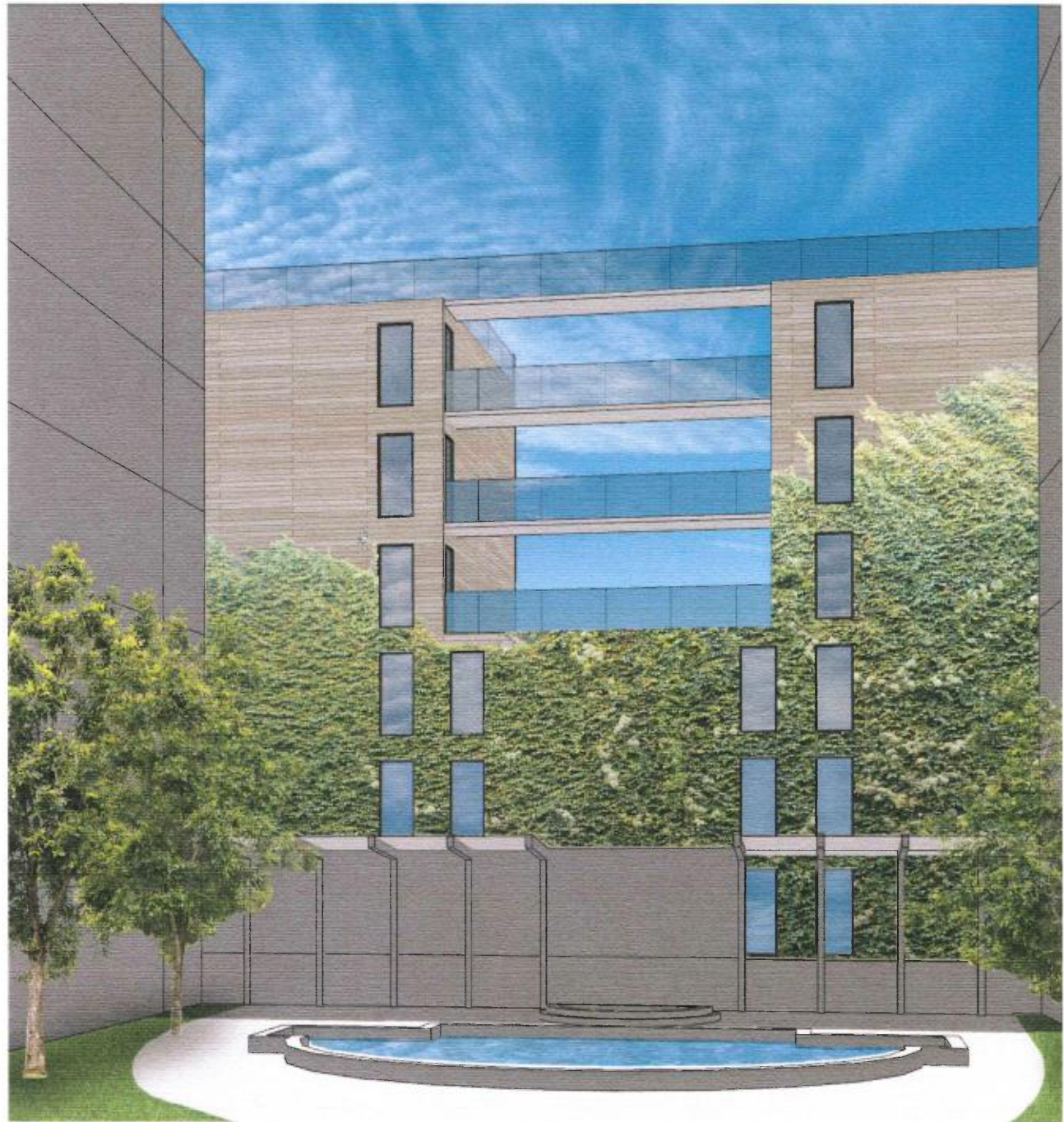






PROPOSED BUILDING DESIGN : NOTCH SCHEME
LOOKING FROM CAL TRANS LOT/ BEALE STREET

PROPOSED BUILDING DESIGN :
NOTCH SCHEME
FROM BAYCREST COURTYARD



**City & County of San Francisco
Ethics Commission****Contact of Public Official Details**

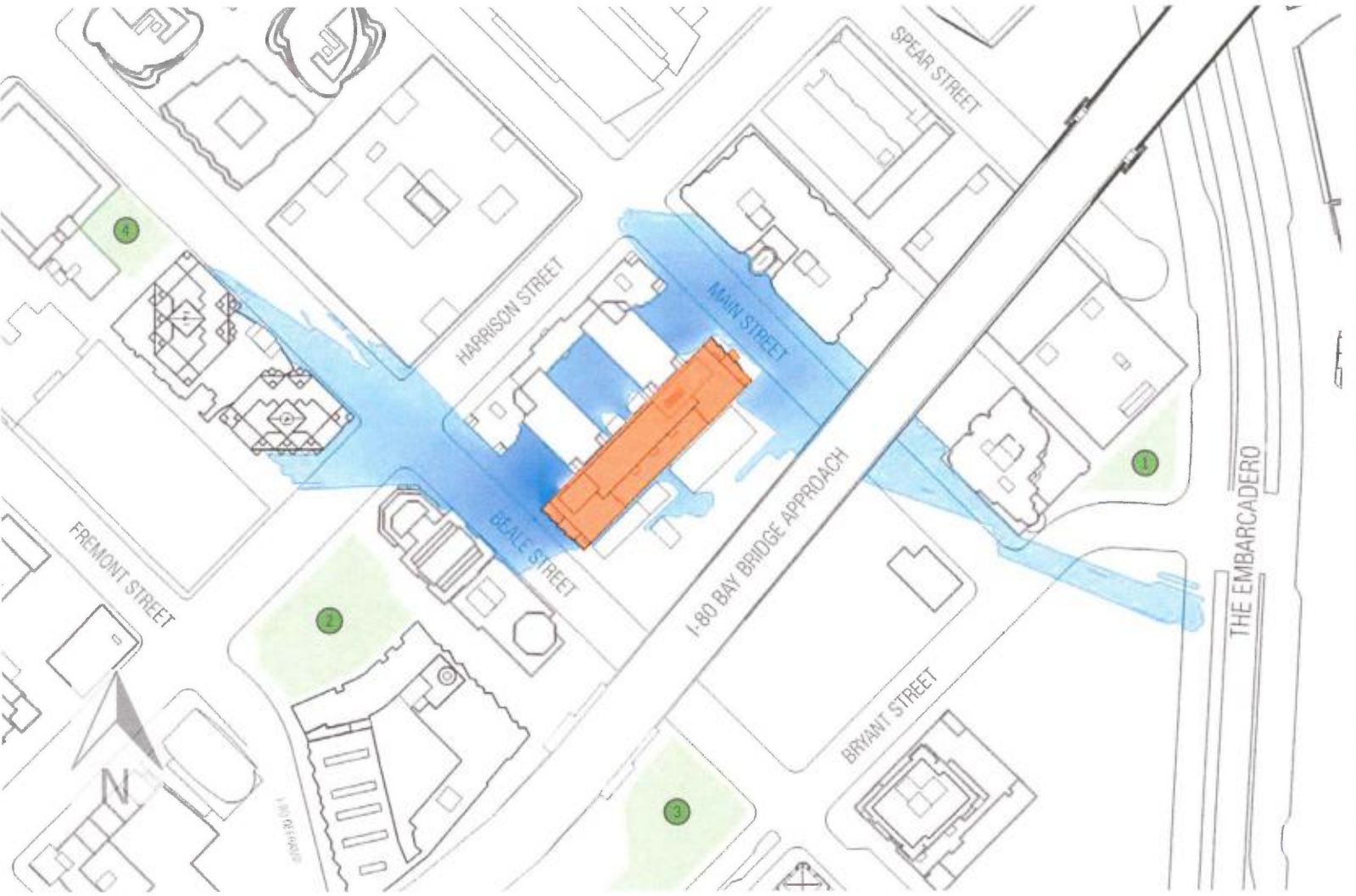
| | |
|--|---|
| Date | 08/14/2017 |
| Lobbyist | Junius, Andrew |
| Firm or Employer LLP Client | Reuben, Junius & Rose, Tidewater Capital |
| Client Address | 25 Taylor Street San Francisco, CA, 94102 |
| Client Phone | 41593539 |
| Public Official | Rahaim, John |
| Department | Planning |
| Subject Area | Planning and Building Permits |
| Issue | 430 Main |
| File Number | 2014.002003 |
| Outcome Sought | Approval |
| Expert in Attendance (Area of Expertise) | |

| | | | | |
|----------------------------|----------------|-------------------|--------------|----------|
| 08/14/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 06/20/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 06/13/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 05/25/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 05/08/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 05/03/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 05/01/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 04/27/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |
| 04/26/2017 | Junius, Andrew | Tidewater Capital | Rahaim, John | 430 Main |

EXHIBIT A

430 MAIN STREET

Refined Shadow Fan diagram, factoring in existing shadow



AGGREGATE NEW SHADOW AREAS OF IMPACT
REFINED SHADOW FAN

FULL YEAR

Proposed Project
Refined Shadow Fan of Proposed Project

occasional shadow frequent shadow

Publicly-Accessible Open Spaces

- 1 2 Bryant Street Open Space
- 2 Emerald Park (POPOS)
- 3 Rincon Hill Dog Park
- 4 300 Beale Street Plaza (POPOS)



SAN FRANCISCO PLANNING DEPARTMENT

Received at CPC Hearing 5/10/18
D. Vu

MEMORANDUM

DATE: May 10, 2018

TO: Doug Vu
Current Planning Division

FROM: Michael Li
Environmental Planning Division

RE: 2014-002033ENV
429 Beale Street and 430 Main Street
Proposed Design Modifications

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This memorandum addresses the environmental review status of the proposed project at 429 Beale Street and 430 Main Street. On March 19, 2018, the Planning Department published a Community Plan Evaluation (CPE) determining that the proposed project would not result in any significant environmental impacts.

The proposed project was the subject of a Planning Commission hearing held on March 29, 2018. During the hearing, the Planning Commission directed the project sponsor to explore design modifications to the proposed project. Three design options have been presented for consideration (Options A, B, and C).

Since each of the design options would result in a slightly smaller building envelope and a slightly lower unit count when compared to the proposed project, the CPE that was published on March 19, 2018 covers the three design options. No further environmental review is required.

Please see the attached memorandum from Ramboll, the air quality consultant, for more information about the air quality analysis for the three design options.

MEMORANDUM

Date: May 9, 2018

To: Mr. Michael Li
Environmental Planning Division
San Francisco Planning Department
1660 Mission Street
San Francisco, CA 94103
michael.j.li@sfgov.org

From: Michael Keinath, PE

Subject: **Review of Air Quality Effects of Updated Design for Tidewater Capital's 430 Main/429 Beale Building in San Francisco**

Ramboll US Corporation ("Ramboll"), has been asked by the San Francisco Planning Department ("SF Planning") to review the design updates to the proposed residential building at 430 Main/429 Beale in San Francisco and to evaluate how the changes would affect results of the air quality analysis performed by Ramboll and submitted to San Francisco Environmental Planning in March 2018.

Ramboll
201 California St
Suite 1200
San Francisco, CA 94111

T +1 415 796 1950
F +1 415 398 5812
www.ramboll.com

BACKGROUND

Ramboll conducted a California Environmental Quality Act (CEQA) analysis of local air quality and health impacts associated with the operation of the proposed residential building at 430 Main/429 Beale ("Project") in San Francisco. The analysis evaluated air quality and health impacts to on-site and adjacent off-site sensitive receptors from operational sources and cumulative sources at the site including an emergency generator and Project-generated traffic.

Additionally, Ramboll performed a refined building downwash analysis using a computational fluid dynamics (CFD) model to analyze how the proposed building at 430 Main/429 Beale in downtown San Francisco affects air flows and pollutant concentrations from nearby traffic in the courtyards of the BayCrest Towers building located to the north of the Proposed Project.

At the request of the San Francisco Planning Commission, Tidewater prepared updated design options for the proposed building to include a cut-out in the center of the building:

- **Option A** is very similar to the previously analyzed design, however, there is a two story cut-out enclosed by glass windows in the middle of the building.
- **Option B** is cut-out in the middle of the building, two-story high by approximately ten meters (or 33 feet) wide, with glass railings on open bridge walkways.

- **Option C** is also a cut-out in the middle of the building, three-story high by approximately ten meters (or 33 feet) wide, with glass railings on open bridge walkways.

Updated design drawings for each Option are attached.

ANALYSIS

According to the Project Sponsor, the operational sources of emissions from the Proposed Project, which include Project-generated traffic and an emergency generator, will remain the same or slightly decrease (as the total number of residential units would be reduced) for the various design options. Therefore, Ramboll expects that the results of the local air quality and health impacts associated with the operation of the Proposed Project will remain unchanged.

Similarly, Ramboll does not expect the overall conclusions of our building downwash analysis to change with the three updated design options. The pollutant concentrations from nearby traffic in the courtyards of the BayCrest Towers building located to the north of the Proposed Project are anticipated to remain well below thresholds, as was determined in our original analysis. Specific changes relating to each option are noted below:

- **Option A:** The resulting pollutant concentrations from Option A would be equivalent to the Proposed Project, since the building configuration is almost identical and thus, air flow surrounding the building would remain unchanged. This option will provide the same level of air quality as was previously predicted. The CFD prediction for the original analysis showed a small fraction of the allowable increase in pollutants above existing conditions for the center and east courtyards, and an improvement in air quality in the courtyard to the west. All increases were well below applicable thresholds.
- **Option B:** The cut-out in the building envelope will allow more wind to pass through in the courtyard. Since the center courtyard would not be completely unobstructed, we anticipate that air quality in the center courtyard will be in the similar range as predicted in our previous analysis submitted in March 2018. The courtyards to the west and east will not be affected, and the air quality level will be of similar level as predicted in our previous analysis submitted in March 2018.
- **Option C:** Similar to Option B, we anticipate that the cut-out in the building envelope will allow more wind to pass through in the courtyard. Adding an extra level to the opening compared with Option B will allow additional air flow into the enclosed center courtyard. However, the center courtyard would not be completely unobstructed. We anticipate that air quality in the center courtyard will be in the similar range as predicted in our previous analysis submitted in March 2018. The courtyards to the east and west will not be affected and air quality will remain unchanged from the original design.

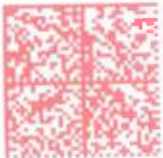
In conclusion, Ramboll does not expect the overall concentrations of pollutants from our building downwash analysis to change substantially with the three updated design options. As was concluded in our original analysis, the pollutant concentrations from nearby traffic in the courtyards of the BayCrest Towers building located to the north of the Proposed Project are anticipated to remain well below applicable thresholds. Please feel free to contact me if you have any questions.

Received at CPC Hearing 5/10/8

S. Adina

JPMorgan Chase Bank, N.A.
TX1-0053
14800 Frye Road
Fort Worth, TX 76155-2732

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First Class Mail
ComBasPrice



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00001 TX 02/12/18 10:00

Not Another Chain Coffee Retailer in Russian Hill!

Philz Coffee is a chain coffee retailer with 46 locations nationally, 13 of them being in San Francisco. Philz wants to change the retail zoning at 2230 Polk Street (previous site of the Russian Hill Bookstore) to bring their chain to that location. In just a four-block radius of Polk Street, there are four independently owned cafes and two corporate chains along with many independently owned casual eateries with coffee/espresso bar service.

For many owners of independent coffee shops, the store is their only source of income. They do not have the resources of a "formula retail" chain store establishment to take a substantial drop in business.

Please sign this petition to support the independent "mom and pop" businesses that help keep the Russian Hill neighborhood unique. Don't let Polk Street become #47 in the Philz chain. Thank you.

NAME: ANNIE Wong

SIGNATURE: 

ADDRESS: 1246-39 AVE.

EMAIL:

BTTHZ BAY RENTALS @ G. MAIL.COM

NAME: S. Schaefer


SIGNATURE: 

ADDRESS:

EMAIL: sschaefel @ gmail. com

Not Another Chain Coffee Retailer in Russian Hill!

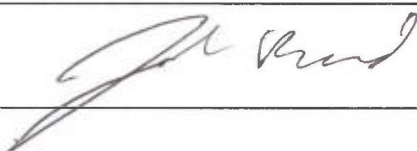
NAME: JOHN ANDERSON

SIGNATURE: 

ADDRESS: 2423 POLK ST. 94109

EMAIL: johnkander@gmail.com

NAME: John Reed

SIGNATURE: 

ADDRESS: 1365 Green

EMAIL: jreed240@gmail.com

NAME: Michelle Shonk

SIGNATURE: Michelle Shonk

ADDRESS: 2506 Polk St #5 SF 94109

EMAIL: michelle.shonk@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Drew Lazzeri

SIGNATURE: 

ADDRESS: 760 Stockton St.

EMAIL: dLazzeri1@gmail.com

NAME: Laura B1S10

SIGNATURE: 

ADDRESS: 2330 POIK ST

EMAIL: laurab1s10@gmail.com

NAME: Ashgh Manandhar

SIGNATURE: 

ADDRESS: 2550 Van Ness Ave. S.F. CA 94109.

EMAIL:

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Nicole Ingrid Vega

SIGNATURE: 

ADDRESS: 1122 Sutter St. 94109

EMAIL: nicoleingridvega@gmail.com

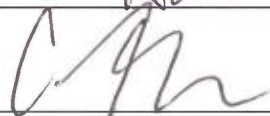
NAME: Jen Nossakoff

SIGNATURE: 

ADDRESS: 1693 Filbert #9, SF CA 94123

EMAIL: jenn519@msn.com

NAME: Edward Rorer

SIGNATURE: 

ADDRESS: 1338 Filbert

EMAIL: trorer@yahoo.com

Not Another Chain Coffee Retailer in Russian Hill!

(No PHILZ)

NAME: DR. PHILIP ZIMBARDO

SIGNATURE: Philip Zimbardo

ADDRESS: 25 MONTCLAIR TERRACE
SF CA 94109

EMAIL: DRZIMBARDO@GMAIL.COM

NAME: Colleen Skuggard

SIGNATURE: Colleen Skuggard

ADDRESS: 111 east 3rd Street North Vancouver

EMAIL: Cskuggs@gmail.com

NAME: MITCH PAGLIA


SIGNATURE: Mitch P

ADDRESS: 1755 VAN NESS AVE #504

EMAIL: mitchpaglia80@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

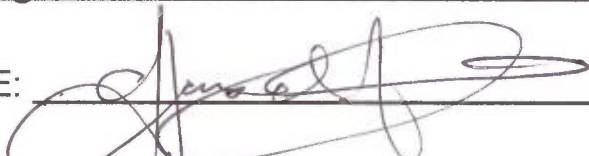
NAME: Ginelle DeAntonis

SIGNATURE: 

ADDRESS: 970 Chestnut St. Apt. 3 San Francisco, CA 94109

EMAIL: gmdeantonis@gmail.com

NAME: JASON BRUNO

SIGNATURE: 

ADDRESS: 1388 Filbert

EMAIL: jasonbruno1@yahoo.com

NAME: Heather Moore

SIGNATURE: 

ADDRESS: 1388 Filbert St

EMAIL: heatherrochellemoore@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!


NAME: Allison Yasi

SIGNATURE: 

ADDRESS: 887 Bush Street

EMAIL: allison.c.yasi@gmail.com

NAME: TIM KENNEDY

SIGNATURE: 

ADDRESS: 2464 Polk St.

EMAIL:

NAME: Robert Frear

SIGNATURE: 

ADDRESS: 2464 Polk St.

EMAIL:

Not Another Chain Coffee Retailer in Russian Hill!

NAME: CHRISTOPHER CORTIS

SIGNATURE: 

ADDRESS: 1459 34TH AVE., SF, 94122

EMAIL: CHRIS@CHRISCORTIS.COM

NAME: CARL LUNN

SIGNATURE: 

ADDRESS: 2445 FOX ST, AM, SF, 94109

EMAIL: Carl.lunn@gmail.com

NAME: Stefan Negrotiu

SIGNATURE: 

ADDRESS: 1863 FILBERT ST

EMAIL: Stefan@stefann.com

Not Another Chain Coffee Retailer in Russian Hill!

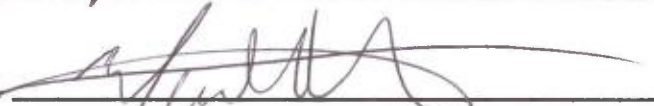
NAME: Guo Chang Tan

SIGNATURE: 

ADDRESS: 2430 Polk St.

EMAIL: DE iPhoneRepair@yahoo.com

NAME: Mike Diaz

SIGNATURE: 

ADDRESS: 2640 Polk St.

EMAIL: M88DIAZ@yahoo.com

NAME: Caleb Rhodes


SIGNATURE: 

ADDRESS: 2421 Polk St.

EMAIL: ~~PH~~ russianhillpilates@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

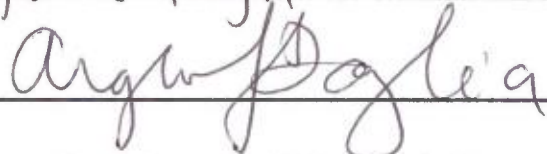
NAME: Bhawane Pinder

SIGNATURE: 

ADDRESS: 1527 Green St

EMAIL:

NAME: Angela Paglia

SIGNATURE: 

ADDRESS: 1755 Van Ness Avenue.

EMAIL:

NAME: Alex Caram


SIGNATURE: 

ADDRESS: 1385 Greenwich St, Apt 14,

EMAIL: alexbrown11@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

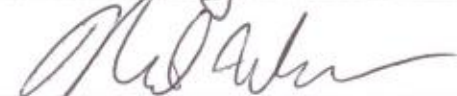
NAME: Elizabeth Herbert

SIGNATURE: 

ADDRESS: 2531 Park St

EMAIL: lizherbert650@gmail.com

NAME: Neil Wahlgren

SIGNATURE: 

ADDRESS: 2036 Larkin St 94109

EMAIL: ptman007@yahoo.com.

NAME: Heather Sliwinski

SIGNATURE: 

ADDRESS: 1299 Lombard St.

EMAIL: sliwinski@uwalumni.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Alice Liu

SIGNATURE: 

ADDRESS: 1567 Jackson St Apt 5

EMAIL: alice.six.liu@gmail.com

NAME: Kalin Monny

SIGNATURE: 

ADDRESS: 1026 Russell Ave, Apt 1

EMAIL: kalinmonny@gmail.com

NAME: Tom Thompson

SIGNATURE: 

ADDRESS: 2018 Hyde

EMAIL: thompson106@yahoo.com

Not Another Chain Coffee Retailer in Russian Hill!


NAME: Zoe Kirkhoff

SIGNATURE: 

ADDRESS: 1140 Filbert Street, San Francisco, CA

EMAIL: zoekirkhoff@gmail.com

NAME: Emma Corington

SIGNATURE: 

ADDRESS: 1365 Greenwich St

EMAIL: emma.corington@live.com

NAME: Ben Matteo

SIGNATURE: 

ADDRESS: 2307 Van Ness Ave

EMAIL: bmatteobenmatteo.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Brian Ratkovich

SIGNATURE: 

ADDRESS: 2115a Larkin Street, San Francisco, CA 94109

EMAIL: bratkovich@gmail.com


NAME: Chris Barber

SIGNATURE: 

ADDRESS: 1572 Union Street

EMAIL: Chris @ gardardifford.com

NAME: Evangelina Thomas-Guerrero

SIGNATURE: 

ADDRESS: 1719-B Quesada Avenue San Fran,
94124

EMAIL: ethomasg@mail.ccsf.edu.

Not Another Chain Coffee Retailer in Russian Hill!


NAME: Amanda Busch

SIGNATURE: 

ADDRESS: 1301 Lombard Street

EMAIL: ~~amandajobusch@gmail.com~~
amandejoannebusch@gmail.com

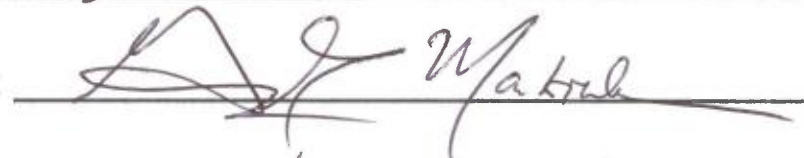
NAME: ROBIN MELNICK

SIGNATURE: 

ADDRESS: 281 19th Ave SF CA

EMAIL: robinmelnick@gmail.com

NAME: Greg Markoulakis

SIGNATURE: 

ADDRESS: 1168 Leavenworth St SF, CA 94109

EMAIL: gmarkoulakis@comcast.net

Not Another Chain Coffee Retailer in Russian Hill!

NAME: ANNIE

SIGNATURE: 

ADDRESS: 349 Avila

EMAIL: abasham0420@gmail.com

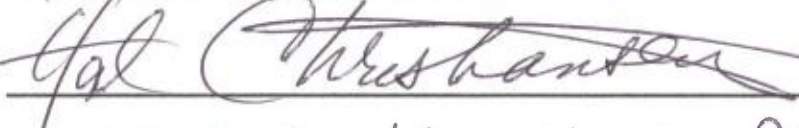
NAME: Jon Shogan

SIGNATURE: 

ADDRESS: 1000 Union

EMAIL: jshogan11@yahoo.com

NAME: Hal Christiansen

SIGNATURE: 

ADDRESS: 1864 Larkin No. 5 94109

EMAIL: none

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Loay Law

SIGNATURE: [Signature]

ADDRESS: 1430 Hpt #4

EMAIL: ALLAN@pcu.cn

NAME: Dan Harris

SIGNATURE: [Signature]

ADDRESS: 1462 Vallejo

EMAIL:

NAME: Kelly Christian

SIGNATURE: [Signature]

ADDRESS: 1535 Gilbert

EMAIL:

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Paulo de Metz

SIGNATURE: Paulo de Metz

ADDRESS: 1939 Leavenworth Street

EMAIL: alexbrunh1746@gmail.com

NAME: Xue Ting 2104

SIGNATURE: Xue Ting

ADDRESS: 1. W. View Ave S.F. CA. 94134

EMAIL:

NAME: Megan Wachs

SIGNATURE: Megan Wachs

ADDRESS: 1369 Filbert St #5

EMAIL: megan.wachs@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Diane Corso

SIGNATURE: 

ADDRESS: 1445 Greenwich St. SF 94109

EMAIL: dc.corso@yahoo.com

NAME: Maidere Sorhondo

SIGNATURE: Maidere Sorhondo

ADDRESS: 2945 Van Ness Ave, San Francisco, CA 94109

EMAIL:

NAME: Joemelek

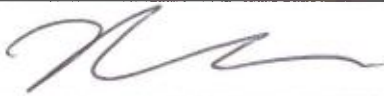
SIGNATURE: 

ADDRESS: 1425 Vallejo St, San Francisco, CA 94109

EMAIL: Joemelek@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Rebecca Moy

SIGNATURE: 

ADDRESS: 330 Parnassus Ave #105, SF, CA, 94117

EMAIL: hexykat@gmail.com

NAME: Amy Padula

SIGNATURE: 

ADDRESS: 2345 Polk St SF CA 94109

EMAIL: amypadula@mac.com

NAME: Christopher F Brown

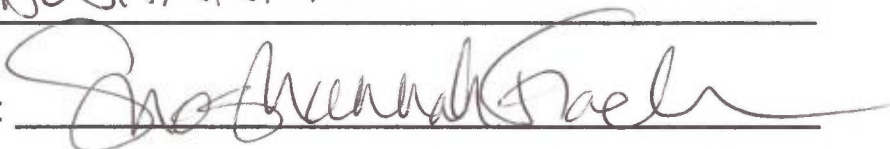
SIGNATURE: 

ADDRESS: 1501 Filbert St
#30, SF, CA 94123

EMAIL: cfbrown77@hotmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: SHOSHANNA FACH

SIGNATURE: 

ADDRESS: 60 Hemlock SF 94115

EMAIL: shoshannah.fach@gmail

NAME: Aidan Foley

SIGNATURE: 

ADDRESS: 2445 Polk

EMAIL: foleyaidan@gmail.com

NAME: Geoffrey Karren

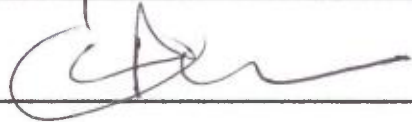
SIGNATURE: 

ADDRESS: 2525 Polk

EMAIL: geoffreykarren@hotmail.com

Not Another Chain Coffee Retailer in Russian Hill!

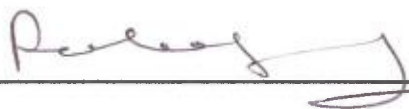
NAME: Rudy Colombini

SIGNATURE: 

ADDRESS: 1000 Chestnut St.

EMAIL:


NAME: Ramon Paez

SIGNATURE: 

ADDRESS:

EMAIL:

NAME: Nate Mezmer

SIGNATURE: 

ADDRESS: 1769 Lombard SF 94123

EMAIL:

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Jane Hollyer

SIGNATURE: ~~Jane~~ Jane Hollyer

ADDRESS: 1499 Union #4 SF

EMAIL:

NAME: Andrew Kull Andrew Kull

SIGNATURE: AKull

ADDRESS: 2406 Polk

EMAIL: andrew.l.kull@gmail.com

NAME: Lyman Missimer

SIGNATURE: Lyman Missimer

ADDRESS: 1455 Filbert

EMAIL: lmissimer@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

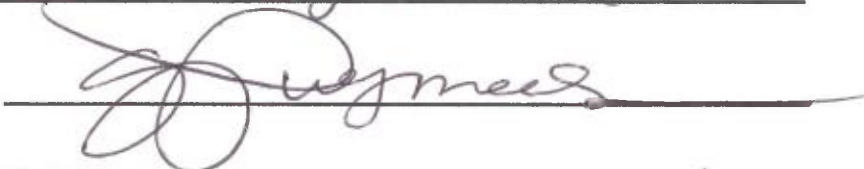
NAME: Patrick Torre

SIGNATURE: 

ADDRESS: 1455 Greenwich St Apt 11.

EMAIL: torre @ rathwans.com.

NAME: Ginae Puyrnedon

SIGNATURE: 

ADDRESS: 475 41st Street, Oakland, CA 94611

EMAIL: gpuyrnedon@gmail.com

NAME: Jimmy Kansau

SIGNATURE: 

ADDRESS: 2423 Polk St. 94109

EMAIL: jkansau@hotmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Rebecca Wood

SIGNATURE: Rebecca Wood

ADDRESS: 2235 Larkin St

EMAIL: rebajoe88@gmail.com

NAME: Allison Rest

SIGNATURE: ARest

ADDRESS: 1472 Filbert St., Apt 512, San Francisco

EMAIL: rostallison42@gmail.com

NAME: Chris Tudkins

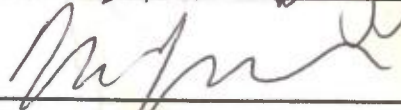
SIGNATURE: [Signature]

ADDRESS: 2510 VAN NESS AVE. APT # 4

EMAIL: gyzygy777.CT@gmail.com

Not Another Chain Coffee Retailer in Russian Hill!

NAME: Hans Erik Berggren

SIGNATURE: 

ADDRESS: 1330 Greenwich St.

EMAIL: hans.erik.berggren@gmail.com

NAME: Bruna Lee

SIGNATURE: 

ADDRESS: 1436 48th Ave

EMAIL: brunawlee@gmail.com

NAME: _____

SIGNATURE: _____

ADDRESS: _____

EMAIL: _____

Not Another Chain Coffee Retailer in Russian Hill!

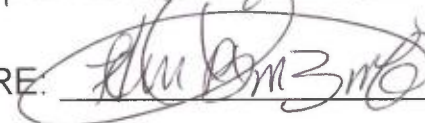
NAME: Luke Kimmel

SIGNATURE: 

ADDRESS: 2849 Polk St.

EMAIL:

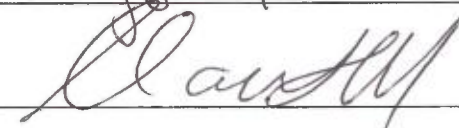
NAME: Astrid Zoniga

SIGNATURE: 

ADDRESS:

EMAIL:

NAME: Margot Harrell

SIGNATURE: 

ADDRESS: 940 Bay Street

EMAIL:

Received at CPC Hearing 5/10/18
B. Bendix

Lindsay, David (CPC)

From: Eric McGinty <emcginty@envivid.com>
Sent: Wednesday, May 09, 2018 7:35 AM
To: Bendix, Brittany (CPC); Lindsay, David (CPC)
Subject: Fwd: 3941 Sacramento Street (McGinty project)

Brittany/David,

I just wanted to make sure the support of our project makes it into the record at the hearing tomorrow. I realize you may not be at the hearing, but can you make sure the following support gets recorded during the intro. Each of the follow supporters has emailed their support in and copied the commissioners. I expect another couple of support emails today.

3939 Sacramento - Steve Webber - **next door neighbor** to the east ✓
3937 Sacramento - Eva Muttenthaler - **next door neighbor** to the east

3965 Sacramento - Brian & Amy Carr - neighbor on Sacramento ✓

Build the Richmond - Jane Natoli

Richard Frisbee - neighbor in area

Please confirm.

thanks,
eric

Begin forwarded message:

From: Steven Weber <steven-weber@sbcglobal.net>
Subject: 3941 Sacramento Street (McGinty project)
Date: May 8, 2018 at 10:13:34 PM PDT

Lindsay, David (CPC)

From: Eric McGinty <emcginty@envivid.com>
Sent: Thursday, May 10, 2018 9:22 AM
To: Lindsay, David (CPC); Bendix, Brittany (CPC)
Cc: Melinda A. Sarjapur
Subject: Fwd: Support for 3941 Sacramento Street

David,

See below.

thanks,
eric

Begin forwarded message:

From: Jane Natoli <wafoli@gmail.com>
Subject: Support for 3941 Sacramento Street
Date: May 5, 2018 at 5:50:34 PM PDT
To: emcginty@envivid.com
Cc: brittany.bendix@sfgov.org

Hello,

My name is Jane Natoli, I'm an organizer with **Grow the Richmond**, and I just wanted to say I'm excited to see this plan to turn 1 home into 2 homes move forward. I think it's great that this family is adding another home for multi-generational living in the neighborhood and hope this will move forward expeditiously with no DR as currently recommended.

Thanks!

Jane Natoli

Lindsay, David (CPC)

From: Richard Frisbie <frfbeagle@gmail.com>
Sent: Wednesday, May 09, 2018 7:58 PM
To: msarjapur@reubenlaw.com; Bendix, Brittany (CPC); Lindsay, David (CPC)
Cc: McGinty Eric
Subject: Re: Support for 3941 Sacramento St.

This is a resend as I managed to misspell "gov" and David Lindsay's copy bounce back.
Hopefully this is an improved version.
Richard Frisbie

Sent from my iPad

> On May 9, 2018, at 7:30 PM, Richard Frisbie <frfbeagle@gmail.com> wrote:

>

> As a person interested in the surrounding neighborhoods and the character and quality of change I attended the 3941 Sacramento St. Pre-App meeting a year ago. I found the concept both viable and eminently compatible. One of the owners, I believe on the east side, was the only other person from the neighborhood who attended and as an interested, but not directly impacted, resident I found the dialog positive, to the point and constructive. By the end of the meeting a consensus as to the agreed to changes had been reached.

> I thought the design was complementary to its surroundings and, of equal importance, the resulting house will be a home well suited to a growing family, something ever more difficult to find. The City needs to maintain strong family base and I believe the proposed plans support that idea.

> Frankly I'm surprised that the project is still under discussion and am writing to express my support not only for the plans but for the professional approach the McGinty's took to the process. This is especially true as I have attended a number of far more "controversial" submissions in the area over the past year and all of them have been able to move forward. Hopefully this will be the case for 3941 Sacramento St.

> If there is anything I can do to further encourage approval of the project please let me know.

> Respectfully,

> Richard Frisbie

>

> Sent from my iPad

Lindsay, David (CPC)

From: Eric McGinty <emcginty@envivid.com>
Sent: Thursday, May 10, 2018 9:24 AM
To: Lindsay, David (CPC)
Cc: Bendix, Brittany (CPC); Melinda A. Sarjapur
Subject: Fwd: Sacramento

See below. Steve's email was meant to be from both of them (Eva was CC'ed). Let me know if this isn't good enough and I can reach out to Eva for another.

thanks,
eric

Begin forwarded message:

From: Eva H Muttenthaler <emuttenthaler@sbcglobal.net>

Subject: Re: Sacramento

Date: May 8, 2018 at 8:13:03 PM PDT

To: Eric McGinty <emcginty@envivid.com>, Steven Weber <steven-weber@sbcglobal.net>, "steven-weber@sbcglobal.net" <steven-weber@sbcglobal.net>

Reply-To: Eva H Muttenthaler <emuttenthaler@sbcglobal.net>

Eric, thank you for your detailed e-mail. I also want to apologize for not being able to attend the Public Hearing on Thursday. I hope that your proposed plans are approved by the Planning Commission.
Good luck!
Eva (Muttenthaler)

Lindsay, David (CPC)

From: Steven Weber <steven-weber@sbcglobal.net>
Sent: Tuesday, May 08, 2018 10:14 PM
To: Bendix, Brittany (CPC); Lindsay, David (CPC); msarjapur@reubenlaw.com
Cc: richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Johnson, Milicent (CPC); Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC)
Subject: 3941 Sacramento Street (McGinty project)

Dear Planners, Commissioners and Counsel,

I write in support of Eric McGinty's project at 3941 Sacramento Street which is scheduled for Discretionary Review on Thursday, May 10, 2018.

I and my co-condo owner, Eva Muttenthaler, reside at 3939 Sacramento Street and 3937 Sacramento Street respectively. We are the immediate neighbors to the East of the project.

In May of last year, Mr. McGinty reached out to us for a pre-application meeting in order to familiarize us with his proposal. Since then we have met with him both on and off-site on several occasions during which we were provided with architectural plans, photos showing exterior materials and finishes and 3D modeling. As his project developed, he was always available to us via phone, email, and text and has been most responsive to our concerns and accommodating to our few suggested modifications. It has been a pleasure working with Mr. McGinty over this past year, and we look forward to having him and his family as neighbors.

I truly hope you will give this project your favorable consideration.

Very truly yours,

Steven J. Weber
(cell) 415.310.6212

Lindsay, David (CPC)

From: Brian Carr <bpcarr@gmail.com>
Sent: Tuesday, May 08, 2018 10:21 AM
To: richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Johnson, Milicent (CPC); Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Lindsay, David (CPC); Bendix, Brittany (CPC)
Cc: Amy Grossi Carr; msarjapur@reubenlaw.com
Subject: 3941 Sacramento Street

President Rich Hillis
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 3941 Sacramento Street (1015/043)
Planning Dept Case no. 2017-005392DRP
Hearing Date: May 10, 2018

Dear President Hollis and Commissioners:

We, Brian and Amy Carr, who live at 3965 Sacramento are in full support the McGinty family remodel at 3941 Sacramento Street. We find their remodel proposal reasonable and consistent with the scale and approach of the surrounding residences, and have no objections or issues with their proposed plans as they appear to be within planning and building guidelines for the neighborhood.

Furthermore, the McGinty family is a wonderful example of a family with young children trying to stay in the city to raise their family.

Please approve their project and let it move along without further delay. Please feel free to contact us with any questions.

Sincerely,
Brian and Amy Carr

Received at CPC Hearing 5/10/18

Steve Wertheim

ATTN: STEVE WERTHEIM

FOR ITEM 14: CENTRAL ~~SOMA~~ PLAN

LETTERS OF SUPPORT FOR THE CENTRAL
~~SOMA~~ PARK

FROM: BROOKE RAY RIVERA, PLACE LAB



UNITED • PLAYAZ

1038 Howard Street • San Francisco, CA 94103

www.unitedplayaz.org

April 10, 2018

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

My name is Rudy Corpuz Jr. I am the Founder and Director of United Playaz and a lifelong SoMa resident. I am writing to express my strong support for the proposed Central SoMa Park, through the new Central SoMa Plan. Our organization serves upwards of 150 youth per day and we utilize every open space available as we move around the neighborhood. It is vitally important that everyone who spends time in SoMa have access to open space that is clean, safe and welcoming.

SoMa has borne the brunt of new development for San Francisco but sadly we haven't seen as many improvements or additions to the open space available. The proposed Central SoMa park is a much needed step in the right direction of creating new open spaces that will support the already over used and under resourced parks that exist. Our staff and constituents have participated in multiple community workshops and meetings to provide input and feedback. We deeply appreciate the project sponsors effort to make the process of creating the park as inclusive and responsive as possible. We are also very excited about the Project Sponsor's willingness to maintain the park. We have experienced instances where an amenity is created but not maintained and becomes no longer useful to the community.

This project represents a long overdue investment in one of San Francisco's most underserved neighborhoods. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

In peace,

A handwritten signature in black ink that reads "Rudy Corpuz Jr." with a stylized flourish at the end.

Rudy Corpuz Jr.
Executive Director



West Bay
Pilipino Multi Service Center

7 May 2018

Dear Planning Commissioners,

My name is Carla Laurel and I am the Executive Director of West Bay, the oldest Filipino 501c3 organization in San Francisco. We serve recent Filipino youth and their families in SoMa and the greater San Francisco Bay Area.

I am writing this letter in support of The Central Soma Park. The project sponsors of Build Public, Brooke Ray Rivera & Jared Press, and Tishman Speyer's, Henry Spears, have made a consistent effort to get to know the community and families at West Bay and in Soma. They have met with me individually and attended community events to convene many meeting with the community to get input on the park's design to ensure it is reflective of what residents want. AS an organization serving predominantly youth, they were happy to work with me and community partners to convene youth workshops regarding the park.

They have expressed much interest and not just short-term, but long-term dedication to impacting the lives of our youth, families and seniors through supporting our programs financially, as well as through offering youth job opportunities and input on the park's design and functionality moving forward, so they can, too, be true stakeholders. I believe the Central Soma Park will positively impact our community by providing free safe space for our youth and families that currently only have two parks close to their homes.

West Bay supports the Central Soma Park and looks forward to continually working with them to make Soma more family friendly. Kindly feel free to contact me for any questions.

Sincerely,

Carla Laurel
Executive Director
West Bay Pilipino Multi Service Center
M: (415) 748 - 4864
Email: carla@westbaycentersf.org

som**ba** South of Market Business Association

615 Seventh Street • San Francisco , CA 94103-4910 • www.sfsomba.org

Phone: 415.621.7533 • Fax: 415.621.7583 • e-mail: info@sfsomba.com

April 9, 2018

San Francisco Planning Commission
Attn: Mr. Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am a business owner in Central SoMa and know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with a signature new public park designed by Tom Leader, an internationally recognized landscape architect. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the Project Sponsor's willingness to maintain the park represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long term maintenance, operations, and activation are fully funded through the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's most underserved neighborhoods. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,



Henry Karnilowicz
President

May 8, 2018

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

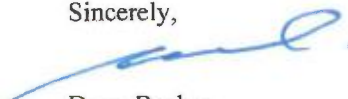
I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. Our nonprofit mission at the San Francisco Parks Alliance is to champion, transform and activate parks and public spaces throughout the City, and we know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by public open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with a signature new public park designed by Tom Leader, an internationally recognized landscape architect. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the adjacent developer's willingness to help build and operate the publicly-owned park through the City's Plaza Program represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long term maintenance, operations, and activation receive funding through the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's neighborhoods most underserved by public space. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,


Drew Becher
CEO, San Francisco Parks Alliance

8 May 2018

San Francisco Planning Commission
Attn: Steve Wertheim
Central SoMa Plan Project Manager
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space in the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. As a 25-year resident of the area having served on Supervisor Kim's D6 Parks and Open Space Task Force, I know just how much our diverse community needs more green space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by public open space, is set to undergo a huge transformation through this plan that will add new residents, daytime employees and visitors to the neighborhood. The Park Project Sponsor's willingness to maintain the park through the City's Plaza Program represents a valuable opportunity for the neighborhood and City, and should be leveraged. It is vital that both the creation of the park and its long-term maintenance, operations, and activation receive funding from the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's neighborhoods most underserved by public open space. I support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,

Alice Rogers

May 7, 2018

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing in support of the proposed Central SoMa Park because those of us who live in SoMa desperately need more open space. We have fewer parks and less open space than any other part of the City. This one-acre park would be an exquisite addition for local residents and visitors to enjoy the outdoors. It is a healthy proposition.

I am elated with the developer's willingness to help build and operate the park through the City's Plaza Program. We need to take advantage of this great opportunity.

SoMa residents want to be able to enjoy their neighborhood via open spaces – not just streets and sidewalks. This project would allow people to do just that. The park would also help create a sense of community by bringing people together.

A new Central SoMa Park will be such a positive addition to this growing neighborhood. I urge you to approve it so that we can assure it is available as soon as possible to residents and visitors alike.

Thank you for your consideration.

Sincerely,

Catherine (Katy) Liddell
[403 Main Street #813](#)
[San Francisco, CA 94105](#)
415.412.2207
clliddell@me.com



2018 April 11

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am a property owner and business owner in Central SoMa and know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with signature new park designed by Tom Leader, an internationally recognized landscape architect. I attended a community workshop where I had an opportunity to give feedback on the proposed design as well as vision for programming and activation. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the Project Sponsor's willingness to maintain the park represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long term maintenance, operations, and activation are fully funded through the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's most underserved neighborhoods. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Best,

A handwritten signature in black ink, appearing to be 'Marilyn Yu'.

Marilyn Yu

marilyn@shared-sf.com

**E. M. HUNDLEY HARDWARE CO.
617 BRYANT ST.
SAN FRANCISCO, CA 94107
Ph: 415 777-5050 Fax: 415 777-5960**

April 10, 2018
San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

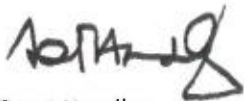
I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am a business and property owner in Central SoMa and know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with signature new park designed by Tom Leader, an internationally recognized landscape architect. My family has owned and operated E.M. Hundley Hardware Co. in San Francisco since 1919. We have operated at 617 Bryant Street, directly adjacent to the proposed Central SoMa Park, since 1985. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the Project Sponsor's willingness to maintain the park represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long term maintenance, operations, and activation are fully funded through the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's most underserved neighborhoods. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,



Grant Hundley
President / CEO
E.M. Hundley Hardware Co.
617 Bryant Street
San Francisco, CA 94107

655-685 4th Street LP
35 Sidney Street
Mill Valley, CA 94941

May 10, 2018

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103


RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am the owner of the building of The Creamery and Iron Cactus, located a block and a half away from the proposed Central SoMa Park. As a longtime SoMa property owner, I know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

This project represents a long overdue investment in one of San Francisco's most underserved neighborhoods. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall. Furthermore, the Project Sponsor's willingness to maintain the park represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long term maintenance, operations, and activation are fully funded through the Central SoMa Plan.

Sincerely,



Rob Mellett
Owner, 655 - 685 4th Street



333 3rd St., Suite 205
San Francisco, CA 94107
415.227.0331
www.psoasbodywork.com
info@psoasbodywork.com

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

5/10/18

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am both a resident who looks out my back window at the proposed space and a business owner in the neighborhood.

As someone who promotes health in our community, I know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting. I've always known San Francisco as a green city with plentiful parks. What happened to the planning in SoMa?!

Central SoMa, which is vastly underserved by public open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with a signature new public park designed by Tom Leader, an internationally recognized landscape architect. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the adjacent developer's willingness to help build and operate the park through the City's Plaza Program represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long-term maintenance, operations, and activation receive funding from the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's neighborhoods most underserved by public space. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jennifer Lightstone". The signature is fluid and cursive, with a long, sweeping underline that extends across the width of the signature.

Jennifer Lightstone
Owner – Psoas Massage + Bodywork

5/8/2018

San Francisco Planning Commission
Attn: Steve Wertheim
San Francisco Planning Department
[1650 Mission Street, Suite 400](#)
San Francisco, CA 94103

RE: Support for Central SoMa Park

Dear San Francisco Planning Commissioners,

I am writing to express my strong support for the proposed Central SoMa Park, a much-needed new 1-acre city-owned public open space on the block bounded by 4th, 5th, Brannan and Bryant through the new Central SoMa Plan. I am a resident Central SoMa and know firsthand just how much our community needs more space where we can gather, play and relax in a clean, safe, and welcoming public setting.

Central SoMa, which is vastly underserved by public open space, is undergoing a tremendous transformation that will bring new residents, daytime employees and visitors to the neighborhood. At present, South Park is the only other open space resource in the Central SoMa Plan Area. This project will more than double that amount of open space with a signature new public park designed by Tom Leader, an internationally recognized landscape architect. I am excited by the prospect of an open space that brings much-needed greenery to Central SoMa while also providing a gathering space for community events.

Furthermore, the adjacent developer's willingness to help build and operate the park through the City's Plaza Program represents an incredible opportunity for the neighborhood and City, and should not be passed up. It is critical that both the creation of the park and its long-term maintenance, operations, and activation receive funding from the Central SoMa Plan.

This project represents a long overdue investment in one of San Francisco's neighborhoods most underserved by public space. I enthusiastically support the proposal for Central SoMa Park and hope that the Planning Commission and Board of Supervisors will move expeditiously to approve it for the benefit of the community and the City overall.

Sincerely,

Anita Wong
[175 Bluxome Street #116](#)
[San Francisco, CA 94017](#)



**SAN FRANCISCO
PLANNING DEPARTMENT**

Received at CPC Hearing 5/10/18
S. Wertheim

**DRAFT Planning Commission Motion
NO. M-XXXXX**

HEARING DATE: May 10 April 12, 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
Staff Contact: Elizabeth White– (415) 575-6813
elizabeth.white@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

**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~~April 12~~, 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_{2.5}) 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_{2.5}) 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~~April 12~~, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 9, 2018
TO: Planning Commission
FROM: Jessica Range and Elizabeth White, Environmental Planning
RE: Errata to the Environmental Impact Report for 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

Following publication of the Responses to Comments (RTC) document for the Central South of Market Area (SoMa) Plan Draft Environmental Impact Report (Draft EIR), the Planning Department determined it was necessary to:

- (1) update the Central SoMa Plan Final EIR certification date;
- (2) provide an analysis of changes to the Central SoMa Plan's proposed height and zoning maps for Block 3763, Lots 112 and 113 that was included in substitute legislation introduced on April 10, 2018 by Mayor Farrell and Supervisor Kim;
- (3) clarify the application of Central SoMa Plan EIR mitigation measures to subsequent development projects;
- (4) amend mitigation measures;
- (5) include a list of required approvals for the Housing Sustainability District Ordinance; and
- (6) evaluate a list of recommended and other potential changes to the Central SoMa Plan included in the May 3, 2018 Planning Commission packet to determine whether the EIR adequately analyzes these potential changes in the event decision makers choose to include these changes in the Central SoMa Plan.

This erratum addresses each of these items. Staff-initiated EIR text changes will be incorporated into the Final EIR. New revisions are noted in **red** with additions noted with double underline and deletions noted in ~~striethrough~~.

1. Central SoMa Plan Final EIR Certification Date

On April 12, 2018, the Planning Commission continued certification of the Final EIR to May 10, 2018. As such, the following revision is made to the exterior and interior RTC cover pages and page RTC-i:

Final EIR Certification Date: ~~April 12, 2018~~ May 10, 2018

Additionally, the following revisions are made to the distribution memoranda accompanying the RTC:

This document, along with the Draft EIR, will be before the Planning Commission for Final EIR certification on ~~April 12, 2018~~ May 10, 2018. The Planning Commission will receive public testimony on the Final EIR certification at the ~~April 12, 2018~~ May 10, 2018, hearing.

These revisions to the Final EIR's certification date do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code section 21092.1) and the CEQA Guidelines (14 California Code of Regulations section 15088.5).

2. Update Central SoMa Plan analysis for Block 3763, Lots 112 and 113

On April 10, 2018 Mayor Farrell and Supervisor Kim introduced substitute legislation implementing the Central SoMa Plan. The Environmental Planning Division of the Planning Department reviewed the substitute legislation and determined that the proposed changes to the zoning and height map for Block 3763 and Lots 112 and 113 require additional analysis to determine whether the proposed changes would result in new significant impacts or impacts of greater severity that were not disclosed in the Draft EIR. The substitute legislation would extend the proposed Central SoMa Mixed Use-Office (CMUO) Use District onto an approximately 7,400-square-foot, irregularly shaped area at the north-easternmost portion of Block 3763, Lot 112. The proposal would also extend a 350-CS Height and Bulk District to encompass the southern portion of this same 7,400-square-foot area (Block 3763, Lot 112), as well as the southern portion of Block 3763, Lot 113, which is an approximately 5,400-square-foot, irregularly shaped parcel, immediately north of Lot 112. EIR Appendix H, attached to this erratum, analyzes these proposed changes and finds that the proposed revisions to the Central SoMa Plan's Use District and Height and Bulk District Maps on Block 3763, Lots 112 and 113, would not result in any new or substantially more-severe significant impacts with respect to aesthetics, wind, or shadow, or any other CEQA topic, than those that were identified in the Draft EIR. However, in light of these proposed changes, the following revisions to the EIR are necessary:

Figure II-3 [Revised] in the RTC has been revised following publication of the RTC to show the zoning now proposed on a portion of Block 3763, Lot 113.

Figure II-7 [Revised] in the RTC has been revised following publication of the RTC to show the heights now proposed on Block 3763, Lot 112 and a portion of Lot 113.

Figure IV.B-19, Mid-Range Visual Simulation: Interstate 80 Westbound: Existing Conditions Plus Plan has been revised following publication of the RTC to show the heights now proposed on Block 3763, Lot 112 and a portion of Lot 113.

Figure IV.H-6 and the December 10 a.m. image in EIR Appendix E have been revised to depict the changes in shadow analysis resulting from the proposed revisions to the Central SoMa Height Map.

These revised figures are presented on the following pages.

www.sfplanning.org



SOURCE: San Francisco Planning Department

Case No. 2011.1356E: Central SoMa Plan

Figure II-3
Proposed Plan Area Use Districts [Revised]

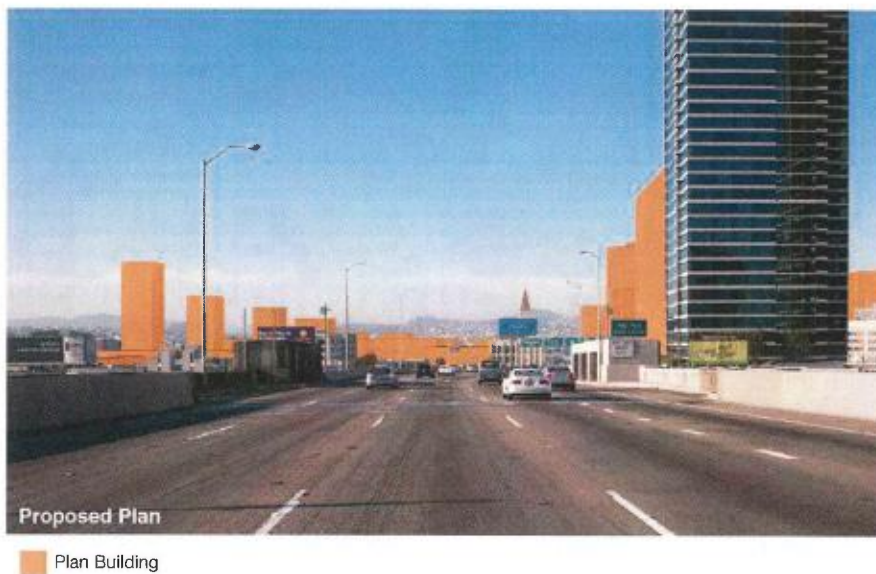
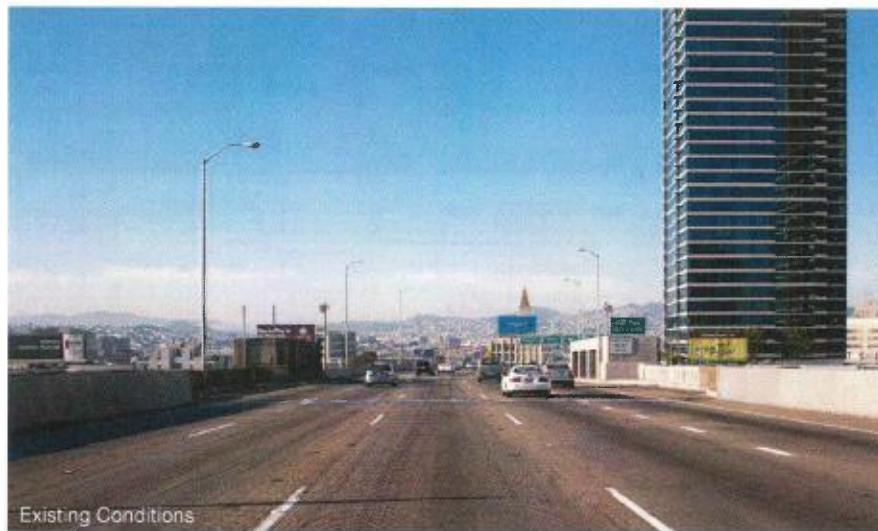


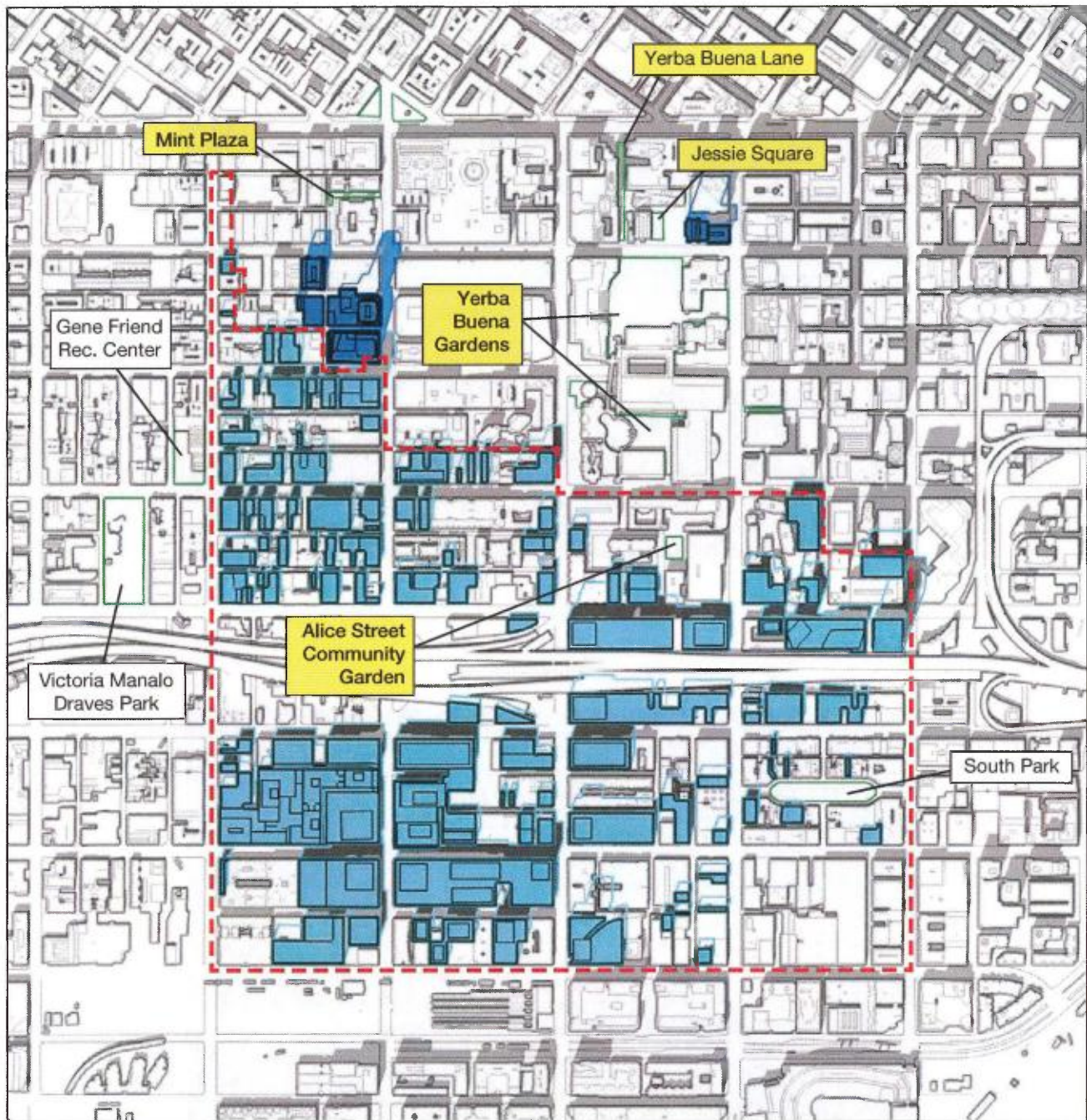
SOURCE: San Francisco Planning Department

Case No. 2011.1356E: Central SoMa Plan

Figure II-7

Proposed Plan Area Height and Bulk Districts [Revised]





-- Plan Area Boundary



OPEN SPACES

- Section 295 Park
- Other Open Space

- Potential New Buildings and their Shadows
- Potential New Buildings' Net New Shadows at Ground Level
- Existing Shadows at Ground Level

- Approved New Buildings (5M and 706 Mission) and their Shadows
- Approved New Buildings' (5M & 706 Mission) Net New Shadows at Ground Level

SOURCE: CADP

Case No. 2011.1356E: Central SoMa Plan

Figure IV.H-6

Shadows: September 20 (Fall Equinox) 12:00 noon [Revised]



Central SoMa Plan
December 20 10:00 am

- Proposed New Buildings
- Proposed New Buildings 5M & 706 Mission
- Proposed New Buildings Net New Shadows
- Proposed New Buildings 5M & 706 Mission Net New Shadows
- Existing Shadows



In addition, the following text changes are made to the first paragraph of the wind analysis on page IV.G-13 in the Draft EIR:

Two other new exceedances would occur at the intersection of Fourth and Townsend Streets (#47 and 48), near the southwestern corner of a potential 400-foot-tall building, and five new exceedances would occur near, and south of, the intersection of Second and Harrison Streets (#4, 5, 7, 8, and 14), in proximity to a site at 400 Second Streets that would have height limits permitting ~~three-towers at heights of up to 200 feet, 350 feet, and 350 feet.~~

The following text changes are made to the first full paragraph of Draft EIR p. IV.H-38 to reflect the potential change in net new shadow from the proposed height map revision.

New shadow from Plan Area development could cast a small amount of new shadow on the western edge of the POPOS in front of 303 Second Street, across Second Street from the Plan Area, in the mid-afternoon on the solstice. At 10:00 a.m. on the winter solstice in December, new shadow from Plan Area development would be cast eastward onto the 303 Second Street POPOS. On the equinoxes, new shading would begin around noon, and would continue through much of the afternoon, reaching a peak around 2:00 p.m., when about one quarter to one third of the POPOS could be shaded. On the winter solstice, new shading could increase, beginning around 10 a.m. and continuing through most of the afternoon. At its peak, new shading could cover most of the plaza, especially between about noon and 2:00 p.m. By 3:00 p.m. on the winter solstice, most of the plaza is currently shaded. The actual amount of shading would depend on the height and massing of the building projecting its shadow toward this POPOS.

As explained above, Appendix H, attached to this erratum, evaluates the environmental effects of the substitute Central SoMa Plan legislation introduced on April 10, 2018. This document is being included in the EIR as a new Appendix H. Therefore, the following revision is made to the Draft EIR's Table of Contents' list of appendices on Draft EIR page vi:

Appendix H. Central SoMa Plan Draft EIR Revisions Arising from Zoning Changes at Second and Harrison Streets

These revisions to the Draft EIR does not constitute significant new information that requires recirculation of the EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5)

3. Clarification of the Application of EIR Mitigation Measures to Subsequent Development Projects

Subsequent development projects may be required to undergo additional environmental review in accordance with *California Public Resources Code* Section 21083.3 and CEQA Guidelines Section 15183 or *California Public Resources Code* Section 21094.5 and CEQA Guidelines Section 15183.3. That analysis would determine whether Central SoMa EIR mitigation measures apply to a subsequent development project. During that analysis, program-level mitigation measures identified in the Central SoMa EIR may be amended to address the specific characteristics of the subsequent project's impact. To clarify this, the following revision is made to Section I.B.4 on Draft EIR page I-6:

CEQA Guidelines Section 15168(c) states that subsequent activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared. Thus, this EIR assumes that subsequent development projects in the Plan Area would be subject to environmental review at such time as those projects are proposed. The analysis of subsequent projects would be based on existing conditions at the site and vicinity, at such time a project is proposed, and would take into account any updated information relevant to the environmental analysis of the subsequent project (e.g., changes to the environmental setting or updated growth forecasts, models, etc.). Furthermore, for the environmental analysis of the subsequent project, the Planning Department would identify applicable mitigation measures in this EIR and prepare a project-specific Mitigation, Monitoring, and Reporting Program (MMRP), to reflect the specific characteristics of the subsequent project.

This revision to the Draft EIR does not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

4. Amend Mitigation Measures

To clarify the process for mandatory consultation regarding avoidance or minimization of effects on historical resources, the following amendment has been made to EIR Mitigation Measure M-CP-1a (Mitigation M-CP-1a was revised as part of the April 5, 2018 errata to the EIR for the Central SoMa Area Plan):

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN—IDENTIFIED IN THE EIR [REVISIONS ONLY]

| Impact | Level of Significance Before Mitigation | Mitigation and Improvement Measures | Level of Significance After Mitigation |
|--|---|---|--|
| C. Cultural and Paleontological Resources | | | |
| 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. | S | <p>* Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's Preservation staff <u>at the time of submittal of an environmental evaluation application or consolidated development application</u> to determine whether there are feasible means to redesign or otherwise revise the project to avoid a substantial significant adverse change in the significance of an effects on historic architectural resource(s) (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 <u>consult with Planning Department staff to determine whether there are feasible means to seek feasible means to reduce effects on historic architectural resource(s) to the maximum extent feasible, a less than significant level.</u> 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 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, with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).</p> <p><u>Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case-by-case basis.</u></p> | SUM |

The following revisions are made to RTC page 455:

On Draft EIR p.IV.C-58, Mitigation Measure M-CP-1a has been revised as follows to clarify guidance with regard to avoiding or minimizing effects on historical impacts:

Mitigation Measure M-CP-1a: Mandatory Consultation Regarding Avoidance or Minimization of Effects on Identified Historical Resources. The project sponsor of a subsequent development project in the Plan Area shall consult with the Planning Department's Preservation staff at the time of submittal of an environmental evaluation application or consolidated development application to determine whether there are feasible means to redesign or otherwise revise the project to avoid a substantial significant adverse change in the significance of an effects on historic architectural resource(s) (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 ~~seek feasible means to~~ reduce effects on historic architectural resource(s) ~~to the maximum extent feasible, a less than significant level.~~ 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 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. ~~with the significance of the impact to be judged based on whether the proposed project would materially impair the resource as defined in CEQA Guidelines Section 15064.5(b).~~

Should Planning Department staff determine through the consultation process that avoidance or reduction of effects on historic architectural resources is Mitigation Measure M-CP-1a be determined to be infeasible, Measures M-CP-1b, M-CP-1c, M-CP-1d, and/or M-CP-1e, shall be applicable, based on the specific circumstances of the project in question. CEQA Guidelines Section 15364 defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The applicability of each factor would vary from project to project, and would be determined by staff on a case-by case basis.

To further reduce the significant and unavoidable transit impact identified in the EIR, the following amendments are made to EIR Mitigation Measure M-TR-3a in Table S-1, Summary of Impacts of the Plan-Identified in the EIR.

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN— IDENTIFIED IN THE EIR [REVISIONS ONLY]

| Impact | Level of Significance Before Mitigation | Mitigation and Improvement Measures | Level of Significance After Mitigation |
|--|---|--|--|
| D. Transportation and Circulation | | | |
| <p>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.</p> | S | <p>Mitigation Measure M-TR-3a: Transit Enhancements. The following are City and County <u>and sponsors of subsequent development projects</u> actions that could 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"> • Establish fee-based sources of revenue. • 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. • Area Plan funding for transit enhancements. <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 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 mode planning. This shall be achieved through some or all of the following measures:</p> <ul style="list-style-type: none"> • 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. • 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. | SUM |

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN—IDENTIFIED IN THE EIR [REVISIONS ONLY]

| Impact | Level of Significance Before Mitigation | Mitigation and Improvement Measures | Level of Significance After Mitigation |
|--------|---|--|--|
| | | <ul style="list-style-type: none"> 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. <u>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 of three minutes or longer on a daily or weekly basis.</u> <u>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).</u> <u>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.</u> <u>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.</u> <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> | |

Similarly, on Draft EIR p. IV.D-54, Mitigation Measure M-TR-3a has been amended as follows:

Mitigation Measure M-TR-3a: Transit Enhancements. The following are City and County and sponsors of subsequent development projects actions that could reduce the transit impacts associated with implementation of the Central SoMa Plan.

Enhanced Transit Funding. 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:

- Establish fee-based sources of revenue.
- 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.
- Area Plan funding for transit enhancements.

Transit Corridor Improvement Review. 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 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.

Transit Accessibility. 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 mode planning. This shall be achieved through some or all of the following measures:

- Implement recommendations of the *Better Streets Plan* 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.
- 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.

- 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.
- 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 of three minutes or longer on a daily or weekly basis.

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).

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.

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.

Muni Storage and Maintenance. 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.

Additionally, to further reduce the significant and unavoidable loading impact identified in the EIR, the following amendments are made to Mitigation Measure M-TR-6b in Table S-1, Summary of Impacts of the Plan-Identified in the EIR.

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN—IDENTIFIED IN THE EIR [REVISIONS ONLY]

| Impact | Level of Significance Before Mitigation | Mitigation and Improvement Measures | Level of Significance After Mitigation |
|--|---|--|--|
| D. Transportation and Circulation | | | |
| <p>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.</p> | S | <p>Mitigation Measure M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones.</p> <p>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 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><u>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 queuing 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:</u></p> <ul style="list-style-type: none"> <u>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.</u> <u>Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow no other vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stop/park over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.</u> <u>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.</u> <u>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.).</u> <p><u>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</u></p> | SUM |

TABLE S-1 SUMMARY OF IMPACTS OF THE PLAN — IDENTIFIED IN THE EIR [REVISIONS ONLY]

| Impact | Level of Significance Before Mitigation | Mitigation and Improvement Measures | Level of Significance After Mitigation |
|--------|---|--|--|
| | | <u>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).</u> | |

Similarly, on Draft EIR p. IV.D-54, Mitigation Measure M-TR-6b has been amended as follows:

Mitigation Measure M-TR-6b: Accommodation of On-Street Commercial Loading Spaces and Passenger Loading/Unloading Zones.

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.

The SFMTA and the Planning Department ~~shall~~ 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.

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:

- 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.
- Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow no other vehicles to stop/park for any duration of time. For these zones, set specific time limits restricting vehicles to stop/park over a certain period of time (e.g., three minutes) and alert passengers that their driver will depart/arrive within the allotted timeframe.
- 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.
- 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.).

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 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).

These amendments to the Final EIR mitigation measures do not constitute significant new information that requires recirculation of the EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

5. List of Approvals Required for the Housing Sustainability District Ordinance

The following approval has been added to Section II.E Approvals Required in Draft EIR, page II-45:

II.E Approvals Required

Approval and implementation of the final Central SoMa Plan would require the following actions. (Approving bodies are identifies in italics.) Specific and detailed actions would be determined as the Plan is developed.

- Approval of the Housing Sustainability District, which would consist of the following actions:
 - *San Francisco Planning Commission*: (1) Certify the EIR and (2) recommend planning code text amendments to the San Francisco Board of Supervisors
 - *San Francisco Board of Supervisors*: (1) Approve planning code text and (2) adopt an ordinance amending the planning code to designate portions, or all of the Central SoMa Plan area, as a Housing Sustainability District.

6. Evaluation of Potential Changes to the Central SoMa Plan Included in the May 3, 2018 Planning Commission Packet

The May 3, 2018 Planning Commission packet includes a list of "Changes since Introduction" (Exhibits II.6, III.5, IV.4, and V.4), recommended modifications to the Planning Code (contained in Exhibit III.1) and "Issues for Consideration" (contained in Exhibits III.6, IV.5, and V.5). The Environmental Planning Division reviewed these items and determined that, apart from the following item, the changes merely clarify or make corrections to the current proposal, or would not result in environmental effects beyond that analyzed in the EIR.

Item not covered in the EIR analysis: Setting the maximum development capacity at each site to the amount listed in the Key Development Sites Guidelines, rather than the formula provided.

Rationale: The proposed Planning Code formula (Section 263.32(c)(1)) setting development capacity for the key sites was developed to ensure that development on key sites do not exceed the growth projected under the EIR. It is unclear how setting maximum development capacity according to the

Key Development Sites Guidelines would affect the overall growth anticipated and evaluated in the EIR. More information regarding the effects of this proposal on the Plan's anticipated growth projections would be required before the Commission adopt this proposal in order to assess whether the environmental effects of the proposal are adequately addressed in the EIR. Furthermore, the Planning Department staff do not recommend the Central SoMa Plan be amended to incorporate this request.

In addition, as further explained in EIR Appendix I (attached), Planning Department staff recommend a modification to the Plan to allow for limited grandfathering of the Planning Department's TDM requirements in Central SoMa. As explained in Appendix I, should the Planning Commission choose to adopt this recommendation, they would need to amend Mitigation Measure M-NO-1a in the EIR to align with this policy directive in the CEQA findings.

An analysis of the remaining Plan Changes since Introduction and Issues for Consideration, as set forth in the May 3, 2018 Planning Commission packet, are included in Appendix I, attached. This analysis finds that these potential changes to the Central SoMa Plan have been adequately analyzed in the EIR and any amendments to the Central SoMa Plan, apart from that discussed above related to the allowable development on Key Sites, to incorporate these potential changes would not result in any changes to the EIR analysis and would not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5). This document is being included in the EIR as a new Appendix I. Therefore, the following revision is made to the Draft EIR's Table of Contents' list of appendices on Draft EIR page vi:

Appendix I. Analysis of Environmental Effects of Potential Changes Presented May 9, 2018 for the Central South of Market (SoMa) Plan

Enclosures:

Appendix H. Central SoMa Plan Draft EIR Revisions Arising from Zoning Changes at Second and Harrison Streets

Appendix I. Analysis of Environmental Effects of Potential Changes Presented May 9, 2018 for the Central South of Market (SoMa) Plan



550 Kearny Street
Suite 800
San Francisco, CA 94108
415.896.5900 phone
415.896.0332 fax

www.esassoc.com

Appendix H

memorandum

date May 2, 2018

to Jessica Range and Liz White, Environmental Planning

from Karl Heisler and Eryn Brennan

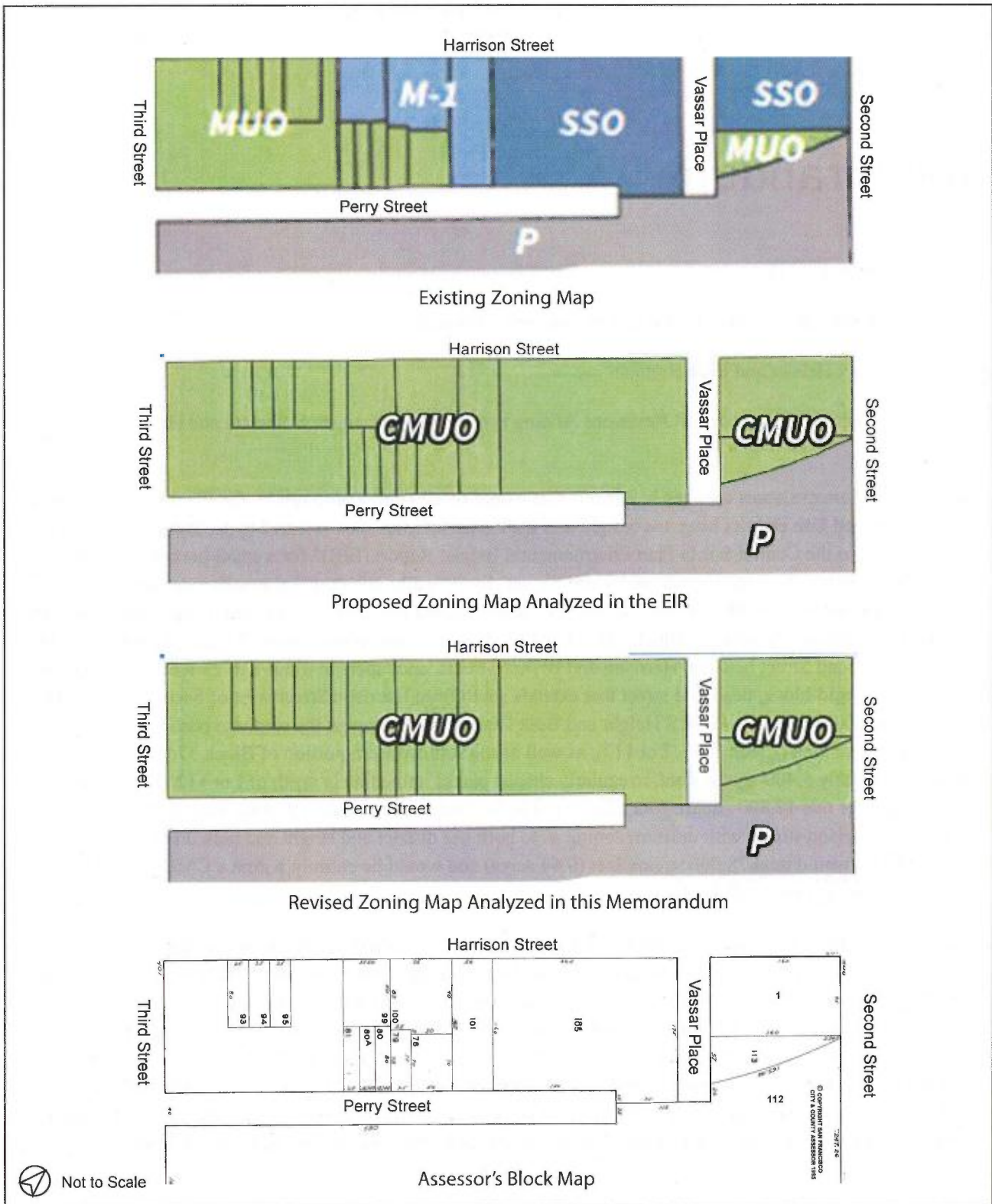
subject Central SoMa Plan EIR Revisions Arising From Zoning Changes at Second and Harrison Streets

This memorandum evaluates changes in impacts that would result from a proposal by the Planning Department to alter the proposed Use District Map and Height and Bulk District Map (also referred to as “zoning maps”) from those analyzed in the Central SoMa Plan Environmental Impact Report (EIR)¹ for a small portion of the block bounded by Harrison, Second, Bryant, and Third Streets. Specifically, the proposal entails extending a Central SoMa Mixed Use-Office (CMUO) Use District onto an approximately 7,400-square-foot, irregularly shaped area at the north-easternmost portion of Block 3763, Lot 112. This area has approximately 77 feet of frontage on the west side of Second Street between Harrison and Bryant Streets, and tapers in a curve to 23 feet of frontage on Vassar Place, a mid-block, dead-end street that extends south from Harrison Street west of Second Street. The proposal would also extend a 350-CS Height and Bulk District to encompass the southern portion of this same 7,400-square-foot area (Block 3763, Lot 112), as well as the southwestern portion of Block 3763, Lot 113, which is an approximately 5,400-square-foot, irregularly shaped parcel immediately north of Lot 112. The net result of these changes for this 12,800-square-foot area would be to create a rectangular lot at the southwest corner of Second and Harrison streets with uniform zoning as to both use district and height and bulk district. The 160-by-175-foot parcel would total 28,000 square feet (0.64 acres) and would be entirely within a CMUO Use District and a 350-CS Height and Bulk District.

Currently, Lot 113 is in a Mixed-Use Office (MUO) Use District, while the northeastern portion of Lot 112 is in a Public (P) Use District as a result of its former use as California Department of Transportation (Caltrans) right-of-way.² The Plan, as analyzed in the EIR, proposed to rezone Lot 113 to CMUO and make no change to the northeastern portion of Lot 112, now also proposed as CMUO. Lot 113 is currently within an 85-X Height and Bulk District and the northeastern portion of Lot 112 is within a 45-X Height and Bulk District. The EIR evaluated the southern approximately 60 percent of the 12,800-square-foot area as a 200-CS Height and Bulk District, while the northern part of the area was evaluated as a 350-CS Height and Bulk District. See **Figure 1, Existing, Proposed, and Revised Use District Map for Block 3763**, and **Figure 2, Existing, Proposed, and**

¹ The Central SoMa Plan EIR consists of the Draft EIR, the Responses to Comments (RTC), and all errata issued by the San Francisco Planning Department following the publication of the RTC. All documents are available for review at: <http://sf-planning.org/central-soma-plan-environmental-review>.

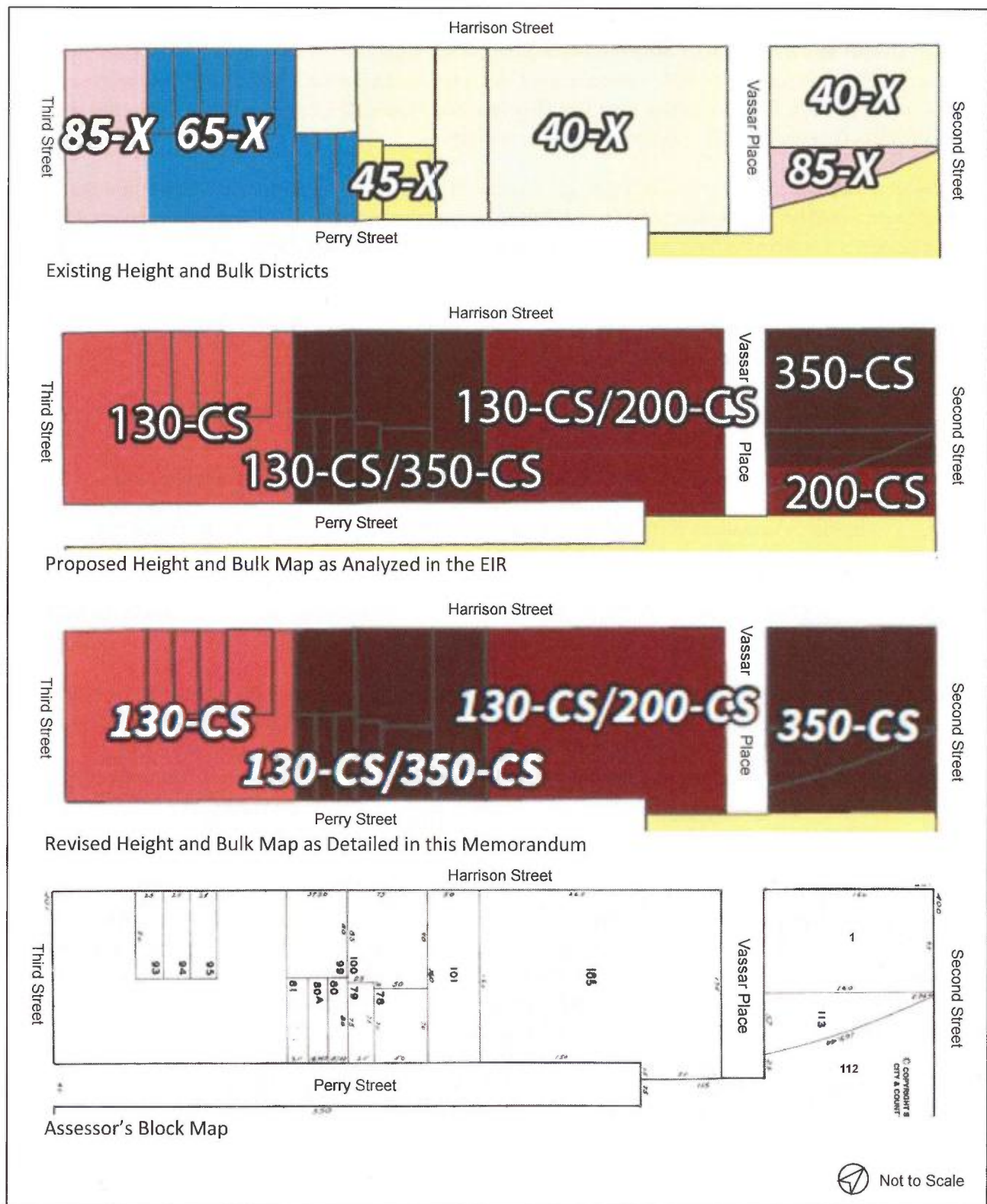
² The 7,400-square-foot portion of Lot 112 owes its irregular shape to its former use within the right-of-way of the Terminal Separator Structure, a series of on- and off-ramps that connected the now-demolished Embarcadero Freeway to the elevated I-80 freeway.



SOURCE: San Francisco Planning Department

Case No. 2011.1356E: Central SoMa Plan

Figure 1
Existing, Proposed, and Revised Use District Map for Block 3763



Revised Height and Bulk District Map for Block 3763, which depicts the existing height of the block, the proposed heights analyzed in the EIR, and the revised use district and height and bulk district now proposed. Draft EIR **Figure II-3, Proposed Plan Area Use Districts**, and **Figure II-7, Proposed Plan Area Height and Bulk Districts [Revised]** are also revised to show the changes.

The Planning Department has determined that the potential changes to the Use District and Height and Bulk District maps would not permit development at a density beyond that included in the population and employment growth forecasts that were the basis for the transportation modeling undertaken for the EIR by the San Francisco County Transportation Authority, and subsequent noise and air quality analyses.³ The Planning Department quantified the potential development capacity associated with the proposed Use District Map and Height and Bulk District Map revisions and determined that the EIR's growth projections are conservative (i.e., high-end) estimates of potential growth because:

1. The EIR studied development capacity resulting from a maximum residential and maximum commercial build out scenario,
2. The EIR analyzed higher heights than those proposed under the Plan on certain sites, and
3. The Plan's limitations on tower bulk (discussed in detail below under Aesthetics) mean that the extension of the 350-CS Height and Bulk District southward toward the Interstate-80 (I-80) freeway would not permit a larger tower, in terms of floor area, than would already be permitted under the Plan, although the change in the Height and Bulk District Map would permit the tower to be built closer to the freeway than would otherwise be the case.⁴

Therefore, the additional growth facilitated by these revisions to the Plan is adequately captured by the EIR's growth projections. Accordingly, the Use District and Height and Bulk District map changes would not result in growth at levels in excess of that evaluated in the EIR. Additionally, the minimal physical distribution of anticipated development—south onto the approximately 7,400-square-foot portion of Block 3763, Lot 112, would not extend development to a previously unbuilt-upon location, given the former presence of the Caltrans Terminal Separator Structure on this site. Therefore, there is no need for further analysis of impacts resulting from these map changes 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, parking, and emergency vehicle access); air quality (consistency with the relevant clean air 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).

With regard to impacts analyzed in the Initial Study for the Plan, there would be no change in impacts related to population and housing, recreation, utilities, or public services because the intensity of development would not change. As the zoning changes would not rezone previously undeveloped land, there would be no substantial change in effects related to site-specific conditions, including biology; geology; hydrology other than flooding

³ Steve Wertheim, San Francisco Planning Department, "Zoning changes at Second and Harrison Streets (One Vassar)" memorandum to Jessica Range, April 17, 2018.

⁴ The change in Use District from P to CMUO for the northeastern portion of Lot 112 would allow for a tower with about 6.5 percent more floor area than would otherwise be the case because the P Use District does not permit residential, office, or other commercial uses.

and wastewater, analyzed in the EIR, as noted above; or hazardous materials; mineral; energy; and agricultural and forestry resources, analyzed in the Initial Study.

Based on the foregoing, the potential changes in impacts compared to those analyzed in the EIR would be limited to three environmental topic areas: aesthetics, wind, and shadow. Each of these issues is discussed below.

Aesthetics

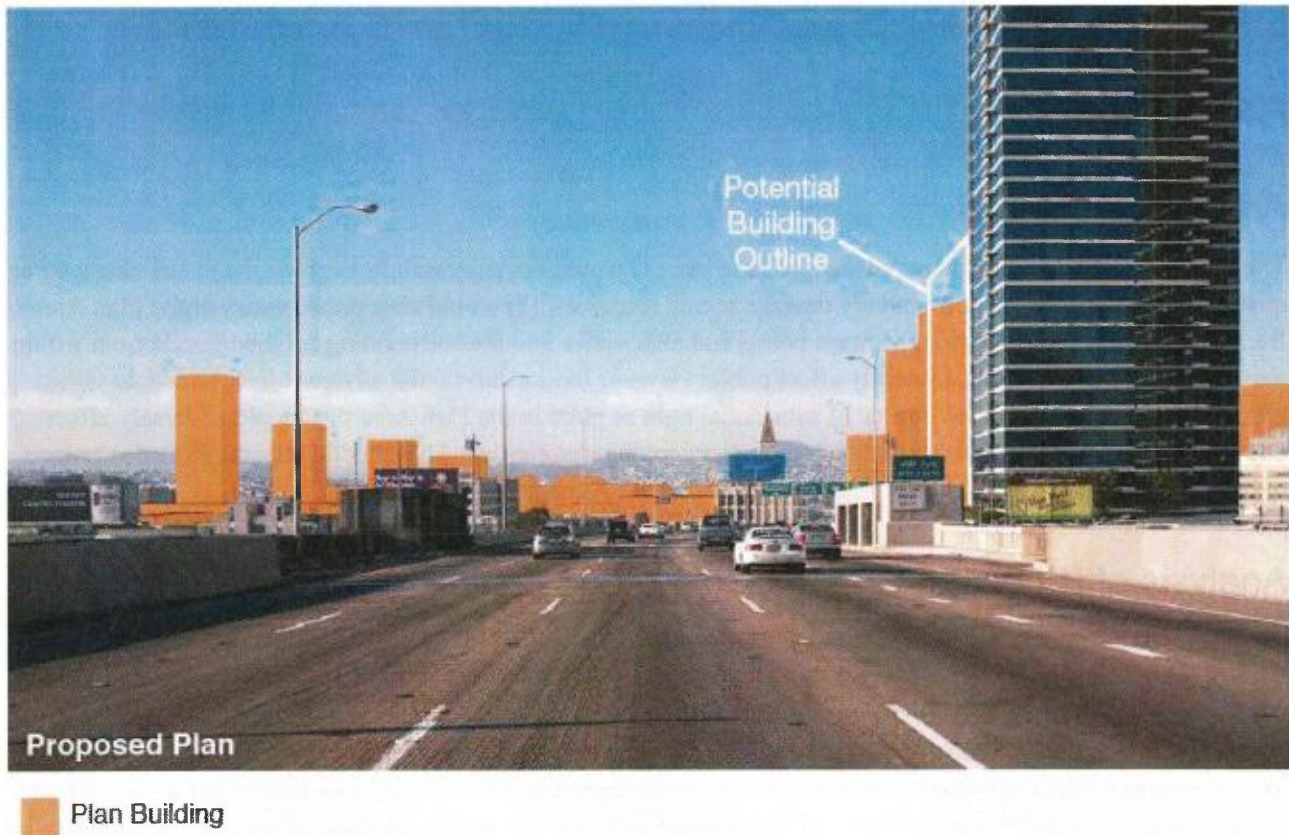
Analysis in the EIR

The EIR found that development pursuant to the Plan: (1) would not substantially degrade the visual character or quality of the Plan Area or substantially damage scenic resources; (2) 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; and (3) 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. All aesthetic impacts were determined to be less than significant, and no mitigation measures were identified.

Analysis of Proposed Changes to the EIR Zoning Maps

The proposed changes to the Use District and Height and Bulk District maps on Block 3763 would permit development on the west side of Second Street between Harrison Street and I-80 that would be closer to I-80 than what was analyzed in the EIR. However, the Plan includes tower controls for office and other non-residential, non-hotel buildings taller than 160 feet in height. These tower controls include a maximum individual floor plate of 17,000 square feet and a maximum average size for all tower floors in a building of 15,000 square feet, as well as maximum plan dimensions for towers of 150 feet in length and 190 feet in diagonal dimension. Buildings taller than 250 feet must also include additional reduction in massing of the upper one-third of the tower, compared to the lower two-thirds of the tower. Finally, the Plan would require a minimum distance of 115 feet between any two towers and minimum setbacks from the street of 15 feet for all towers. (All of these tower controls are similar to tower controls in the Downtown (C-3) Use Districts.) Together, these requirements would serve to reduce building massing, compared to what could otherwise be constructed. Because the overall site at the southwest corner of Second and Harrison streets is 160 feet wide by 175 feet deep (which results in a diagonal dimension of approximately 237 feet, compared to the maximum permitted 190-foot diagonal), a tower on that site would be required to include setbacks that would preclude a tower covering more than approximately 65 percent of the overall site. Therefore, a tower constructed in the 350-CS Height and Bulk District that is newly proposed to be expanded southward toward the I-80 freeway would have to include setbacks on all four sides to accommodate both street and interior lot line setback requirements. Because the minimum 15-foot setbacks on all four sides would not achieve the maximum permitted diagonal dimension, additional setback(s) would be necessary, likely on the west side to achieve the required tower separation from a potential tower across Vassar Place, where the maximum height limit would be 200 feet. Accordingly, while development on the site in question could be closer to the I-80 freeway, such development would likely occupy less of the lot width than had been assumed in the EIR. **Figure 3, Visual Simulation from I-80 Westbound, with Revision to Zoning Maps for Block 3763**, depicts modifications to Draft EIR Figure IV.B-19 to show the approximate outline of a potential building on the site in question that could be visible with the changes to the Use District and Height and Bulk District maps. As can be seen, the building would appear slightly taller than shown in the EIR because it would be closer to the

freeway; however, assuming setbacks as described above, the building could appear slightly narrower than depicted in the EIR. Therefore, the proposed change to the Use District Map and the Height and Bulk District Map would result in a relatively minor change in the view from the freeway.



SOURCE: Square One Productions; Environmental Science Associates, 2018

Figure 3
Visual Simulation from I-80 Westbound, with Revision to Zoning Maps for Block 3763

The change in views from other viewpoints for which visual simulations were presented in the EIR would not be readily apparent. This is due to the combination of distance from the viewpoint to Block 3763 and the orientation of other Plan Area buildings. For example, in the view from Potrero Hill (Draft EIR Figures IV.B-13 and IV.B-14), the change in potential building envelope resulting from the southward extension of the 350-CS Height and Bulk District and increased height on the southern portion of the site in question would be largely obscured by a 400-foot tower that is illustrated at the corner of Fourth and Townsend streets. In the most distant view, from Corona Heights (Draft EIR Figures IV.B-15 and IV.B-16), the change in potential building envelope would be negligible. From the I-280 Sixth Street off-ramp (Draft EIR Figures IV.B-17 and IV.B-18), the change in potential building envelope would add a slight extension to a distant building modeled, resulting in an incremental amount of sky obscured, but not blocking any views of any natural or built features. Figure IV.B-19 is discussed above, and the site in question is not visible in the other EIR visual simulations (Figures IV.B-20 through IV.B-23). Accordingly, the only change to the EIR visual simulations necessary is to Draft EIR Figure IV.B-19.

In close-in views from the street, the change in potential building envelope could be noticeable, but not substantially so because of the bulk limitations discussed above. As discussed above, the changes to the Use District and Height and Bulk District maps would not make a substantial difference in the bulk of a potential tower that could be built on the site in question. The change to the Use District Map, however, would permit development on what is now a parking lot south of the existing building at 400 Second Street, a location that would not be buildable under the existing and current Plan-designated P Use District. However, most of this portion of the site in question would be occupied by a podium-level structure at a height of 85 feet, which would not result in a substantial change in street-level views compared to what would otherwise be allowed under the Plan.

As with the Use District and Height and Bulk District maps analyzed in the EIR, the proposed changes to the Use District and Height and Bulk District maps would not substantially degrade the visual character or quality of the area or its surroundings, would not have a substantial adverse effect on a scenic vista, and would not substantially damage scenic resources (as none exist in the Plan Area). Light and glare impacts would be similar to those discussed in the EIR because the proposed changes to the Use District and Height and Bulk District maps are consistent with other heights analyzed in the EIR.

Based on the foregoing, the revisions to the Use District and Height and Bulk District maps would not result in any new or substantially more-severe significant aesthetic impacts than identified in the EIR.

Wind

Analysis in the EIR

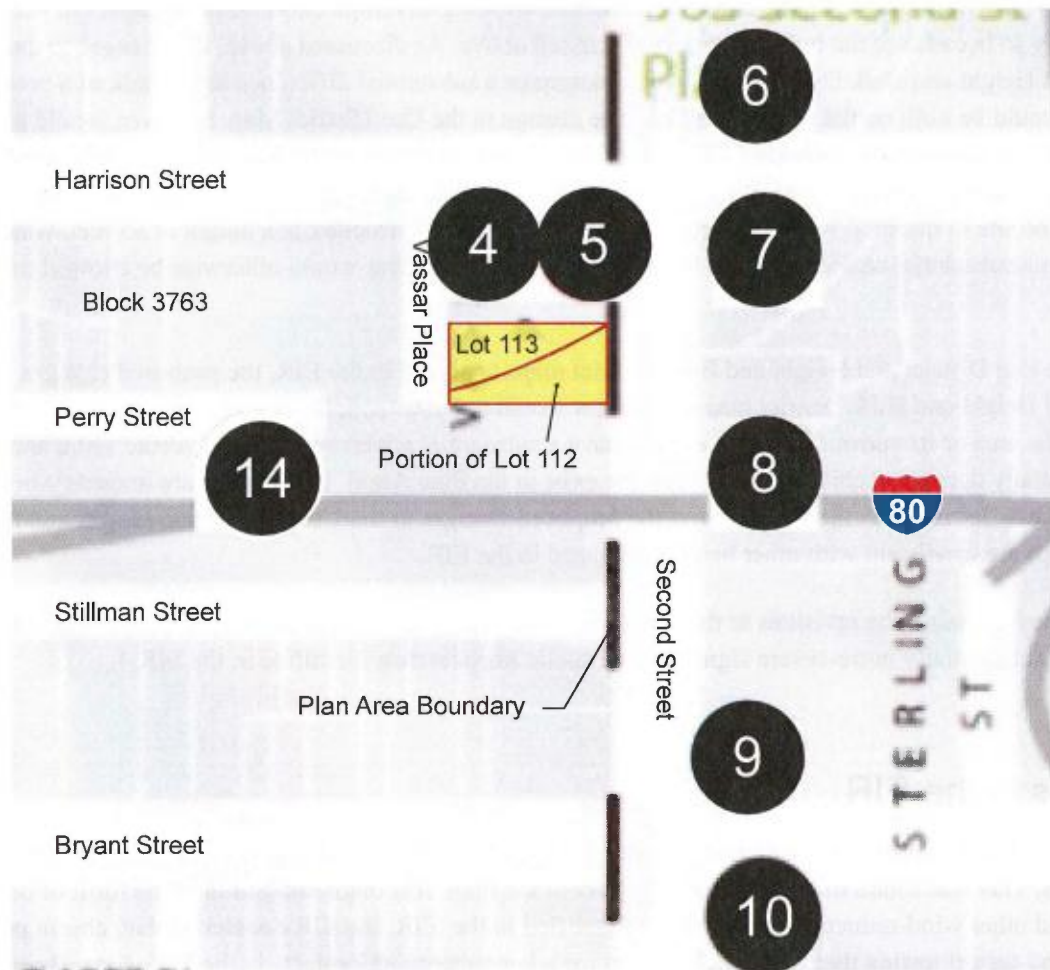
The EIR found that development anticipated under the Plan could alter wind in a manner that substantially affects public areas. This was found to be a significant effect of the Plan. Although mitigation in the form of building setbacks and other wind-reduction measures are identified in the EIR, the EIR concluded that, absent project-specific wind-tunnel testing that would be required for taller subsequent projects in the Plan Area, it could not be stated with certainty that each subsequent development project would be able to comply with the EIR's significance criterion 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 was identified as significant and unavoidable.


Analysis of Proposed Changes to the EIR Zoning Maps

Programmatic wind-tunnel testing for the EIR was undertaken at the Plan level, based on the same building masses as evaluated in the visual simulations. In the vicinity of the proposed changes to the Use District and Height and Bulk District maps, wind test points were located at the following eight locations⁵ (see **Figure 4, Wind Tunnel Test Points near Block 3763, Lots 112 and 113**):

- Two locations at and near the southwest corner of Second and Harrison streets, including along the Second Street frontage of the site in question and at the corner. These points would be at the base of a potential tower that would be permitted by the changes in the Use District and Height and Bulk District maps), Test Points 4 and 5;

⁵ For a complete map of the wind test points in the Plan Area, refer to Figure VI.G-2 in the EIR on page IV.G-8.



 Area of Proposed Zoning Map Changes

| Test Location Number | Wind Comfort Criterion Speed (mph) | Existing Conditions | | Existing Conditions | | |
|----------------------|------------------------------------|--|-------------------------------------|--|-------------------------------------|---|
| | | Equivalent Wind Speed Exceeded 10% of Time (mph) | % Time Wind Speed Exceeds Criterion | Equivalent Wind Speed Exceeded 10% of Time (mph) | % Time Wind Speed Exceeds Criterion | Speed Change Relative to Existing (mph) |
| 4 | 11 | 9 | 4 | 13 | 16 | 4 |
| 5 | 11 | 7 | 3 | 17 | 32 | 10 |
| 6 | 11 | 6 | 0 | 9 | 2 | 3 |
| 7 | 11 | 7 | 2 | 14 | 22 | 7 |
| 8 | 11 | 9 | 2 | 12 | 12 | 3 |
| 9 | 11 | 13 | 17 | 10 | 8 | 2 |
| 10 | 11 | 8 | 2 | 8 | 2 | 0 |
| 14 | 11 | 6 | 1 | 13 | 14 | 7 |



Not to Scale

Figure 4
Wind Tunnel Test Points near Block 3763, Lots 112 and 113

- The northeast and southeast corners of Second and Harrison streets, Test Points 6 and 7;
- The east side of Second Street just north of the elevated I-80 freeway, Test Point 8;
- The northeast and southeast corners of Second and Bryant streets, Test Points 9 and 10; and
- The eastern terminus of Perry Street north of I-80, Test Point 14.

Existing conditions at the eight test points noted above are generally relatively calm, with the wind speed that is exceeded 10 percent of the time, or wind comfort speed, ranging from 6 miles per hour (mph) to 9 mph, except at the northeast corner of Second and Bryant Streets (Point 9), where the existing wind comfort speed is 13 mph, the speed at which winds typically begin to bother pedestrians.⁶ With the exception of Test Point 9, all test points currently meet the 11-mph pedestrian comfort criterion contained in the Planning Code. (In general, conditions in SoMa are less windy than in very windy locations in San Francisco, such as the Van Ness and Market area.) The Planning Code's wind hazard criterion of 26 mph for one full hour of the year is not exceeded at any of the eight nearby test points under existing conditions.

Of the eight test points, the EIR wind-tunnel testing found that Plan Area development would increase the wind comfort speed at six locations, by 3 to 10 mph, with the greatest increases at the southwest and southeast corners of Second and Harrison streets and on Perry Street. Wind comfort speeds would decrease slightly with Plan development at the northeast corner of Second and Bryant streets and remain unchanged at the southeast corner of Second and Bryant streets. With Plan development, wind speeds at five of the eight test points would exceed the Planning Code's 11-mph comfort criterion. Wind speeds would not exceed the 26-mph hazard criterion at any of the eight locations under conditions with Plan development.

The following analysis specifically addresses potential wind impacts associated with the proposed changes in the Use District and Height and Bulk District Map to permit development to extend farther southward toward the elevated I-80 freeway (approximately 45 feet tall at the location nearest to Block 3763, Lots 112 and 113) and to increase the permitted height from 200 to 350 feet on a portion of Lot 12 and on Lot 13 of Block 3763. The proposed changes to the Use District and Height and Bulk District maps would not be anticipated to substantially alter the above results for the following reasons:

- For the closest test points to the proposed changes (Test Points 4 and 5, at Second and Harrison streets), extending the development envelope toward the freeway and increasing the permitted building height in the southern portion of the site in question would result in only a negligible change in wind conditions because the permitted overall building height would not change and, in particular, the permitted height at the street wall along Harrison Street would not change. Prevailing northwest, west, and southwest winds would be diverted by a proposed building at a height of 350 feet, much as would be the case for the Plan zoning maps analyzed in the EIR. In particular, Test Point 5, where the wind comfort speed would increase by 10 mph to 17 mph with Plan development, would be comparably windy with the proposed Use District and Height and Bulk District map changes.

⁶ The wind speed that is exceeded 10 percent of the time (with turbulence factored into the speed) is the speed relied upon in the Planning Code for evaluation of pedestrian comfort. This "wind comfort speed" is useful as a general measure of typical maximum wind speeds, since winds are at or below this speed 90 percent of the time.

- Test Points 6 and 7 are located across Second Street from the site in question. The zoning map changes would not substantially affect these points because, as with Points 4 and 5, Points 6 and 7 would be primarily influenced by the height and massing along Harrison Street, which would not be altered, and by the west-facing façade. Although the changes would permit the west-facing façade to extend southward toward the freeway, any effect of changes in potential building mass at this location on Test Points 6 and 7 would be ameliorated by the remainder of the potential building mass, which would be closer to those points and therefore exert more influence with respect to pedestrian winds.
- Test Point 8 is across Second Street from the southeast corner of the site in question. The southward extension of the potential building mass and the increase in height to 350 feet on the southern portion of the site in question could provide some shielding of this test point from prevailing northwest, west, and southwest winds. Moreover, this test point is adjacent to the elevated I-80 freeway, some 45 feet in height, which would tend to function somewhat like a building podium in slowing winds descending from taller buildings. The wind comfort speed at Test Point 8, therefore, would not be anticipated to increase substantially with the zoning map changes, compared to what was reported in the EIR.
- The other two test points (9 and 10), while downwind from the location of the proposed Use District and Height and Bulk District maps changes with respect to northwest winds, are 400 feet or more from the potential 350-foot-tall building on the site in question. Moreover, these test points are partially sheltered by the adjacent elevated I-80 freeway (approximately 45 feet in this location) and by the existing 50-foot-tall building at the northeast corner of Second and Bryant streets, both of which would further limit any effect on wind from the potential 350-foot-tall building that could be built at the site in question. Therefore, wind speeds at these two test points also would be only minimally altered by the Use District and Height and Bulk District map changes, as compared to wind speeds reported in the EIR.
- Test Point 14, on Perry Street, is located closest to the southwest corner of the potential building mass that could be permitted as a result of the changes to the Use District and Height and Bulk District maps. The southwest and northwest building corners often result in the greatest change in pedestrian winds due to their role in diverting winds that strike a building's west-facing facing façade. Therefore, southward extension and increasing the height of the west-facing façade of a building on this site could result in greater ground-level winds near the southernmost point of Vassar Place. However, Test Point 14 is approximately 150 feet upwind of the potential building and is likely to be more affected by development on the west side of Vassar Place, which, along with the adjacent I-80 freeway, would shield this location from prevailing winds. Accordingly, the proposed changes to the Use District and Height and Bulk District maps would not result in substantially greater wind effects at Test Point 14 than were reported in the EIR. It is noted that required project-specific wind-tunnel testing would further evaluate whether conditions in Vassar Place would be adversely affected.

Based on the foregoing, the revisions to the Use District and Height and Bulk District maps would not result in any new or substantially more-severe significant wind impacts than identified in the EIR. Furthermore, projects proposed within the Central SoMa Plan Area outside of a C-3 Use District at a roof height greater than 85 feet would be required to be evaluated by a qualified wind expert to determine their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance. If the expert determines this would be the case, the project may be required to undergo wind-tunnel testing.

Shadow

Analysis in the EIR

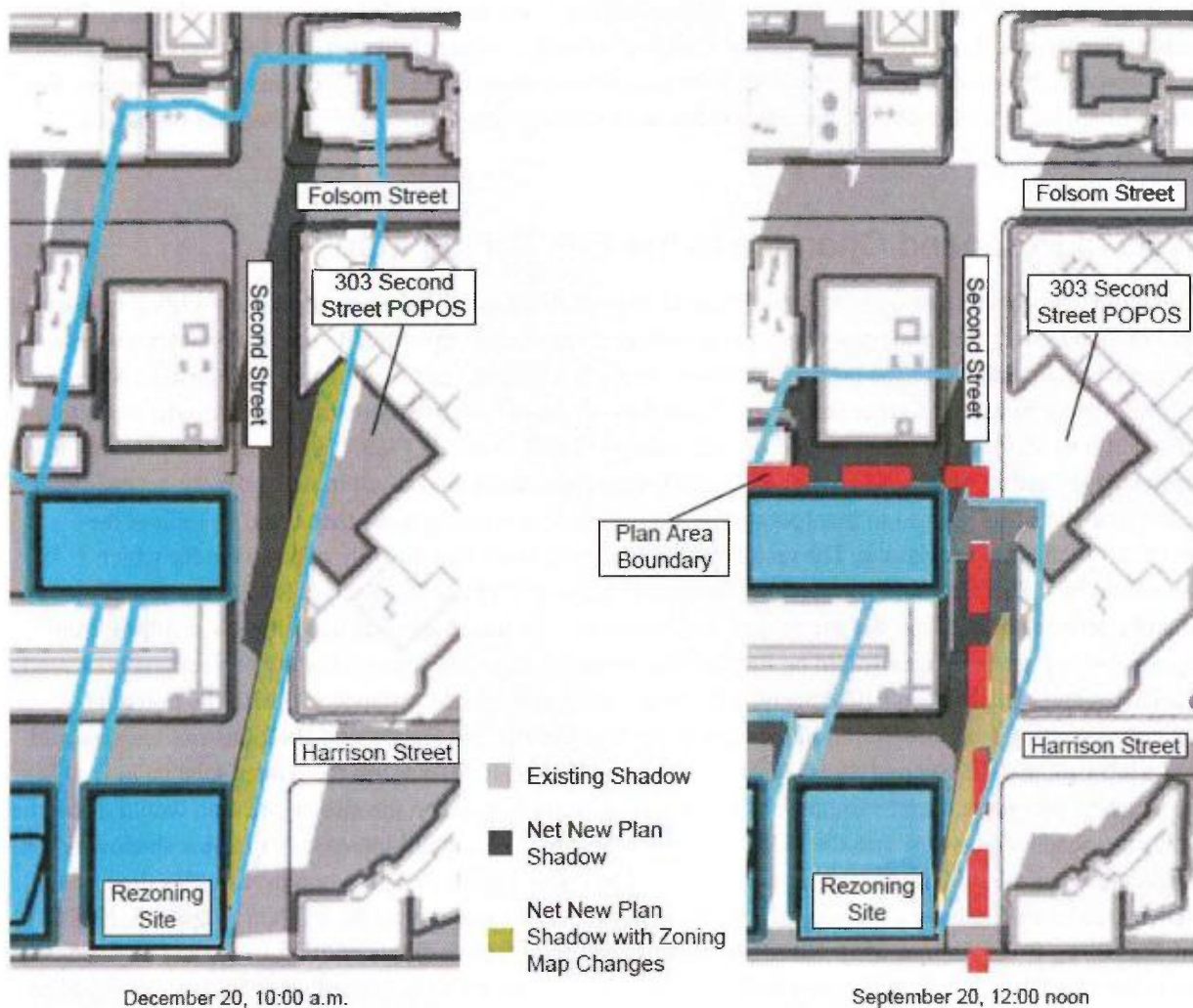
The EIR found that development under the Plan would not create new shadow in a manner that substantially affects existing outdoor recreation facilities or other public areas. This impact was determined to be less than significant, and no mitigation measures were identified. The EIR found that Plan Area development would add new shadow to three parks (South Park, Victoria Manalo Draves Park, and Gene Friend Recreation Center) under the jurisdiction of the Recreation and Park Commission and, therefore, is subject to Planning Code Section 295. However, the EIR found that the relatively minimal new shadow would not be anticipated to adversely affect the use of these parks, and the effect was, therefore, found to be less than significant. The EIR also found that Plan Area development would add new shadow to two non-Planning Code Section 295 open spaces—the Alice Street Community Garden and the Yerba Buena Center Children’s Garden. Again, however, the relatively small shadow increment was determined not to adversely affect the use of these spaces, and the effect was found to be less than significant. Likewise, Plan-generated shadow was found to result in less-than-significant impacts on nearby POPOS.

Analysis of Proposed Changes to the EIR Zoning Maps

The EIR employed programmatic shadow modeling to support its analysis, based on the same building masses as evaluated in the visual simulations and wind-tunnel testing. This analysis specifically addresses potential new shadow impacts associated with the proposed changes in the Use District and Height and Bulk District Map to permit development to extend farther southward toward the elevated I-80 freeway and to increase the permitted height from 200 to 350 feet on a portion of Lot 112 and on Lot 113 of Block 3763. To evaluate the potential for the proposed Use District Map and Height and Bulk District Map changes to result in new or more-severe shadow effects, the modeling was revised to incorporate the larger potential building mass that could be built at the location of the zoning map revisions. The results of the modeling show that the only open space for which shadows would be different than those reported in the EIR is the POPOS at 303 Second Street, across both Second and Harrison streets from the site in question. However, the increase in net new shadow resulting from the proposed zoning map changes would be limited. For example, of the 37 hourly shadow projections presented for the solstices and equinoxes in EIR Appendix E, there would only be one instance in which the potential building mass resulting from the proposed changes to the Use District and Height and Bulk District maps would increase shadow on the 303 Second Street POPOS. This would be at 10:00 a.m. on the winter solstice in December, when the longer eastern frontage of the potential building mass on the site in question would move the line of net new shadow eastward into the POPOS. There would also be a small increase in net new shadow on the spring/fall equinoxes at 12:00 noon (the time depicted in Draft EIR Figure IV.H-6); however, at this time, the increased shadow would fall only on Second Street and its sidewalks, and not on the POPOS. **Figure 5, Net New Shadow Resulting from Zoning Map Changes**, depicts the changes in shadow resulting from the proposed changes to the Use District and Height and Bulk District maps. Given the very limited new shadow compared to that reported in the EIR, use of the 303 Second Street POPOS would not result in substantially more severe adverse impacts than those reported in the EIR. Therefore, shadow effects would remain less than significant with the revised height and bulk limits, as was reported in the EIR.

In addition to shadow impacts shown in Figure 5, the potential building mass resulting from the change in the zoning maps would add some new shadow to Second Street sidewalks in the afternoon year-round, owing to the

increased cross-section of the building mass (i.e., increased depth as measured from Harrison Street). However, no other open spaces, either public or private, would be affected, compared to what was analyzed in the EIR. This incremental increase in shading would be consistent with typical urban shadows, including in other parts of the Plan Area where new buildings could be constructed, and would not be anticipated to adversely affect the use of nearby sidewalks, given that sidewalks are typically used for pedestrian travel from one location to another. With the changes in the Use District and Height and Bulk District maps, and similar to conditions without the change, shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA. This conclusion would hold true both with and without the revised Use District and Height and Bulk District maps.



SOURCE: Fastcast; Environmental Science Associates, 2018

Figure 5
Net New Shadow on 303 Second Street POPOS Resulting from Zoning Map Changes

Based on the foregoing, the revisions to the EIR Use District and Height and Bulk District maps (Draft EIR Figure II-3, p. II-11, and Figure II-7, p. II-19) would not result in any new or substantially more-severe significant shadow impacts than identified in the EIR.

Conclusion

The proposed revisions to the EIR Use District Map and Height and Bulk District Map on Block 3763, Lots 112 and 113, would not result in any new or substantially more-severe significant impacts with respect to aesthetics, wind, or shadow, or any other CEQA topic, than those that were identified in the EIR.

Attachments

Appendix A. Memorandum from Steve Wertheim, Citywide Policy and Analysis, April 17, 2018



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Date: April 17, 2018
To: Jessica Range, Principal Environmental Planner
From: Steve Wertheim, Project Manager
Re: Zoning changes at Second and Harrison Streets (One Vassar)

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Introduction

The Central SoMa Plan is a comprehensive plan for the area surrounding much of the southern portion of the Central Subway transit line. 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. In December 2016, the San Francisco Planning Department published a Draft Environmental Impact Report (EIR) for the proposed project and circulated the Draft EIR for public review and comment. On March 28, 2018, the San Francisco Planning Department published the Responses to Comments (RTC).

Purpose of this Memorandum

On April 10, 2018, Mayor Farrell and Supervisor Kim introduced a substitute Central SoMa Zoning Map Ordinance. That ordinance included two additional changes that had not been previously been analyzed for conformance with the Project Description analyzed in the Central SoMa EIR, as follows:

- On Block 3763 Lots 112 and 113, the height limit was increased from 200 feet to 350 feet on the portion between 145 feet and 175 feet from Harrison Streets (refer to Figure 1. Existing, Proposed and Revised Height and Bulk Map for Block 3763)
- On Block 3763 Lot 112, allowable zoning was changed from Public (P) to Central SoMa Mixed-Use Office (CMUO) (refer to Figure 2. Existing, Proposed, and Revised Zoning District Map for Block 3763)

The purpose of this memorandum is to document why the changes to the Central SoMa Height and Bulk and Zoning District maps would not result in growth beyond that included in the population and employment growth forecasts, which informed the impact analysis in the Central SoMa Plan EIR.

Figure 1. Existing, Proposed, and Revised Height and Bulk Map for Block 3763

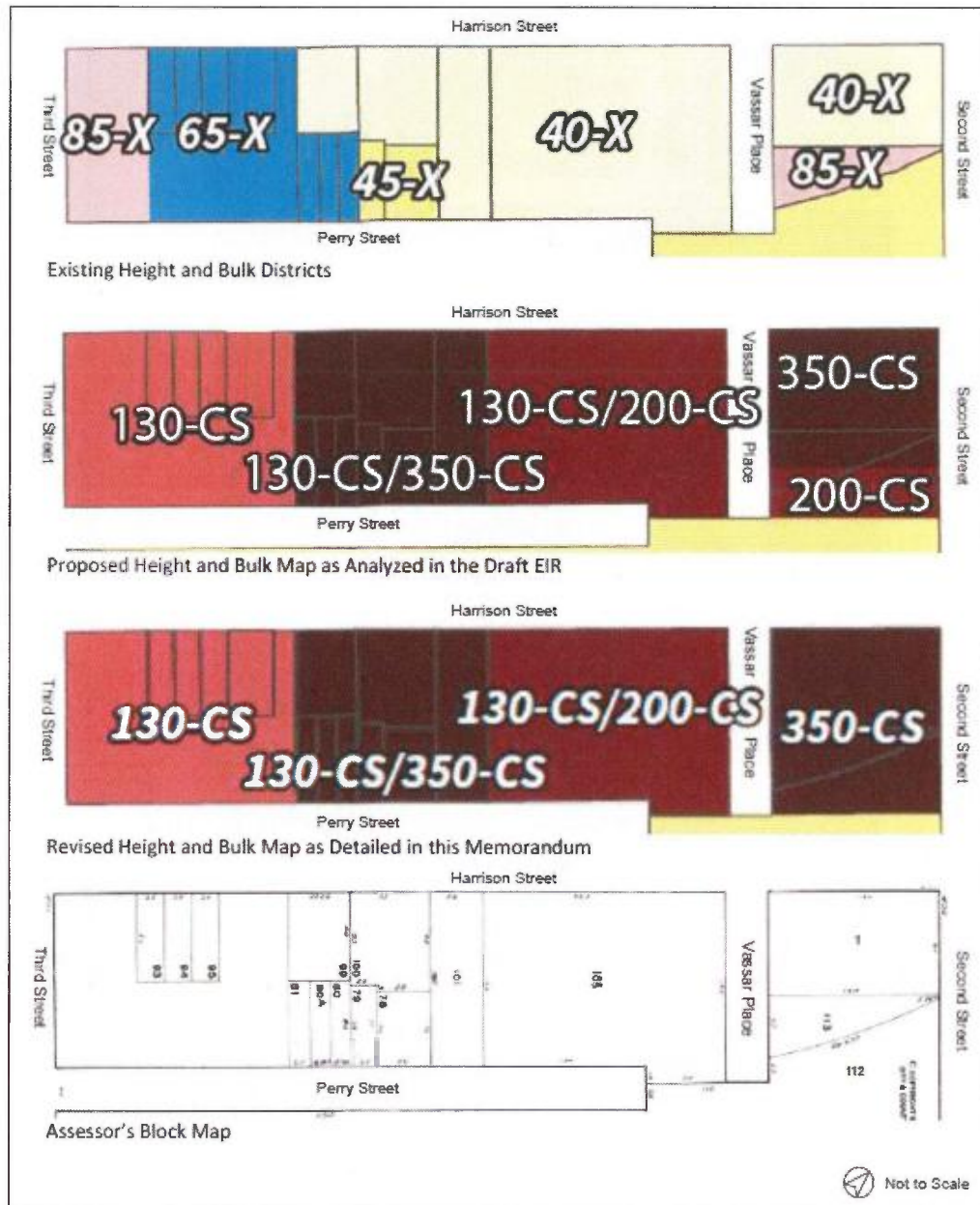
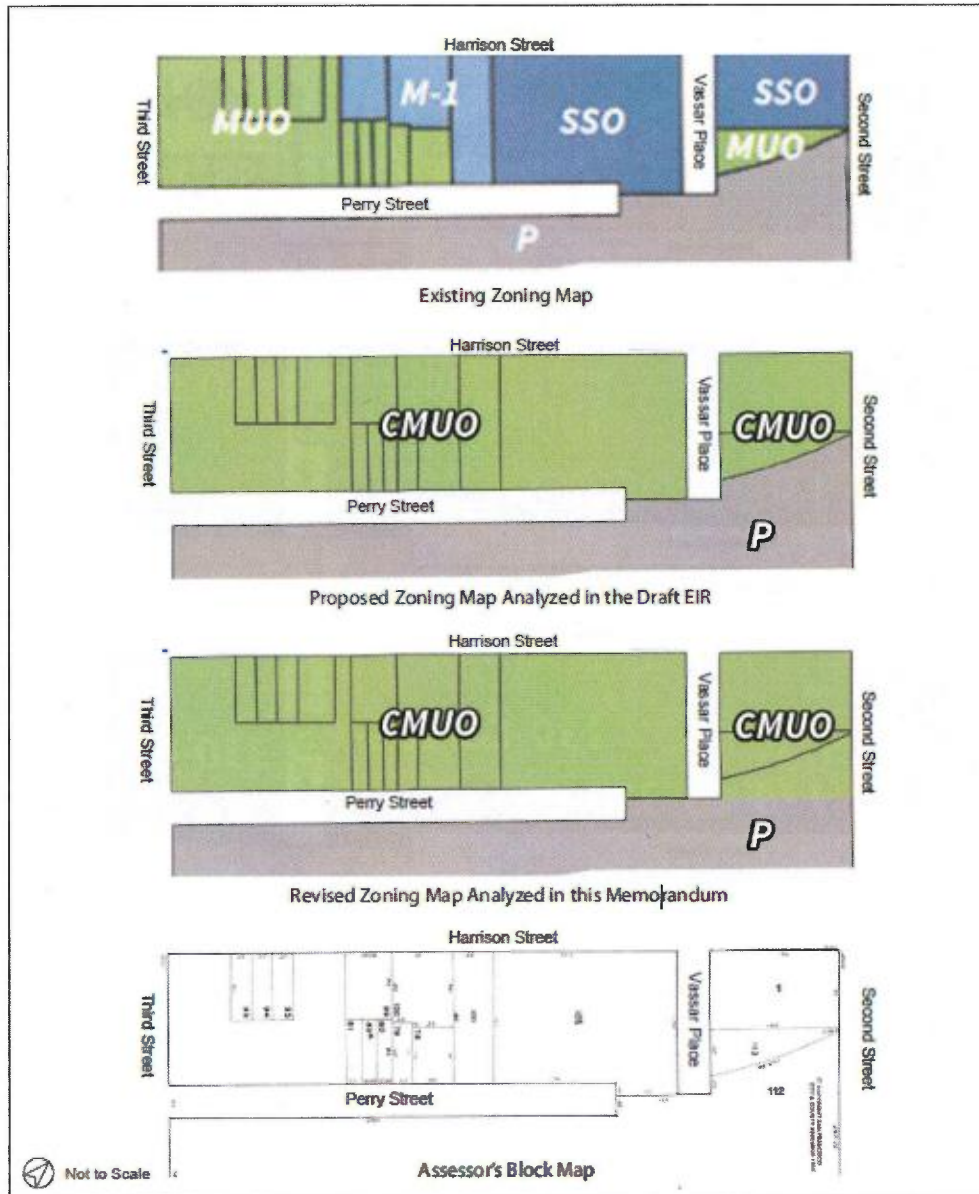


Figure 2. Existing, Proposed, and Revised Zoning District Map for Block 3763



Analysis

These parcels are associated with the proposed office building at 400 2nd Street (Planning Department Case 2012.1384) which also would be located on Block 3763 Lot 001. This office building is proposed to be up to 350 feet in height and be 535,000 gross square feet. It would replace an existing office building of 113,484 gross square feet, resulting in an increase of 421,516 gross square feet of office.

The changes included in the April 10, 2018 version of the Zoning Map Ordinance would not increase development capacity of this office building beyond what was studied in the Central SoMa EIR, for the following reasons:

- The Central SoMa Plan requires that office buildings taller than 160 feet in height have an average floor area of 15,000 square feet above 85 feet in height. Such a tower could be accommodated within the previously proposed height limits. The increase in the height limit for a portion of the site enables the potential tower to move within the site. However, it does not change the development capacity of the tower.
- The rezoning from P to CMUO would enable new development on this portion of Block 3763 Lot 112. However, this development was anticipated in the EIR based on the previous submittals of the project sponsor. Based on these previous submittals, the EIR anticipated 427,300 square feet of new development,¹ which is greater than the 421,516 net new gross square feet proposed by the new development.

Conclusion

The changes to the Central SoMa Plan EIR Height and Bulk and Zoning Use District Maps would not result in growth beyond that included in the population and employment forecasts, which informed the impact analysis in the Central SoMa Plan EIR.

¹ Calculation based on the Planning Department's *Buildout Analysis for Central SoMa*, January 25, 2018. This document and all other documents referenced in this memoranda are 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. This document includes a parcel-level analysis of development potential in the Plan Area that was utilized for the EIR.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 9, 2018
TO: Planning Commission
FROM: Jessica Range and Elizabeth White, Environmental Planning
Steve Wertheim, Citywide Planning
RE: Analysis of Environmental Effects of Potential Plan
Changes Presented May 3, 2018 for the Central South of
Market Area (SoMa) 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 May 3, 2018 Planning Commission packet includes (1) changes to the Central SoMa Plan since introduction, (2) a list of modifications recommended by Planning Department staff, and (3) 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). This memorandum evaluates the environmental effects of all three of these categories of information, in the event decision makers choose to incorporate additional changes into the Central SoMa Plan.

Changes to the Central SoMa Plan since Introduction

The Environmental Planning Division of the Planning Department has reviewed changes to the Central SoMa Plan, as they appear in the May 3, 2018 Planning Commission Packet. The following conclusions are made (references to the location of these changes in the May 3, 2018 Planning Commission packet are provided in parentheses):

- Changes to the Central SoMa General Plan Amendments Draft Ordinance since introduction (Exhibit II.6) were determined not to result in physical environmental effects.
- Changes to the Zoning Map Amendments Ordinance since introduction (Exhibit IV.4): (1) correct a drafting error, (2) change the allowable zoning on certain blocks and lots from West SoMa Mixed Use Office (WMUO) to Central SoMa Mixed-Use Office (CMUO); and (3) change the allowable zoning for Block 3763, Lot 112 and change the allowable heights for this block and lot along with Lot 113. The changes from the correction of a drafting error were determined not to result in physical environmental effects, the changes to proposed zoning from WMUO to CMUO are evaluated in an erratum issued on April 5, 2018, and changes to the zoning and

height at Block 3763 were evaluated in a second erratum issued on May 9, 2018 and in Environmental Impact Report (EIR) Appendix H.

- Changes to Planning Code and Administrative Code Amendments Ordinance since introduction (Exhibit III.5) correct or clarify the Planning Code Amendments, or were determined to not result in environmental effects, with the exception of changes to the Planning Code that require sites to be commercially-oriented, changing this requirement from sites that are 30,000 square feet in area to sites that are 40,000 square feet in area. The environmental effects of this change to the Planning Code were evaluated in an erratum issued on April 5, 2018 and determined not to result in new significant effects or effects of greater severity than that disclosed in the EIR.
- Changes to the Central SoMa Plan Implementation Program since introduction (Exhibit V.4) merely implement changes to the General Plan, Planning Code, and Zoning Map amendments as discussed above, or were determined not to result in physical environmental effects. It should be noted that an implementation measure identifies funding for a potential park at 1133 Mission Street. The EIR, at a programmatic level, evaluates the environmental effects of the creation of a new park within or near Central SoMa. Once a specific proposal is put forth, additional environmental review may be required to ensure that the environmental effects of the park are adequately addressed in the EIR.

In summary, the above changes to the Central SoMa Plan have been adequately evaluated in the EIR and the revisions made to the EIR to address these changes are presented in errata dated April 5, 2018 and May 9, 2018 and do not constitute significant new information that requires recirculation of the EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code section 21092.1) and the CEQA Guidelines (14 California Code of Regulations section 15088.5).

Recommended Modifications and Issues for Consideration

In addition to the above changes to the Central SoMa Plan, the May 3, 2018 Planning Commission packet contains recommended modifications to the Planning Code and Administrative Code Ordinance (contained in Exhibit III.1) and additional zoning map, Planning and Administrative Code, and implementation program “issues for consideration” (Exhibits IV.5, III.6, and V.5, respectively). These “issues for consideration” are proposals for changes to the Central SoMa Plan received from the public during the public review process. The following contains an analysis of the environmental effects of these recommended modifications and issues for consideration, should decision makers choose to include them in the Central SoMa Plan. In this analysis, staff has determined that, apart from the following item (which is not currently recommended by staff), the changes merely clarify or make corrections to the current proposal, or would not result in environmental effects beyond that analyzed

in the EIR.

Issue not covered in the EIR analysis: Setting the maximum development capacity at each site at the level listed in the Key Development Sites Guidelines, rather than the formula provided in Section 263.32(c)(1).

Rationale: The proposed Planning Code formula setting development capacity for the Key Sites was developed to ensure that development on Key Sites does not exceed the growth projected under the EIR. It is unclear how setting maximum development capacity according to the Key Development Sites Guidelines would affect the overall growth anticipated and evaluated in the EIR. More information regarding the effects of this proposal on the Plan's anticipated growth projections would be required before the Commission adopts this proposal in order to assess whether the environmental effects of the proposal are adequately addressed in the EIR. Furthermore, the Planning Department staff do not recommend the Central SoMa Plan be amended to incorporate this request.

The following issues require additional explanation as to how the environmental effects of these issues are addressed in the Draft EIR:

1. For the area north of Harrison Street, change the proposed zoning from CMUO to Mixed-Use General (MUG) or Mixed-Use Residential (MUR)

Analysis: Under the zoning proposed in the Central SoMa Plan and analyzed in the EIR, it is anticipated that the currently proposed zoning change to this area, which would create a uniform zoning of CMUO, could result in approximately 3,000 jobs (680,000 square feet of commercial space) and 1,100 residential units (1,330,000 square feet of residential space).¹ If the CMUO zoning district north of Harrison Street was rezoned to MUG or MUR (which limits office uses), it is estimated that this zoning change would result in 2,500 jobs (550,000 square feet of commercial space) and 1,250 residential units (1,500,000 square feet of residential space). The proposal would result in a loss of 500 jobs and a gain of 150 residential units in the Central SoMa Plan Area.

As explained in EIR Appendix G (attachment to the EIR, provided in an erratum issued April 5, 2018), other changes to the Central SoMa Plan have resulted in changes to the Plan's growth projections. Specifically, based on the amendments to the Plan addressed in the April 5, 2018 erratum, the Plan is anticipated to result in 8,300 net new housing units and 34,250 jobs. These changes to the Plan were determined to be within the growth projections used as the basis for the EIR's quantitative analysis as shown in Table IV-1, Summary of

¹ Wertheim, Steve (San Francisco Planning Department), "MUO to MUG". Email communication to Jessica Range and Elizabeth White. April 17, 2018.

Growth Projections on Draft EIR page IV-6. The EIR analyzes an increase of 14,500 residential units within the EIR study area, of which 8,320 units are anticipated to occur in the Plan Area and an increase of 63,600 jobs within the EIR study area, of which 44,000 are anticipated to occur within the Plan Area.^{2, 3} The above change in zoning (from CMUO to MUG or MUR) would change the Plan's overall growth projections, resulting in a total of 8,450 housing units and 33,750 jobs. These changes would result in growth projections for the number of residential units exceeding those for the Plan Area that were used as the basis for the EIR by 130 units. However, the changes to the Plan that have taken place since publication of the Responses to Comments document would also result in a reduction of about 10,250 jobs within the Plan Area. As such, it can be reasonably concluded that the environmental effects of an additional 130 residential units within the Plan Area, beyond that anticipated in the EIR, would be off-set by a reduction in environmental effects anticipated to occur as a result of approximately 10,000 fewer jobs being developed within the Plan Area. Therefore, there would be no substantial change to the EIR's analysis for topics that rely upon the EIR's growth projections (transportation; 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.

Furthermore, the rezoning of CMUO north of Harrison Street to MUG or 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. Additionally, there would be no change in the location of projected development, and no significant changes in construction techniques. As such, there would be no substantial change in effects related to site-specific conditions, including: land use and land use planning, cultural and paleontological resources, biology, geology, hazardous materials, mineral resources, energy, and agricultural and forestry resources.

For the above reasons, including this change to the Central SoMa Plan's proposed zoning would not result in overall growth beyond that anticipated by the Plan and therefore would not result in increased physical environmental effects beyond that already studied in the EIR and would not constitute new significant information that requires recirculation of the EIR under CEQA and the CEQA Guidelines.

² Errata to the Environmental Impact Report for the Central South of Market (SoMa) Area Plan. April 5, 2018. Available at: http://sfmea.sfplanning.org/Central_SoMa_EIR_Errata_April52018.pdf

³ Central SoMa Draft Environmental Impact Report. Appendix G. Analysis of Environmental Effects of Plan Changes Presented April 5, 2018 for the Central South of Market (SoMa) Plan. April 5, 2018.

2. Prohibit large office uses (greater than 50,000 square feet) in the area currently zoned Service, Arts, Light Industrial (SALI) except for Key Sites

Analysis: This change would allow small office, retail and institutional uses to be developed and was determined to not substantially affect the growth projections used as the basis for the analysis in the EIR.

3. Do not eliminate the grandfathering clause for compliance with the Transportation Demand Management requirements

Analysis: The current Planning Code Transportation Demand Management (TDM) requirements allow for grandfathering of certain projects with applications on file with the Planning Department and would reduce the TDM requirements of the Central SoMa Plan for these projects. Projects that meet the current eligibility requirements, which include a number of Central SoMa projects, are required to meet 50% of the TDM requirements. The Planning Department proposes to include a more limited grandfathering provision in the Central SoMa Plan, requiring projects with complete development applications or environmental evaluation applications on file before January 1, 2018, to meet 75% of the TDM requirements, and not 100% of the TDM requirements. The EIR found that noise and air quality impacts from traffic generated by subsequent development projects would be significant and unavoidable. Mitigation Measure M-NO-1a: Transportation Demand Management for New Development was identified in the EIR prior to adoption of the current TDM Ordinance. This mitigation measure would apply the equivalent of the current TDM requirements to projects within the Central SoMa Plan area, with not grandfathering. Thus this measure would reduce the number of vehicle trips generated by subsequent development projects to a greater degree than under the current requirements. The EIR determined that because it is uncertain the degree to which this mitigation measure could reduce traffic noise to a less than significant level, noise (and air quality) impacts would be significant and unavoidable.

Including a grandfathering clause as part of the Central SoMa TDM requirements, as described above, would reduce the effectiveness of TDM measures to reduce vehicle trips and subsequent noise and air quality effects. However, increased noise and air quality effects resulting from reduced TDM requirements that would occur under a grandfathering clause would be limited, as it would only apply to approximately 20 projects within the Plan Area and these projects would still be required to incorporate a substantial number of TDM measures into their project. In addition, the EIR concludes, in Impact TR-8, Emergency Vehicle Access, that the Central SoMa Plan would result in a significant impact to emergency vehicle access. The EIR concludes that with implementation of mitigation

measures M-TR-8, M-TR-3a, M-NO-1a, and M-AQ-5e, this impact would be reduced to less than significant. Including a grandfathering clause as part of the Central SoMa TDM requirements would not affect the EIR's significance determination for Impact TR-8 related to emergency vehicle access because, as stated above, the grandfathering clause would apply to a limited number of projects, which would still be required to implement a substantial number of TDM measures. Additionally, this mitigation measure and three other mitigation measures (M-TR-8, M-TR3a, and M-AQ5e) would all contribute to reducing this impact to less than significant levels.

Should the Planning Commission adopt the Central SoMa Plan with the proposed TDM requirements, which allow for grandfathering, the Commission would need to amend Mitigation Measure M-NO-1a in the EIR to align with this policy directive. This would be accomplished through the CEQA findings.

4. Various amendments that would increase or decrease the total amount (in square feet) of open space or POPOS that may be developed under the Plan

Analysis: The list of issues for consideration includes various requests to modify the Planning Code requirements that would either increase or decrease the amount of open space or POPOS that would ultimately be developed on private property under the plan (whether private open space or publicly-accessible open space). However, these proposals would not entirely eliminate the requirement for subsequent development projects to provide open space. Additionally, POPOS and open space requirements are intended to be a complement, not a substitute for neighborhood and regional parks or other recreational facilities. Residents and workers within the Central SoMa Plan area would have access to existing open spaces such as Yerba Buena Gardens and South Park in the Plan Area and nearby facilities, in addition to additional parks and open spaces proposed under the Plan. Therefore, even with changes that could reduce the amount of open space required by the Central SoMa Plan, it is not anticipated that the plan would result in the physical deterioration of recreational resources and impacts to recreational resources would remain less than significant. This analysis concludes that the potential changes to the Plan's open space requirements would still result in a less-than-significant impact to recreation and that the Central SoMa Initial Study analysis remains valid.

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 |
|---|--|---------------------|---|-----------------------|
| - 1 - | | | | |
| A. Land Use | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| B. Aesthetics | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| C. Cultural and Paleontological Resources | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| D. Transportation and Circulation | | | | |
| *M-TR-3a: Transit Enhancements¹. 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. <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: <ul style="list-style-type: none">• Establish fee-based sources of revenue.• 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.• Area Plan funding for transit enhancements. <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, | San Francisco Municipal Transportation Agency (SFMTA). | Ongoing | SFMTA, San Francisco County Transportation Agency, and Planning Department. | Ongoing |

¹ 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)

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|--|-----------------------------------|---------------------|----------------------------------|-----------------------|
| - 2 - | | | | |
| <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"> • 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. • 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. • 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. • 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 | | | | |

**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 |
|--|-----------------------------------|--|----------------------------------|---|
| - 3 - | | | | |
| <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, 27 Bryant, 30 Stockton, 45 Union-Stockton, and 47 Van Ness routes. These boarding</p> | SFMTA | Upon submittal of a Planning entitlement application for any size project that would result in the | SFMTA and Planning Department. | Considered complete with implementation of boarding improvements. |

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 |
|--|-----------------------------------|---|----------------------------------|---|
| - 4 - | | | | |
| 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. | | 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. | | |
| *M-TR-3c: Signalization and Intersection Restriping at Townsend/Fifth Streets. 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. | SFMTA | 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 Fourth Streets, | SFMTA and Planning Department. | Considered complete with the signal installation and implementation of restriping at Fifth/ Townsend Streets. |

TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL

(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 |
|---|-----------------------------------|---|----------------------------------|--|
| | | SFMTA shall initiate planning for signalizing 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>*M-TR-4: Upgrade Central SoMa Area Crosswalks. 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"> At the intersection of Third/Mission widen the east and west crosswalks. At the intersection of Fourth/Mission widen the east crosswalk, and widen the west crosswalk. At the intersection of Fourth/Townsend widen the west crosswalk. | SFMTA | Included in the design of any SFMTA streetscape improvement project and implemented as part of streetscape construction. | SFMTA and Planning Department. | Considered complete with the implementation of crosswalk upgrades. |

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|-----------------------------------|---|----------------------------------|--|
| - 6 - | | | | |
| <p>*M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones.² 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"> • 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. • Designated on-site and on-street loading zones that are clearly marked with adequate signage to permit passenger loading space and allow 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 | SFMTA | Prior to final design of each SFMTA street network project. | SFMTA and Planning Department. | 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. |

² 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).

TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**(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 |
|--|---------------------------------------|------------------------------|--|------------------------------|
| <p>depart/arrive within the allotted timeframe.</p> <ul style="list-style-type: none"> • 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. • 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.). <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> | | | | |
| E. Noise and Vibration | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| F. Air Quality | | | | |
| M-AQ-5c: Update Air Pollution Exposure Zone for San Francisco Health Code Article 38. The Department of Public Health is required to update the Air Pollution | Planning Department and Department of | Ongoing at 5-year intervals. | Planning Department and Department of Public | Ongoing at 5-year intervals. |

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|--|---|--|--|
| - 8 - | | | | |
| 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. | Public Health (DPH). | | Health. | |
| <p>M-AQ-5e Central SoMa Air Quality Improvement Strategy.</p> <p>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"> 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 Additional measures that could be incorporated into the City's Transportation Demand Management program with the goal of further reducing vehicle trips Incentives for replacement or upgrade of existing emissions sources Other measures to reduce pollutant exposure, such as distribution of portable air cleaning devices Public education regarding reducing air pollutant emissions and their health effects | Planning Department, in cooperation with other interested agencies or organizations. | Strategy will be developed within four years of the Central SoMa Plan adoption. | Planning Department, in cooperation with other interested agencies or organizations. | Ongoing for the duration of the Central SoMa Plan. |

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|---|-----------------------------------|---------------------|----------------------------------|-----------------------|
| - 9 - | | | | |
| The Department shall develop a strategy to explore the feasibility of additional air quality improvements within four years of plan adoption. | | | | |
| G. Wind | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| H. Shadow | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| I. Hydrology and Water Quality (Combined Sewer System and Sea Level Rise) | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| Biological Resources (from Initial Study) | | | | |
| No mitigation measures required to be implemented by the City and County of San Francisco. | | | | |
| Hazardous Materials (from Initial Study) | | | | |
| 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 |
|--|--|--|----------------------------------|---|
| - 10 - | | | | |
| A. Land Use | | | | |
| 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. | See Mitigation Measures NO-1a and NO-1b. | | | |
| B. Aesthetics | | | | |
| No mitigation measures required to be implemented by the Project Sponsor. | | | | |
| C. Cultural and Paleontological Resources | | | | |
| 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 | Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area. | Prior to approval of project environmental document. | Planning Department | Considered complete when environmental document approved by Environmental Review Officer. |

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 |
|---|--|---|--|--|
| - 11 - | | | | |
| 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. 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. | | | | |
| M-CP-1b: Documentation of Historical Resource(s). 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 | Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area. | Prior to the start of any demolition or adverse alteration on a designated historic resource. | Planning Department (Preservation Technical Specialist). | Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist. |

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 |
|---|--|---|--|--|
| - 12 - | | | | |
| 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). | | | | |
| M-CP-1c: Oral Histories. 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 (http://alpha.dickinson.edu/oha/pub_eg.html). 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. | Project sponsor and qualified historic preservation expert for each subsequent project undertaken in the Central SoMa Plan Area. | Prior to the start of any demolition or adverse alteration on a designated historic resource. | Professional historian, Planning Department (Preservation Technical Specialist). | Considered complete upon submittal of completed oral histories to the San Francisco Public Library or other interested historical institution. |
| M-CP-1d: Interpretive Program. 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 | Project sponsor and qualified historic preservation individual for each subsequent project undertaken in the Central SoMa Plan Area. | Prior to the start of any demolition or adverse alteration of a designated historic resource. | Planning Department (Preservation Technical Specialist). | Considered complete upon installation of display. |

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
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| (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>M-CP-1e: Video Recordation. 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> | Project sponsor and qualified historic preservation individual for each subsequent project undertaken in the Central SoMa Plan Area. | Prior to the start of any demolition or adverse alteration of a designated historic resource. | Qualified videographer, Planning Department (Preservation Technical Specialist). | Considered complete upon submittal of completed video documentation to the San Francisco Public Library or other interested historical institution. |
| M-CP-3a: Protect Historical Resources from Adjacent Construction Activities. The | Project sponsor and | Prior to the start of | Planning Department | Considered complete upon |

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| 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. | qualified historic preservation individual for each applicable subsequent project undertaken in the Central SoMa Plan Area. | any demolition, construction or earth movement. | (ERO and, optionally, Preservation Technical Specialist). | acceptance by Planning Department of construction specifications to avoid damage to adjacent and nearby historic buildings. |
| M-CP-3b: Construction Monitoring Program for Historical Resources. 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 the start of any ground-disturbing activity, the project sponsor shall engage a historic | Project sponsor and construction contractor for each applicable subsequent project undertaken in the Central SoMa Plan Area. | Prior to and during construction activity identified by Planning Department as potentially damaging to historic building(s). | Planning Department (Preservation Technical Specialist). | Considered complete upon submittal to Planning Department of post-construction report on construction monitoring program and effects, if any, on proximate historical resources. |

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| <p>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> | | | | |
| <p>M-CP-4a: Project-Specific Preliminary Archeological Assessment. 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. Projects to which this mitigation measure applies shall be subject to Preliminary Archeology Review (PAR) by the San Francisco Planning Department archeologist. 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,</p> | <p>Project sponsor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department Environmental Review Officer (ERO) for each subsequent project</p> | <p>During the environmental review of subsequent projects.</p> | <p>Planning Department (ERO; Department's archeologist or qualified archaeological consultant).</p> | <p>Considered complete upon submittal of PAR to ERO.</p> |

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| 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. | undertaken in the Central SoMa Plan Area. | | | |
| <p>M-CP-4b: Procedures for Accidental Discovery of Archeological Resources. 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 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> | 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. | During soil-disturbing activities. | Planning Department (ERO; Planning Department archeologist). | Considered complete upon ERO's approval of FARR. |

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| <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 distribution from that presented above.</p> | | | | |
| <p>Mitigation Measure M-CP-5: Project-Specific Tribal Cultural Resource Assessment. This tribal cultural resource mitigation measure shall apply to any project involving</p> | Planning Department's archeologist, California | During the environmental | Planning Department archeologist, Planning | Considered complete if no Tribal Cultural Resource is |

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| <p>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 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</p> | Native American tribal representative, Planning Department-qualified archeological consultant. | review of subsequent projects. | Department-qualified archeological consultant, project sponsor. | 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. |

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| displays. | | | | |
| D. Transportation and Circulation | | | | |
| <p>*M-TR-3a: Transit Enhancements³. 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"> Establish fee-based sources of revenue. 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. Area Plan funding for transit enhancements. <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 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</p> | <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.</p> | Ongoing | Planning Department and project sponsor. | Ongoing |

³ 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>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"> 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. 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. 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. 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 of three minutes or longer on a daily or weekly basis. <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</p> | | | | |

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| <p>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 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>Project sponsors of subsequent projects undertaken in the Central SoMa Plan Area of more than 100,000 square feet of residential or commercial uses;</p> | <p>Prior to the approval of any building permit.</p> | <p>SFMTA and Planning Department.</p> | <p>Considered complete for each subsequent development project upon approval of a DLOP.</p> |

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| <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"> <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 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. <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 | SFMTA; Planning Department | | | |

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| <p>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.</p> <ul style="list-style-type: none"> • <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. • <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 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, | | | | |

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
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| <p>parking lane or travel lane adjacent to the project site at any time.</p> <ul style="list-style-type: none"> <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. <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>*M-TR-6b: Accommodation of On-street Commercial Loading Spaces and Passenger Loading/Unloading Zones.⁴ 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 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>SFMTA, Planning Department, and sponsors of subsequent 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 public</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> |

⁴ 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>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"> • 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. • 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. • 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. • Detailed roles and responsibilities of managing and monitoring the passenger loading zone(s) and to properly enforce any passenger vehicles that are in violation (e.g., blocking bicycle lane, blocking a driveway, etc.). <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</p> | <p>right-of-way that includes public transit operations, shall develop a Passenger Loading Plan.</p> | | | |

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| 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.). | | | | |
| Mitigation Measure M-TR-8: Emergency Vehicle Access Consultation. 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. | SFMTA | Prior to final design of each SFMTA street network project. | SFMTA and Planning Department. | Considered complete upon adoption of street network project design. |
| Mitigation Measure M-TR-9: Construction Management Plan and Construction Coordination. <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 | Project sponsor of each subsequent project undertaken in the Central SoMa Plan Area. | Prior to the start of each project's construction, and throughout the construction period. | SFMTA, SF Public Works, and Planning Department. | Considered complete upon approval of each construction management plan and completion of each project's construction. |

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| <p>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"> • <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, including transit during the a.m. and p.m. peak periods. • <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. • <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 | | | | |

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| <p>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.</p> <ul style="list-style-type: none"> • <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. • <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 www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers). • <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 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. | | | | |

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| <ul style="list-style-type: none"> <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. | | | | |
| E. Noise and Vibration | | | | |
| 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 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) | Project sponsor and subsequent property owners of development projects in the Central SoMa Plan Area. | Project sponsor to submit TDM Plan to Planning Department for review prior to project consideration for approval. | Planning Department | 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. |

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| <p>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"> 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 | | | | |

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| - 31 - | | | | |
| 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. | | | | |
| M-NO-1b: Siting of Noise-Generating Uses. 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 incorporation of noise reduction measures as recommended by the noise assessment prior to the first project approval action. | Planning Department; project sponsor of each subsequent noise-generating project, as specified in mitigation measure, in the Central SoMa Plan Area; acoustical consultant | Analysis to be completed during environmental review of subsequent projects in the Plan Area. | Planning Department and Department of Building Inspection (DBI). | 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. |
| M-NO-2a: General Construction Noise Control Measures. 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: • Require the general contractor to ensure that equipment and trucks used for project | 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>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.</p> <ul style="list-style-type: none"> 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. 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. 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 feasible. 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- | | | | |

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| 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. | | | | |
| <p>M-NO-2b: Noise and Vibration Control Measures During Pile Driving. 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"> • 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; • 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 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); • 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 | Project sponsor of each subsequent project in the Central SoMa Plan Area and construction general contractor. | Prior to and during the period of pile-driving. | Project sponsor; Planning Department and construction contractor; Department of Building Inspection (as requested and/or on complaint basis). | Considered complete after implementation of noise attenuation measures during pile-driving activities and submittal of final noise monitoring report to Planning Department. |

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| <ul style="list-style-type: none">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. | | | | |
| 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. | See Mitigation Measures M-NO-2b, M-CP-3a, and M-CP-3b. | | | |
| F. Air Quality | | | | |
| 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. | See Mitigation Measure M-NO-1a. | | | |
| 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 environmentally preferable purchasing and shall include contact information and links to SF Approved. | Project sponsor of each subsequent project in the Central SoMa Plan Area; subsequent project owner; Homeowners' Association (for condominium projects). | 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 continue submittals at 5-year intervals (ongoing). |
| M-AQ-3b: Reduce Operational Emissions. 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: <ul style="list-style-type: none">For any proposed refrigerated warehouses or large (greater than 20,000 square feet) | Project sponsor of each subsequent project in the Central SoMa Plan Area; subsequent project owner, as | For warehouses and large grocers, prior to issuance of building permit. Ongoing for | Planning Department and Department of Building Inspection. | For warehouses and large grocers, considered complete upon approval of final construction plan set. Ongoing for maintenance |

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 |
|---|--|--|---|--|
| - 35 - | | | | |
| <p>grocery retailers, provide electrical hook-ups for diesel trucks with Transportation Refrigeration Units at the loading docks.</p> <ul style="list-style-type: none"> 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. Implement Mitigation Measure M-AQ-5a, Best Available Control Technology for Diesel Generators and Fire Pumps. 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. | applicable based on mitigation measure; Homeowners' Association (for condominium projects). | <p>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>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>M-AQ-4a: Construction Emissions Analysis. 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>M-AQ-4b: Construction Emissions Minimization Plan. If required based on the analysis described in Mitigation Measure M-AQ-4a or as required in Impact AQ-6 the 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"> 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: | Project sponsor of applicable projects in Central SoMa Plan Area; Planning Department. | Prior to the start of diesel equipment use on site. | Planning Department (ERO, Air Quality technical staff). | Considered complete upon Planning Department review and acceptance of Construction Emissions Minimization Plan. |

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 |
|--|-----------------------------------|---------------------|----------------------------------|-----------------------|
| - 36 - | | | | |
| a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited; b) All off-road equipment shall have: <ul style="list-style-type: none"> 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 NO_x emissions exceed applicable thresholds), <i>and</i> ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS), <i>and</i> iii. Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99). c) Exceptions: <ul style="list-style-type: none"> 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. 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 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). | | | | |

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 | | | | | | | | | |
|--|-----------------------------------|--------------------------|----------------------------------|-----------------------|----------|-------------------|---|--------|-------------------|--|--|--|--|
| - 37 - | | | | | | | | | | | | | |
| <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;">TABLE M-AQ-4B: OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE*</p> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><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></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> <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> | 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 | | | | | | | | | | | |

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 |
|--|-----------------------------------|---------------------|----------------------------------|-----------------------|
| - 38 - | | | | |
| <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 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> | | | | |

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(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 |
|--|---|--|---|---|
| - 39 - | | | | |
| M-AQ-5: Operational Emissions of Fine Particulate Matter and Toxic Air Contaminants that would Expose Sensitive Receptors to Substantial Pollutant Concentrations Implement Mitigation Measure M-NO-1a, Transportation Demand Management (TDM) for Development Projects. | See Mitigation Measure M-NO-1a. | | | |
| M-AQ-5a: Best Available Control Technology for Diesel Generators and Fire Pumps 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 Planning Department within three months of requesting such information. | Project sponsors of projects in the Central SoMa Plan Area with new diesel generators and/or fire pumps; Planning Department. | For specifications, prior to issuance of building permit for diesel generator or fire pump. For maintenance, ongoing. | Planning Department (ERO, Air Quality technical staff). | Equipment specifications portion considered complete when equipment specifications approved by ERO. Maintenance portion is ongoing and records are subject to Planning Department review upon request. |
| M-AQ-5b: Siting of Uses that Emit Particulate matter (PM_{2.5}), 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 | Project sponsors of projects in the Central SoMa Plan Area with stationary equipment other than diesel generators and fire | 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. |

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 |
|---|--|---|--|---|
| - 40 - | | | | |
| 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. | pumps that emit PM _{2.5} , diesel particulate, or other toxic air contaminants, as determined by the Planning Department. | | | |
| 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 identified by the Planning Department. | During construction of each applicable street network and open space improvement project. | Planning Department | Considered complete at the end of construction for each applicable street network and open space improvement project. |
| G. Wind | | | | |
| *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 | Project sponsors of projects in the Central | During the environmental | Planning Department | Considered complete upon approval of final |

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>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"> • 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"> ◦ 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 ◦ 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 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. ◦ 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 | SoMa Plan Area in excess of 85 feet in rooftop height. | review process for subsequent development projects. | | 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

(TO BE IMPLEMENTED BY PROJECT SPONSOR)

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| Mitigation Measures | Responsibility for Implementation | Mitigation Schedule | Monitoring/Report Responsibility | Status/Date Completed |
|--|--|---|---|--|
| - 42 - | | | | |
| degree feasible the overall number of hours during which the wind hazard criterion is exceeded. | | | | |
| H. Shadow | | | | |
| No mitigation measures identified to be implemented by the Project Sponsor. | | | | |
| I. Hydrology (Sea Level Rise and Combined Sewer System) | | | | |
| No mitigation measures identified to be implemented by the Project Sponsor. | | | | |
| Biological Resources (from Initial Study) | | | | |
| M-BI-1: Pre-Construction Bat Surveys: 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. | 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. | Prior to issuance of demolition or building permits when trees would be removed or buildings demolished as part of an individual project. | Planning Department; CDFW if applicable | Considered complete upon issuance of demolition or building permits. |
| Hazardous Materials (from Initial Study) | | | | |
| M-HZ-3: Hazardous Building Materials Abatement. 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 | Project sponsor of subsequent development projects in Central SoMa Plan Area with buildings to be demolished. | Prior to issuance of demolition permit. | Planning Department | Considered complete upon ERO review and acceptance of hazardous materials building survey report and remediation plan. |

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 |
|--|-----------------------------------|---------------------|----------------------------------|-----------------------|
| 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. | | | | |

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 |
|---|-----------------------------------|--|----------------------------------|---|
| - 44 - | | | | |
| D. Transportation and Circulation | | | | |
| <p>Improvement Measure I-TR-5a: Protected Bicycle Lane Public Education Campaign. 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"> • Clarifying rules of the road for protected bicycle lanes. • 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). • Ensuring that the San Francisco Police Department officers are initially and repeatedly educated on traffic law as it applies to bicyclists and motorists. • Providing safety compliance education for bicyclists coupled with increased enforcement for violations by bicyclists. <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>Improvement Measure I-TR-5b: Protected Bicycle Lane Post-Implementation Surveys. 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. | | | | - 45 - |

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 |
|--|--|---|----------------------------------|---|
| - 46 - | | | | |
| Biological Resources (from Initial Study) | | | | |
| <p>I-BI-2: Night Lighting Minimization. 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"> • Reduce building lighting from exterior sources by: <ul style="list-style-type: none"> ○ 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; ○ Installing motion-sensor lighting; ○ Utilizing minimum wattage fixtures to achieve required lighting levels. • Reduce building lighting from interior sources by: <ul style="list-style-type: none"> ○ Dimming lights in lobbies, perimeter circulation areas, and atria; ○ 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); ○ Utilizing automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present; ○ Encouraging the use of localized task lighting to reduce the need for more extensive overhead lighting; ○ Scheduling nightly maintenance to conclude by 11:00 p.m.; ○ Educating building users about the dangers of night lighting to birds. | Planning Department, working with project sponsors of each subsequent development project in the Central SoMa Plan Area. | Prior to issuance of building permit, and during project operation. | Planning Department | Considered complete upon approval of building plans by Planning Department. Planning Department may engage in follow-up discussions with project sponsors, as applicable. |

FILE NO. 180185

ORDINANCE NO.

[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 ~~striketrough italics Times New Roman font~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~striketrough 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 |
| | 093, 105 | M-1 | CMUO |
| 3750 | 003, 008, 073, 515-598 | MUO | CMUO |
| | 009, 013, 050, 054, 078, 081-082, 086 | MUR | CMUO |
| 3751 | 028-029, 033-034, 053-054, 150, 157- 158, 161-162, 165, 411-415, 420-522 | MUO | CMUO |
| | 105, 112, 155, 167-170, 173, 175-409 | MUR | CMUO |

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| 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 | | 112 | P | CMUO within 175 |
| 25 | | | | feet of Harrison |

| | | | | |
|----|------|---------------------------------------|------|--------------------|
| 1 | | | | Street; remainder |
| 2 | | | | of lot to remain P |
| 3 | 3775 | 001-002, 004-005, 008, 012, 015, 087, | MUO | CMUO |
| 4 | | 089, 091-096, 099-101, 104-105, 164- | | |
| 5 | | 171, 181-216 | | |
| 6 | | 016-018, 020-022, 025, 072-073, 075, | SLI | CMUO |
| 7 | | 078-081, 083-086, 122-136, 140- | | |
| 8 | | 163 | | |
| 9 | 3776 | 004-005, 007-008, 011, 015, 019-021, | SLI | CMUO |
| 10 | | 024-025, 032, 034, 038-044, 049, 062, | | |
| 11 | | 077, 080, 093-094, 098-101, 105-106, | | |
| 12 | | 113-115, 117-118, 120-148, 151, 153- | | |
| 13 | | 475 | | |
| 14 | 3777 | 001-003, 017, 019-020, 030- | SLI | CMUO |
| 15 | | 034 | | |
| 16 | | 005, 007, 009, 013, 023-027, 056-070, | RED | CMUO |
| 17 | | 073-174 | | |
| 18 | | 011, 028-029, 035-037, 042, 044-045, | SALI | CMUO |
| 19 | | 050-051, 054-055 | | |
| 20 | | 047-049 | SALI | CMUO |
| 21 | | 052 | P | CMUO |
| 22 | 3786 | 027-028, 036-037 | WMUO | CMUO |
| 23 | | 035, 038, 321-322 | MUO | CMUO |
| 24 | 3787 | 001-008, 012-019, 021-024, 026, 028, | SLI | CMUO |
| 25 | | 033, 036-037, 040, 040A, 044, 048-50, | | |

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

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

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

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

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

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|----|------|---------------------|------------|-----------|--------------------|
| 1 | | 145A, 146 | 85-X | 180-CS | |
| 2 | 3733 | 014, 148-158 | 55-X | 180-CS | |
| 3 | | 017-020, 020A, 021, | 55-X | 85-X | |
| 4 | | 024-026, 031, 034, | | | |
| 5 | | 091-092, 145-147 | | | |
| 6 | | 028-030 | 55-X | 130-CS | |
| 7 | | 093, 105 | 130-L | 180-CS | |
| 8 | 3750 | 003 | 130-E | 200-CS | |
| 9 | | 008, 073, 086 | 85-X | 200-CS | |
| 10 | | 009 | 85-X | 130-G | |
| 11 | | 013 | 85-X | 130-CS | |
| 12 | | 090-509 | 85-X/130-G | 130-G | |
| 13 | | 515-598 | 130-E | 200-CS | |
| 14 | 3751 | 029, 150 | 85-X | 45-X/85-X | 85 feet to a depth |
| 15 | | | | | of 80 feet from |
| 16 | | | | | Harrison Street |
| 17 | | 053-054 | 85-X | 45-X | |
| 18 | | 168 | 85-X | 45-X/85-X | 45 feet to a depth |
| 19 | | | | | of 150 feet from |
| 20 | | | | | Lapu Lapu Street |
| 21 | | 169 | 85-X | 45-X/85-X | 45 feet to a depth |
| 22 | | | | | of 150 feet from |
| 23 | | | | | Lapu Lapu Street, |
| 24 | | | | | 45 to a depth of |
| 25 | | | | | |

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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 |

| | | | | |
|------|--|------|-----------------------------------|---|
| | | | 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 |

| | | | | |
|------|--|-----------|-----------|--|
| | 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 | 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 | |

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|------|---|-----------|-----------|--|
| | 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:

| <u>Description of Property</u> | | <u>Special Use</u> | <u>Special Use</u> |
|--------------------------------|--|---|---|
| Assessor's Block | Lot | <u>District Hereby Superseded</u> | <u>District Hereby Approved</u> |
| 3704 | 025-026, 049-053 | N/A | Central SoMa Special Use District |
| 3725 | 007, 014-015, 017-021, 025-026, 029, 031, 033, 035, 060-064, 079, 081, 102-103 | N/A | |
| 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, | | |

| | | | |
|------|--|-----|--|
| | 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>District Hereby</u> <u>Superseded</u> | <u>Special Use</u> <u>District Hereby</u> <u>Approved</u> |
|--------------------------------|--|---|---|
| Assessor's Block | Lot | | |
| 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 | |
|------|-----------------------|-----|--|

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

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

By: _____
VICTORIA WONG
Deputy City Attorney

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SAN FRANCISCO PLANNING DEPARTMENT

Received at OPC Hearing 5/10/18
S. Weinstein

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

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

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 5th Streets, and transit-only lanes on Folsom, Brannan, 3rd, and 4th 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 4th, 5th, Bryant, and Brannan Streets, and a new ½ acre linear park on Bluxome Street between 4th and 5th Streets, and new recreational amenities (such as skate ramps and basketball courts) underneath the I-80 freeway between 4th and 6th 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

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

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_{2.5}) 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

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_{2.5}) 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_{2.5} concentrations would increase by up to 4.54 µg/m³ 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_{2.5}), 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_{2.5} 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_{2.5} concentrations would increase by up to 0.17 µg/m³ 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_{2.5}), 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

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

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.¹

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

¹ 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 WMUO².

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.

² 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.³ 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

³ 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.⁴

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

⁴ 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 emissions 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

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 5th Streets, and transit-only lanes on Folsom, Brannan, 3rd, and 4th 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 4th, 5th, Bryant, and Brannan Streets; a new ½ acre linear park on Bluxome Street between 4th and 5th Streets; and new recreational amenities (such as skate ramps and basketball courts) underneath the I-80 freeway between 4th and 6th 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

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.

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:

(note: those modifications not included in the 5/3 packet have their section numbers underlined)

- 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
- 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).
- Commission Policy: “All non-residential development over 25,000 sq ft, shall provide a Community Good Jobs Employment Plan (“Plan”) for public review and comment prior to consideration of project approval by the Planning Commission. The Plan must detail the project’s strategy for providing permanent jobs within the future development for South of Market residents, especially disadvantaged persons, at good living wages with benefits. The Plan must detail how this strategy would be implemented, including how it would engage concerned community, civic, and labor organizations.”

5/10/18

P. 13600

[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.

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

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 S 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), 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 to
14 very low or low income families, using one of the following methods:

15 (A) For projects subject to Section 415, by electing to comply with Section 415
16 by choosing the On-Site Affordable Housing Alternative under Sections 415.5(g)(1)(A) or
17 415.5(g)(1)(D); or

18 (B) For projects not subject to Section 415, by entering into a regulatory
19 agreement with the City that contains the terms specified in Section 206.6(f).

20 (8) The project does not demolish, remove, or convert to another use any existing
21 dwelling unit(s).

22 (9) The project complies with all applicable zoning and any adopted design review
23 standards.

1 (10) The project sponsor complies with all Mitigation Measures in the Central SoMa
2 Environmental Impact Report (Central SoMa EIR) that the Planning Department determines are
3 applicable to the project.

4 (11) The project sponsor certifies that the project will comply with all applicable
5 requirements of California Government Code Section 66201(f)(4).

6 (12) The project shall comply with Government Code Section 66201(f)(5).

7 (13) A project is not deemed to be for residential use if it is infeasible for actual use as
8 a single or multifamily residence.

9 (e) Approving Authority. As long as the Planning Commission has delegated its authority to
10 the Planning Department to review applications for projects subject to this Section 343, the Planning
11 Department is the approving authority designated to review permit applications for compliance with
12 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-City~~ shall exercise ministerial approval of projects
15 that meet all the requirements in this Section 343. Section 329 of this Code shall not apply to projects
16 that 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.

1 **(6) Progress Requirement.** *The project sponsor of any project approved pursuant to*
2 *this Section 343 shall obtain the first site or building permit for the project from the Department of*
3 *Building Inspection within 36 months of the Department's issuance of a written decision pursuant to*
4 *subsection (g)(2) of this Section 343. If the project sponsor has not obtained the first site or building*
5 *permit from the Department of Building Inspection within 36 months, then as soon as is feasible after*
6 *36 months has elapsed, the Planning Director shall hold a hearing requiring the project sponsor to*
7 *report on the status of the project, to determine whether the project sponsor has demonstrated good*
8 *faith in its effort to obtain the first site or building permit for the project. If the Planning Director finds*
9 *that the project sponsor has not demonstrated good faith in its efforts to obtain the first site or building*
10 *permit for the project, the Planning Director shall revoke the approvals for the project. Factors in*
11 *determining whether the project sponsor has demonstrated good faith in its efforts include, but are not*
12 *limited to, whether any delays are the result of conditions outside the control of the project sponsor and*
13 *whether changes in the financing of the project are necessary in order for construction to proceed.*

14 **(h) Design Review Standards.** *Projects subject to this Section 343 shall be reviewed for*
15 *compliance with the design standards set forth in the San Francisco Urban Design Guidelines and the*
16 *Central SoMa Plan's Guide to Urban Design, which are on file with the Planning Department, as*
17 *approved by the California Department of Housing and Community Development.*

18 **(i) District Affordability Requirement.** *At the request of the California Department of Housing*
19 *and Community Development, the Planning Department shall demonstrate that at least 20% of the*
20 *residential units constructed in the Central SoMa Housing Sustainability District during the life of the*
21 *District and pursuant to this Section 343 will be affordable to very low, low-, and moderate-income*
22 *households and subject to a recorded affordability restriction for at least 55 years.*

23 **(j) Monitoring and Enforcement.** *The Planning Department shall include, as conditions of*
24 *approval of all projects approved pursuant to this Section 343, monitoring and enforcement provisions*
25 *to ensure that the project meets all labor and wage requirements and complies with all identified*

1 applicable mitigation measures. Projects found to be in violation of any of these conditions shall be
2 subject to the Administrative Enforcement Procedures in Section 176.1 of this Code, including
3 initiation of abatement proceedings or referral to the City Attorney or District Attorney for prosecution,
4 if not corrected within 90 days of service of any notice of violation issued under Section 176.1(c).

5 Conditions of approval shall include, but are not limited to:

6 (1) A project sponsor shall submit weekly reports to the Office of Labor Standards
7 Enforcement, certifying that a project approved pursuant to this Section 343 is complying with
8 subsections (d)(11) and (d)(12), if applicable to the project. Projects found to be in violation of
9 subsections (d)(11) and (d)(12) shall be subject to penalties pursuant to Section 1741 of the Labor
10 Code, in addition to any penalties assessed pursuant to Section 176.1 of this Code. All penalties shall
11 be paid prior to issuance of the project's First Certificate of Occupancy.

12 (2) The Planning Department shall monitor compliance with Central SoMa EIR
13 Mitigation Measures.

14 (3) The Planning Department shall monitor and report the construction of affordable
15 housing units under the Central SoMa Housing Sustainability District in its annual Housing Inventory,
16 which shall include the following information:

17 (A) Number of projects approved pursuant to this Section 343.

18 (B) Number of projects under construction pursuant to approvals obtained
19 under this Section 343.

20 (C) Number of projects completed pursuant to approvals obtained under this
21 Section 343.

22 (D) Number of dwelling units within projects completed pursuant to approvals
23 obtained under this Section 343.

24 (E) Number of dwelling units affordable to very low, low, moderate, and middle
25 income households within projects completed pursuant to approvals obtained under this Section 343.

1 **(k) Operative and Sunset Dates.**

2 (1) This Section 343 shall become operative upon receipt of preliminary approval by
3 the California Department of Housing and Community Development under California Government
4 Code Section 66202 ("Operative Date").

5 (2) This Section 343 shall expire by operation of law seven years from the Operative
6 Date, unless this Section 343 is renewed by ordinance pursuant to Government Code Section 66201(g),
7 in which case this Section 343 shall expire on the date specified in that ordinance ("Sunset Date").

8 (3) Upon the expiration of this Section 343, the City Attorney shall cause this Section
9 343 to be removed from the Planning Code. Pursuant to Government Code Section 66205(b), this
10 Section 343 shall govern the processing and review of any complete application submitted pursuant to
11 this Section 343 prior to the Sunset Date.

12
13 Section 4. Effective Date; Operative Date.

14 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
15 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
16 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
17 Mayor's veto of the ordinance.

18 (b) Consistent with Section 343(k)(1) of the Planning Code, this ordinance in its
19 entirety shall become operative upon receipt of preliminary approval by the California
20 Department of Housing and Community Development under California Government Code
21 Section 66202.

22
23 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
PETER R. MILJANICH
Deputy City Attorney

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CENTRAL SOMA

PLAN & IMPLEMENTATION STRATEGY

Adoption Hearing – Planning Commission – May 10, 2018

TODAY'S ACTIONS

1. Certification of the Final EIR
2. Adoption of CEQA Findings
3. Adoption of Amendments to the General Plan
4. Adoption of Amendments to the Planning Code and Legislative Code
5. Adoption of Amendments to the Zoning Map
6. Adoption of the Implementation Program
7. Adoption of the Housing Sustainability District



CEQA

Certification of the Final Environmental Impact Report



CEQA FINDINGS AND MMRP

Case Packet Content:

- Case Report
- Draft Resolution to Adopt
- CEQA Findings
- Mitigation Monitoring and Reporting Program



GENERAL PLAN AMENDMENTS

Case Packet Content:

- Case Report
- Draft Resolution to Adopt
- Draft Ordinance
 - » Central SoMa Plan
 - » Amendments to the East SoMa Plan and Western SoMa Plan
 - » Amendments to other sections
- Changes since Introduction



PLANNING CODE AND ADMINISTRATIVE CODE AMENDMENTS

Case Packet Content:

- Case Report
- Draft Resolution to Adopt
- Draft Ordinance
- “Summary of Amendments”
- Changes since Introduction
- “Issues for Consideration”



PLANNING CODE - RECOMMENDED MODIFICATIONS

LAND USE AND ZONING

| Section | Change | Rationale |
|------------------------|--|--|
| 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 |

PLANNING CODE - RECOMMENDED MODIFICATIONS

PHYSICAL CHARACTER

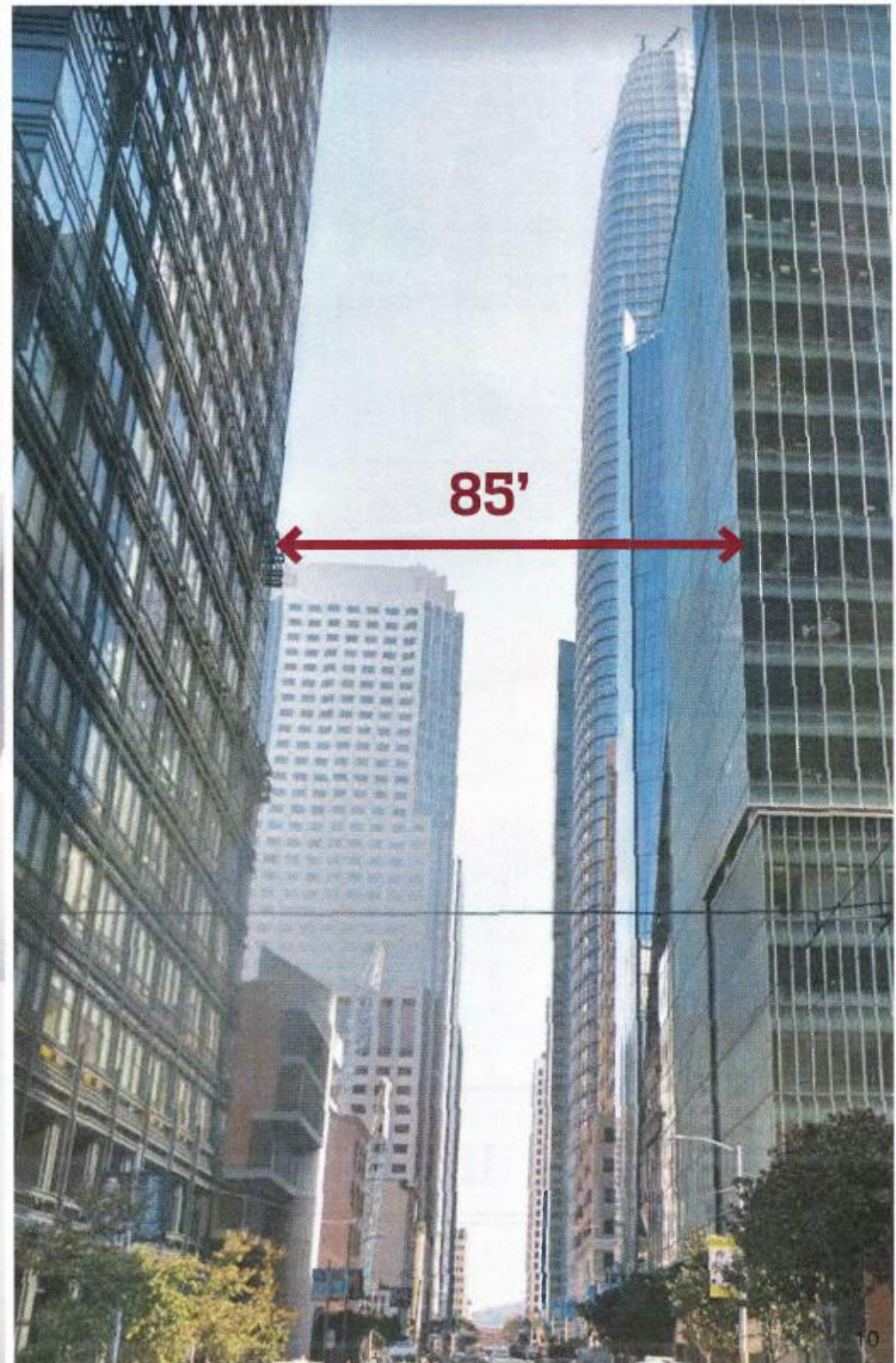
| Section | Change | Rationale |
|---------------------|---|--|
| 848 | Cross-reference the residential lot coverage requirements in 249.78 | Non-substantive amendment but not included in the Case Report |
| 329(e)(3)(B) | Limit certain exceptions to specific Key Development Sites | Certain exceptions should be tailored to Key Development Sites, and not be broadly applicable to all the Key Sites. |
| 329(e)(2) | Add Block 3786 Lot 322 as a Key Site | This site has the potential to build additional public amenities (e.g., the Bluxome Linear Park) but would require additional exceptions to do so. |

115' Tower
Separation

115'

115'

85' Tower
Separation

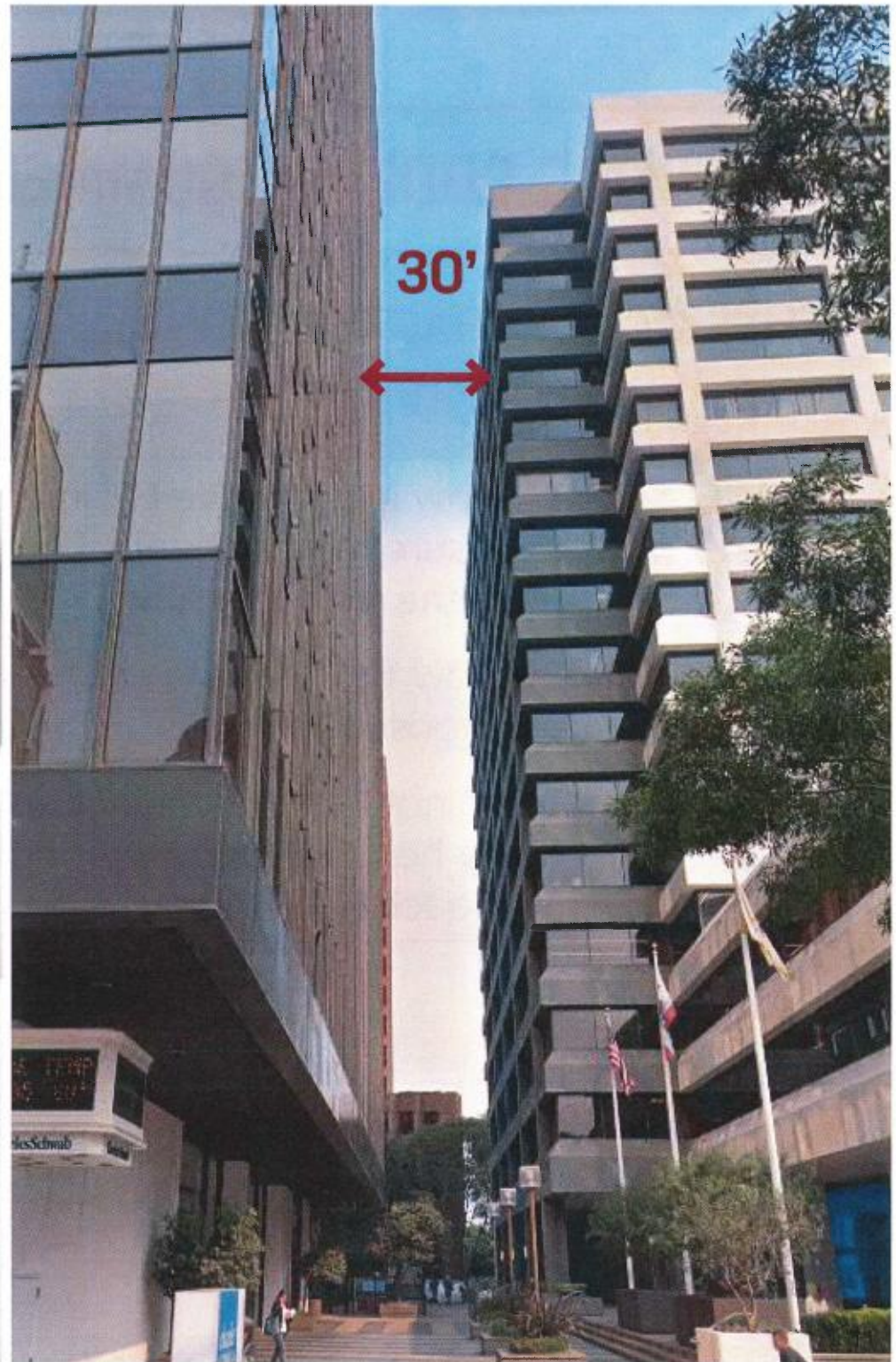


85'

30' Tower
Separation



30'



PLANNING CODE - RECOMMENDED MODIFICATIONS

PHYSICAL CHARACTER (CONT.)

| Section | Change | Rationale |
|---------------|---|--|
| 140(a) | <p>1) Allow units above 85' in height to meet exposure requirements if they are 15' back from the property line;</p> <p>2) allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and</p> <p>3) do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor</p> | <p>These changes would make a rule of commonly granted exceptions.</p> |

PLANNING CODE - RECOMMENDED MODIFICATIONS

PARKING, LOADING, AND TDM

| Section | Change | Rationale |
|---------------|--|---|
| 155(u) | Require a Passenger Loading Plan. | The Passenger Loading Plan would help minimize the impact of passenger drop-offs, particularly on high injury corridors. |
| 169.3 | Amend the TDM language to require projects that submitted applications before September 4, 2016 to meet 75% of the TDM requirements. | Projects have been substantially planned and designed based on grandfathering of the TDM Ordinance. This requires them to comply with some, but not all of the grandfathering provisions. |

PLANNING CODE - RECOMMENDED MODIFICATIONS

EXACTIONS

| Section | Change | Rationale |
|------------|--|--|
| 434 | <p>Add the CFD applicability language. The CFD would be applicable to projects that</p> <ul style="list-style-type: none">(1) Exceed 40,000 gross square feet,(2) Are in Central SoMa Res Tiers B & C and Non-Res Tier C, and(3) Sqft proposed > Sqft allowed without Plan. | <p>Always expected, just trailed. Notes:</p> <ul style="list-style-type: none">1) CFD rates live in “Public Benefits Program”2) CFD creation subject to separate Board actions (expected this summer) |

PLANNING CODE - RECOMMENDED MODIFICATIONS

EXACTIONS (CONT.)

| Section | Change | Rationale |
|-------------|--|---|
| 406 | Add fee waiver from TSF and Central SoMa Fee to allow for developments on Block 3777 that provide public parks. | Waiver facilitates timely and cost-effective construction of the proposed one-acre park on the block between 4th, 5th, Bryant, and Brannan Streets. |
| 411A | Provide exception in Central SoMa from the Transportation Sustainability Fee (TSF) increase for proposed in Board File No. 180117. | The Central SoMa Plan's public benefits package is structured to maximize feasible contribution, and the addition of fee may render some projects infeasible. |

PLANNING CODE - RECOMMENDED MODIFICATIONS

PROCESS

| Section | Change | Rationale |
|------------------------|---|---|
| Admin 10E.2 | Split the ENCAC into two - including one for the three SoMa Area Plan (East, Central, and Western). | The Eastern Neighborhoods CAC has proven to be an unwieldy size for administering its oversight responsibilities. |

PLANNING CODE - RECOMMENDED MODIFICATIONS

PROCESS (CONT.)

| Section | Change | Rationale |
|--------------------------|---|---|
| Commission Policy | <p>“All non-residential development over 25,000 sq ft, shall provide a Community Good Jobs Employment Plan (“Plan”) for public review and comment prior to consideration of project approval by the Planning Commission. The Plan must detail the project’s strategy for providing permanent jobs within the future development for South of Market residents, especially disadvantaged persons, at good living wages with benefits. The Plan must detail how this strategy would be implemented, including how it would engage concerned community, civic, and labor organizations.”</p> | <p>Per Policy 3.1.3, the Plan supports good jobs in the Plan Area, yet the Department and Commission have very limited tools to facilitate this. At the request of labor, this policy would at large non-residential developments on record for their strategy.</p> |

ZONING MAP AMENDMENTS

Case Packet Content:

- Case Report
- Draft Resolution to Adopt
- Draft Ordinance
- Changes since Introduction
- “Issues for Consideration”



IMPLEMENTATION

Case Packet Content:

- Case Report
- Draft Resolution to Adopt
- Implementation Program
 - » Implementation Matrix
 - » Public Benefits Program
 - » Guide to Urban Design
 - » Key Development Sites Guidelines
 - » Key Streets Guidelines
- Changes since Introduction
- “Issues for Consideration”



HOUSING SUSTAINABILITY DISTRICT

CONTENTS:

- Case Report
- Draft Resolution to Adopt
- Draft Ordinance



HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA HOUSING SUSTAINABILITY DISTRICT

- Meet all requirements of AB73
- Qualify SF for 'zoning incentive payments' from State
- Local eligibility criteria and procedures



HOUSING SUSTAINABILITY DISTRICT

COMPLY WITH AB73 PROJECT ELIGIBILITY REQUIREMENTS

- 10% on-site units affordable to lower-income households
- Meet wage and labor standards
 - » Pay prevailing wages (projects <75 units)
 - » Use skilled and trained workforce (projects 75+ units)



HOUSING SUSTAINABILITY DISTRICT

ESTABLISH LOCAL PROJECT ELIGIBILITY REQUIREMENTS

- Mixed-income projects over 160 ft not eligible
- Article 10 or 11 properties not eligible
- Properties containing existing units not eligible



HOUSING SUSTAINABILITY DISTRICT

ESTABLISH LOCAL APPROVAL PROCESS

- Create Sec. 343
- Ministerial approval of qualifying projects
- Decision within 120 days of complete application



HOUSING SUSTAINABILITY DISTRICT

ESTABLISH LOCAL APPROVAL PROCESS

- Compliance with Central SoMa EIR Mitigation Measures
- Design review: UDGs and Central SoMa Guide to Urban Design
- Informational public hearing required
- Progress requirement



HOUSING SUSTAINABILITY DISTRICT

THEMES FOR DISCUSSION AND POSSIBLE AMENDMENTS:

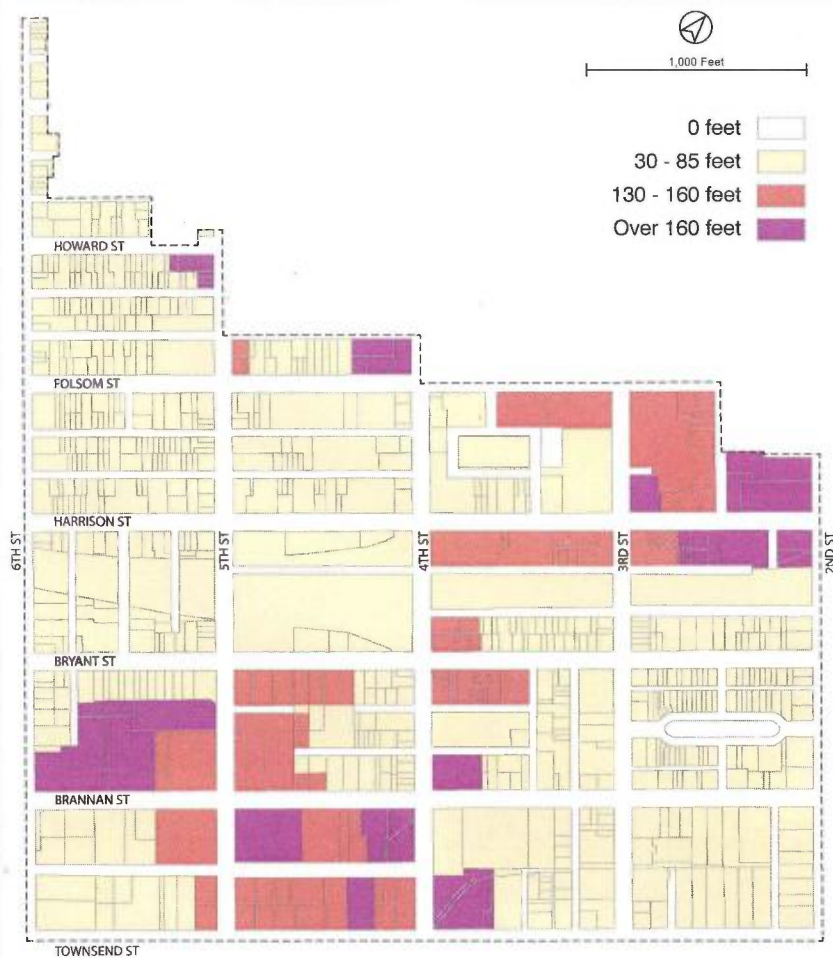
- **Local eligibility requirements**
 - » 160 ft height limit for mixed-income projects
- **Process**
 - » Progress requirement
 - » Delegation of approval authority



HOUSING SUSTAINABILITY DISTRICT

- Local eligibility requirement - height

Proposed Height Limits



HOUSING SUSTAINABILITY DISTRICT

- **Progress Requirement**

- » Trigger: obtain first site or building permit within 36 months
- » “obtained” vs. “applied for”
- » Period of extension of approvals for “good faith” projects
- » 12, 24 or 36 months



HOUSING SUSTAINABILITY DISTRICT

- **Delegate approval and review authority to Department**
 - » Clarifying amendment

THANKS

STEVE WERTHEIM

415.558.6612

STEVE.WERTHEIM@SFGOV.ORG

PAOLO IKEZOE

415.575.9137

PAOLO.IKEZOE@SFGOV.ORG

Received at CPC Hearing 5/10/18
L. White

Central SOMA Neighbors
631 Folsom Street
San Francisco, CA
March 1, 2018

Commission President Rich Hillis
Planning Commissioners
c/o Jonas P. Ionin, Commission Secretary
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Support for Central SoMa Plan DEIR SCH NO. 2013042070 Mid-Rise Alternative

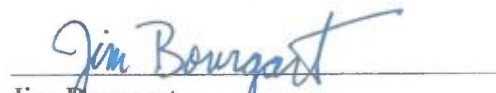
We support the 2013 Central SOMA Plan Draft Mid-Rise Alternative, specifically as it describes the area bounded by Second and Third Streets, from Folsom Street to I-80. We oppose the 2016 Central SOMA Plan High-Rise option based on the information put forth in the comment letter submitted to you by Richard Drury Feb 13, 2017.

Sincerely,



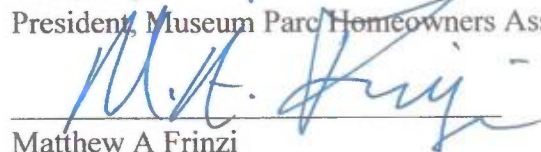
Gina Cariaga

President, 631 Folsom Street Homeowners Association (SFBlu)



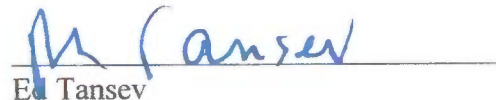
Jim Bourgart

President, Museum Park Homeowners Association (300 Third Street)



Matthew A Frinzi

President, 355 Bryant Street Homeowners Association



Ed Tansev

President, Hawthorne Place Homeowners Association (77 Dow)



Received at CPC Hearing 5/10/18
L. White

631 Folsom Street Owners Association

April 26, 2018

The Honorable Mark Farrell
Office of the Mayor
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA, 94102

BY EMAIL AND FIRST CLASS MAIL

Dear Mayor Farrell,

We comprise the entire Board of Directors of 631 Folsom Street Owners Association. We are writing in that capacity to request that you adopt the mid-rise option of the Central SOMA Plan on the block boarded by 2nd and 3rd Streets, and Folsom Street and the I-80 freeway. As our lawyer Richard Drury has argued, the current proposal will have a large negative environmental impact on our neighborhood. We very much hope that you will adopt the mid-rise option on this block based on the soundness of those arguments.

It is important that the city of San Francisco understand that while we are strongly in favor of development in our neighborhood, we are as strongly opposed to development that enriches developers at the expense of people living in the neighborhood. We believe that the mid-rise option, which was the original vision outlined by the city Planning Department, achieves the original goals outlined in the Plan for responsible, community-oriented growth which we support. The mid-rise option also delivers more than 90% of the growth envisioned in the current proposal. The current proposal sacrifices these goals and would essentially make our neighborhood an extension of downtown San Francisco. We strongly oppose this vision for our neighborhood.

In closing, we would like to make clear that if the city persists in adopting the current proposal on our block, we will use all means available to us to challenge this plan, including our right under state law to challenge the EIR in court.

Sincerely,

Gina Cariaga, President

Raj Joshi, Treasurer

Jason DeWillers, Vice President

Jonathan Berk, Secretary

Jeff Silberman, Director

Received at CPC Hearing 5/10/18
S. L. White



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 Overnight Mail

May 9, 2018

Commission President Rich Hillis
Planning Commissioners
c/o Jonas P. Ionin, Commission Secretary
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
richhillissf@yahoo.com; dennis.richards@sfgov.org; joel.koppel@sfgov.org;
myrna.melgar@sfgov.org; kathrin.moore@sfgov.org; planning@rodneyfong.com;
Commissions.Secretary@sfgov.org

RE: Central SoMa Plan DEIR SCH NO. 2013042070

Dear President Hillis, Planning Commissioners, and Commission Secretary Ionin:

I am writing on behalf of the Central SoMa Neighbors (CSN) concerning the environmental impact report ("EIR") prepared for the Central SoMa Plan ("Project" or "Plan"). (EIR SCH NO. 2013042070). CSN has presented extensive written comments on the Central SoMa Plan and the Environmental Impact Report prepared for the Plan. Unfortunately, the Final EIR ("FEIR") fails to respond adequately to our comments and the EIR remains woefully inadequate. We therefore request that the City prepare a Recirculated Draft EIR ("RDEIR") to respond to our comments and to properly analyze and mitigate the Project's significant impacts.

I. BACKGROUND.

The Central SoMa plan presents the City with a once in a generation opportunity to remake an entire neighborhood. It is universally accepted that the City is in dire need of housing for all income levels. The City's "jobs-housing" balance is severely out of balance. The City has far more jobs than housing, which creates extreme pressures on the limited housing supply, forcing housing prices up, contributing to displacement and homelessness and fueling gentrification. Central SoMa presents a unique opportunity to create new housing to address the City's extreme housing shortage and to create a livable, family-friendly, pedestrian neighborhood.

Unfortunately, the Central SoMa Plan only makes matters worse. The Plan essentially creates a second Financial District South of Market, creating 63,600 new jobs, but only 14,500 new housing units. (DEIR, pp. IV-6, IV-5)¹. In other words, the Plan creates 50,000 more jobs than housing units (more than four times more jobs than housing). This only exacerbates the City's jobs-housing imbalance, which will result in even greater demand for limited housing, higher housing prices, more displacement, and more gentrification. Clearly, the City should go back to the drawing board.

Fortunately, the City already has a plan that addresses these issues. Until 2016, the City staff supported the Mid-Rise Alternative rather than the current High-Rise Alternative (called the Reduced Height Alternative in the EIR). The Mid-Rise Alternative is superior to the High-Rise Alternative in almost every respect. It will create a family-friendly environment with access to light and air. It will create less traffic congestion, and therefore less air pollution and related health effects, and less traffic-related pedestrian injuries. It will allow tall buildings, but clustered near BART on the north side and CalTrain on the south side of the neighborhood, thereby encouraging use of public transportation. The Mid-Rise Alternative would reduce greenhouse gas (GHG) impacts since recent research shows that mid-rise buildings are generally more energy efficient than high-rise. By contrast, the High-Rise alternative includes extremely tall buildings (350 feet) on Harrison Street, between Second and Third Streets, which is not close to the CalTrain or BART stations, but is close to the Bay Bridge freeway ramps – thereby encouraging automobile commuting rather than public transit. This contradicts the Plan itself, which “would seek to retain the character of the mid-rise district, limiting the presence of high-rises to areas near transit stations.” (DEIR, p. IV.B-34).

The Mid-Rise Alternative allows for almost as much growth as the High-Rise Alternative. The Mid-Rise Alternative would allow about 90% of the growth of the High-Rise Alternative, but with a better jobs-housing balance (DEIR p. VI-2, VI-16, IV-6), while maintaining the character of Central SoMa as a mid-rise community with access to light and air, avoiding wind-tunnels, and promoting a more family-friendly environment.

CSN agrees entirely with the opinions set forth by City Planning Staff in 2013 in the Central Corridor Plan. **“The predominant character of SoMa as a mid-rise district should be retained, and the presence of high-rises reduced by limiting their distribution and bulk.”** The Mid-Rise Alternative creates an urban neighborhood “that has a pleasing, but not overwhelming sense of enclosure and intimacy.” The Mid-Rise Alternative achieves almost all of the housing and job growth, while maintaining a family-friendly, livable neighborhood. We urge the Planning Commission to direct staff to revise the EIR to select the Mid-Rise (Reduced Height Alternative) as the environmentally

¹ The Planning Commission Staff Report for the May 10, 2018 meeting states that the Plan will create 33,000 jobs and 8,300 housing units (Staff Rept., p. 3), but this statement is inconsistent with the EIR. Even if correct, the Plan clearly four times more jobs than housing, thereby creating the roughly same jobs-housing imbalance.

preferred alternative, consistent with the staff opinions set forth in the Central Corridor Plan only three short years ago.

In the alternative, CSN requests that the City consider an alternative that would modify the proposed Plan to eliminate the proposed changes that would allow extremely tall buildings in the block bounded by I-80 and Folsom and Second and Third Streets (including the tallest buildings on Harrison that go up to 350 feet). These buildings are inconsistent with the Plan's own goals to limit taller buildings to areas near BART and CalTrain. These properties are close to neither BART nor CalTrain, but are at the foot of the Bay Bridge access ramps. Development would therefore encourage automobile usage, not public transit, violating the fundamental Project goals. These properties should be limited to no more than 130 feet, which would still allow for substantial development on the properties, but maintain the mid-rise character of the neighborhood.

II. LEGAL STANDARD.

The lead agency must evaluate comments on the draft EIR and prepare written responses in the final EIR. (PRC §21091(d)) The FEIR must include a "detailed" written response to all "significant environmental issues" raised by commenters. As the court stated in *City of Long Beach v. LA USD* (2009) 176 Cal.App.4th 889, 904:

The requirement of a detailed written response to comments helps to ensure that the lead agency will fully consider the environmental consequences of a decision before it is made, that the decision is well informed and open to public scrutiny, and that public participation in the environmental review process is meaningful.

The FEIR's responses to comments must be detailed and must provide a reasoned, good faith analysis. (14 CCR §15088(c)) Failure to provide a substantive response to comment render the EIR legally inadequate. (*Rural Land Owners Assoc. v. City Council* (1983) 143 Cal.App.3d 1013, 1020).

The responses to comments on a draft EIR must state reasons for rejecting suggested mitigation measures and comments on significant environmental issues. "Conclusory statements unsupported by factual information" are not an adequate response. (14 CCR §15088(b, c); *Cleary v. County of Stanislaus* (1981) 118 Cal.App.3rd 348) The need for substantive, detailed response is particularly appropriate when comments have been raised by experts or other agencies. (*Berkeley Keep Jets v. Bd. of Port Comm'rs* (2001) 91 Cal.App.4th 1344, 1367; *People v. Kern* (1976) 72 Cal.app.3d 761) A reasoned analysis of the issue and references to supporting evidence are required for substantive comments raised. (*Calif. Oak Found. v. Santa Clarita* (2005) 133 Cal.App.4th 1219).

The FEIR abjectly fails to meet these legal standards, as it is riddled with conclusory statements lacking any factual support or analysis. The FEIR fails to respond

substantively to the extensive expert comment submitted on the DEIR. As such, we repeat and incorporate all of our prior comments herein by reference.

III. ANALYSIS.

A. The City May Not Apply AB 73 Unless it Prepares a New EIR.

For the first time in the Final EIR, the City states that it intends to invoke recently adopted AB 73. (Pub. Res. Code § 21155.10, et seq.; Gov. Code § 65582.1, et seq.). AB 73 allows the City to declare the area a “Housing Sustainability District.” Subsequent projects that meet certain requirements, will then be allowed to proceed without project-level CEQA review. We urge the City to reject reliance on AB 73.

First, The EIR for the Plan relies heavily on a promise to conduct project-level CEQA review to mitigate specific project-level environmental impacts. For example, the Final EIR acknowledges that the Plan will have significant impacts on air quality, but states that individual projects will mitigate air impacts through project level CEQA review. (RTC-205). Similarly, the Final EIR claims that inconsistencies with the General Plan will be addressed in project specific EIRs. (RTC-99). The EIR relies on project-level CEQA review to address shadow impacts. (RTC-233). However, if the City relies on AB 73, there will be no project-level EIRs and these significant impacts will not be mitigated. Thus, reliance on AB 73 at this time will render the EIR legally inadequate.

Second, AB 73 does not allow reliance on the law unless the City first conducts a full EIR to consider the impacts of AB 73. Pub. Res. Code section 21155.10 states:

A lead agency shall prepare an environmental impact report when designating a housing sustainability district pursuant to Section 66201 of the Government Code to identify and mitigate, to the extent feasible, environmental impacts resulting from the designation. The environmental impact report shall identify mitigation measures that may be undertaken by housing projects in the housing sustainability district to mitigate the environmental impacts identified by the environmental impact report.

The City has prepared no such EIR and therefore may not invoke AB 73. The EIR nowhere analyzes the “impact from the designation” under AB 73. The City may contend that the Central SoMa EIR is the EIR required by AB 73, but this would be incorrect. The Central SoMa EIR nowhere analyzes the impacts of reliance upon AB 73 itself, which is the requirement of the law.

The Central SoMa EIR did not even mention AB 73 until the Final EIR. Since AB 73 was not mentioned in the Draft EIR, there was no public comment, response to comments, or discussion on the impacts of reliance on AB 73. The reliance on AB 73 is clearly “significant new information” that requires recirculation of the draft EIR. The reliance on AB 73 renders the Draft EIR fundamentally inadequate since it did not consider AB 73 at

all, and repeatedly relied on project-level CEQA review to mitigate project-level impacts – review that will no longer occur if the City invokes AB 73.

Where the agency adds “significant new information” to an EIR prior to final EIR certification, the lead agency must issue new notice and must recirculate the revised EIR for additional commentary and consultation. The court has explained that after significant changes to an EIR, the revised environmental document must be subjected to the same “critical evaluation that occurs in the draft stage,” so that the public is not denied “an opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusion to be drawn therefrom.” (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 131; *Pres. Action Council v. City of San Jose* (2006) 141 Cal. App. 4th 1336, 1357–58). Pursuant to CEQA Guidelines Sections 15087 and 15086, the lead agency must publish a new “notice of availability” and must consult with all responsible agencies, trust agencies, and other agencies and governmental bodies with authority over the resources at issue in the project. The agency should also assume that all other notice and consultation requirements required for DEIRs apply as well.

CEQA Guidelines Section 15088.5 sets the standard for requiring recirculation prior to certification of an EIR. 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 California Supreme Court has stated that:

the addition of new information to an EIR after the close of the public comment period is not “significant” unless the EIR is changed in a way that (i) 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.

Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1129. Among the codified exceptions to this rule is where the draft EIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded:

(a) 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 availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless 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. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

...

(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.)

(CEQA Guidelines § 15088.5(a), (a)(4).)

In this case, the DEIR was "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." The public could not meaningfully comment on AB 73 because the DEIR plainly stated that there would be project-level CEQA review to mitigate project-level impacts, and never mentioned AB 73.

In *Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043 ("MLC"), the court required recirculation of an FEIR that failed to contain a cumulative impacts analysis for which the trial court had issued a writ of mandate. The case arose from a challenge to Fish and Game's environmental impact document ("EID") to reinstate a mountain lion hunting season in 1987. Environmental groups challenged that the EID did not adequately analyze cumulative impacts. The trial court agreed, and issued a peremptory writ, suspending the hunting season until the cumulative impacts analysis was complete. In 1988, Fish and Game produced a second EID and a final EID for the subsequent hunting season, but did not include a cumulative impacts report, as required by the trial court. Here, the appellate court found that this violated the spirit of CEQA,

because the draft EID overlooked the significant environmental issues that had been brought to appellants' attention through the 1987 commentary process and the writ of mandate. *Id.* at 1051. With regard to the failure to include this information in the final EID, however, the court further noted that:

The cumulative impact analysis contained in the final EID has never been subjected to public review and criticism. If we were to allow the deficient analysis in the draft EID to be bolstered by a document that was never circulated for public comment, we would not only be allowing appellants to follow a procedure which deviated substantially from the terms of the writ [of mandate issued by the trial court], but we would be subverting the important public purposes of CEQA. Only at the stage when the draft EID is circulated can the public and outside agencies have the opportunity to analyze a proposal and submit comment. No such right exists upon issuance of a final EID unless the project is substantially modified or new information becomes available. (See Cal.Code Regs., tit. 14, § 15162.) To evaluate the draft EID in conjunction with the final EID in this case would only countenance the practice of releasing a report for public consumption that hedges on important environmental issues while deferring a more detailed analysis to the final EID that is insulated from public review.

Id. at 1052.

Similarly, in *Friends of the Old Trees v. Department of Forestry & Fire Protection* (1997) 52 Cal.App.4th 1383, 1402, the court stated:

In pursuing an approach that "releases a report for public consumption that hedges on important environmental considerations while deferring a more detailed analysis to [a report] that is insulated from public review" the Department pursued a path condemned as inconsistent with the purpose of CEQA in this division's opinion in *Mountain Lion Coalition v. California Fish & Game Com.* (1989) 214 Cal.App.3d 1043, 1052. Certainly, the Department cannot expect the public's access to information after-the-fact to substitute for the opportunity to influence the Department's decisions before they are made.

As in the *Mountain Lion* case, by placing AB 73 in the FEIR, the issue has "never been subjected to public review and criticism." There is no right for the public to comment on the FEIR, and no duty of the City to respond to comments on the FEIR. The City has "insulated the project from public review" by unveiling it for the first time in the FEIR. As such, the City has subverted the procedures required by CEQA and deprived the public of any meaningful opportunity to review and comment upon the project proposed to be adopted.

The City simply may not invoke AB 73 unless it conducts a new CEQA process, including a draft EIR analyzing the impacts of AB 73 and the avoidance of project-level CEQA review.

B. The Project will Increase VMT. Traffic Impact Analysis is Inadequate. The Project will Have Highly Significant Traffic Impacts.

In our comments on the Draft EIR, Traffic Engineer Daniel Smith, PE, pointed out that the 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. Under the LOS analysis, it is clear 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 explains how the City fails to respond adequately to most of his comments on traffic. (Exhibit A). Since Mr. Smith is a certified traffic engineer, his comments demand a substantive response. The FEIR fails to meet the legal requirements.

Furthermore, Mr. Smith points out that the EIR wholly fails to analyze the impacts of ride-hailing services such as Uber and Lyft. The EIR assumes that nobody will take Uber/Lyft at all. This is preposterous. It is well-documented that Uber/Lyft account for approximately 20% of traffic in the Central SoMa area. The City may not ignore this traffic entirely. The EIR's exclusion of Uber/Lyft renders the document patently inadequate and misleading.

The FEIR admits that the DEIR does not consider ride hailing. The FEIR claims that there is inadequate data to allow analysis. (RTC-152). But then the FEIR contradicts itself by admitting the existence of several studies. The San Francisco County Transportation Authority in the study, TNCs Today, calculated that there are 220,000 ride-hailing trips made daily in San Francisco, representing 20% of VMT. (RTC-153). A study by University of California at Davis calculated that 24% of adults use TNCs weekly or daily. (RTC-153). The FEIR admits that ride-hailing "could result in some increase in VMT per capita." (RTC-154). Clearly, TNCs will increase VMT. VMT already increases due to the Project. Therefore VMT will increase even more than projected. Therefore the City cannot rely on SB 743 to ignore traffic impacts, and a traffic analysis and mitigation is required.

The City's legal position has been rejected in a similar context in the *Berkeley Jets* case. *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs* (2001) 91 Cal. App. 4th 1344, 1365. Although the facts are different, the legal issue is the same. In that case the Port of Oakland said that they did not have the ability to calculate VOC (toxic chemical) impacts on human health and therefore did not need to include analysis in the EIR. The Court of Appeal roundly rejected that argument, stating that if the agency did not have the in-house ability to conduct the analysis, then it needed to hire outside experts. See discussion starting at page 1365 of the attached decision:

"However, once again the EIR concluded that, "as there are no standards of significance for mobile-source TAC emissions, the significance of this impact after mitigation is unknown."...

Voluminous documentary evidence was submitted to the Port supporting the assertion that an approved and standardized protocol did exist which would enable the Port to conduct a health risk assessment. For instance, the Port was cited to eight studies performed by the EPA on TAC emissions from mobile sources, including an EPA study of TAC emissions generated from aircraft and related vehicular sources at Midway Airport in southwest Chicago....

The fact that a single methodology does not currently exist that would provide the Port with a precise, or "universally accepted," quantification of the human health risk [***54] from TAC exposure does not excuse the preparation of any health risk assessment—it requires the Port to do the necessary work to educate itself about the different methodologies that are available. The Guidelines recognize that "drafting an EIR . . . involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can." (Guidelines, § 15144, italics added.) "If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the [*1371] agency should note its conclusion and terminate discussion of the impact." (Guidelines, § 15145, italics added.)

We also find unpersuasive the Port's argument that the absence of a health risk assessment can be excused because the Port Commissioners, in approving the EIR, found that the effect of TAC's would be significant but that overriding considerations warranted proceeding with the project anyway. This approach has the process exactly backward and allows the lead agency to travel the legally impermissible easy road to CEQA compliance. [***55] Before one brings about a potentially significant and irreversible change to the environment, an EIR must be prepared that sufficiently explores the significant environmental effects created by the project. The EIR's approach of simply labeling the effect "significant" without accompanying analysis of the project's impact on the health of the Airport's employees and nearby residents is inadequate to meet the environmental assessment requirements of CEQA.

In summary, the defects disclosed by the record in the EIR's treatment of TAC's are substantial. The Port's response fell far short of the "good faith reasoned analysis" mandated by CEQA for responding to significant conflicting information generated by the public. (*Laurel Heights II*, *supra*, 6 Cal. 4th at p. 1124; *Cleary v. County of Stanislaus*, *supra*, 118 Cal. App. 3d at p. 358.) Much information of vital interest to the decision makers and to the public pertaining to toxic air contamination was simply omitted. In other instances, the information provided was either incomplete or misleading. The dispute in this regard goes beyond a disagreement of qualified experts over the reasoned conclusions as to [***56] what the data reveals. The EIR failed to acknowledge the opinions of responsible agencies and experts who cast substantial doubt on the adequacy of the EIR's analysis of this subject. The conclusory and evasive nature of the response to comments is pervasive, with the EIR failing to support its many conclusory statements by scientific or objective data. These violations of CEQA constitute an abuse of discretion. The Port must meaningfully attempt to quantify the amount of mobile-source emissions that would be emitted from normal operations conducted as part of the ADP, and whether these emissions will result in any significant health impacts. [**619] If so, the EIR must discuss what mitigation measures are necessary to ensure the project's conformance with all applicable laws, ordinances, standards, and regulations related to public health protection."

Similarly, although there may be no standard methodology to analyze the impacts of ride-hailing services, there is ample data on the services clearly showing that they are major contributors to traffic congestion. Ride-hailing services represent about 20% of traffic in the Central SoMa area. In addition VMT is higher for ride-hailing services than for private vehicles since they "drive around" in between rides, creating VMT that would not otherwise exist. The City is required to make a good faith effort to analyze the impacts of ride-hailing services which will clearly increase traffic congestion and increase VMT. The failure of the EIR to analyze ride-hailing impacts render the EIR inadequate.

C. The EIR Improperly Analyzes the Project's Shadow Impacts.

The DEIR erroneously conducted its shadow analysis assuming a 300 foot building for One Vassar at Harrison east of Fourth St. When corrected to 350 feet, it results in more shadow at the POPOS at 303 Second Street. (FEIR RTC 78-9) The FEIR admits for the heavily used POPOS at 303 Second Street, "new shading could cover most of the plaza, especially between approximately noon and 2 p.m." (RTC-233). This is a significant new impact not disclosed in the DEIR. Therefore, as discussed above, a recirculated DEIR is required.

City improperly states that shadow impact to POPOS are not significant, stating that the only significant impacts under CEQA are shadows on parks under the control of San Francisco Recreation and Parks Department. City Planning Department's own Policy document states the opposite. (See also RTC-230).

The Planning Department's own 2014 memorandum regarding shadow analyses ("Memorandum") acknowledges that the need shadow analysis under CEQA can arise even where the land impacted would not require a shadow analysis under Planning Code Section 295. See, "Shadow Analysis Procedures and Scope Requirements," Memorandum from SF Planning Department to Planning Department Staff (July 2014), attached hereto as Exhibit B. The Memorandum states: "there are two circumstances which could trigger the need for a shadow analysis":

- (1) If the proposed project would be over 40 feet tall, and could potentially cast new shadow on a property under the jurisdiction of the Recreation and Park Department, per San Francisco Planning Code Section 295; and/or
- (2) If the proposed project is subject to review under the California Environmental Quality Act (CEQA) and would potentially cast new shadow on a park or open space such that the use or enjoyment of that park or open space could be adversely affected.

Memorandum, p. 1 (attached hereto as Exhibit B).

The Memorandum goes on to explain that:

[I]f the project is over 40 feet in height and has potential to cast new shadow on a park or open space that is not protected by Section 295 of the Planning Code . . . a shadow analysis may also be required for the purposes of CEQA review.

Id.

It goes on to say that "In order to inform the CEQA analysis, the Planning Department may require a detailed quantitative analysis for non-Section 295 properties." Memorandum, p. 3. In other words, they City itself acknowledges that the scope of impacts is broader under CEQA than it is under Planning Code Section 295.

The EIR includes substantial evidence that the Project's shadow will substantially effect the 303 Second Street POPOS, and other POPOS. The impact is admittedly greater in the Final EIR than in the Draft EIR. This impact must be acknowledged, analyzed and mitigated in a new draft EIR.

D. The EIR Inadequately Mitigates Air Pollution Impacts and Related Cancer Risks.

The Final EIR admits that the Plan will increase cancer risks in the area by 226 per million. (RTC-206). This is a startling admission since the CEQA significance threshold for airborne cancer risk is 10 per million. In other words the Plan will create 22 times greater cancer risk than what is considered significant by the Bay Area Air Quality

Management District ("BAAQMD"). To put this in perspective, the Phillips 66 refinery, one of the largest oil refineries in the State, creates a cancer risk of 23 per million.

http://www.aqmd.gov/docs/default-source/planning/risk-assessment/annual_report_2014.pdf. In other words, the Plan subjects Central SoMa residents to as much cancer risk as 10 massive oil refineries.

Despite this significant airborne cancer risk, the EIR fails to impose all feasible mitigation measures, including measures suggested by the Office of the Attorney General, such as solar panels on all buildings, solar water heaters, solar energy storage, programs to replace high-polluting vehicles, etc. Instead the EIR relies on only four weak mitigation measures. The EIR refuses even to require the retrofit of existing buildings with air filtration to reduce indoor cancer risk. (RTC-212).

CEQA requires the lead agency to adopt feasible mitigation measures that will substantially lessen or avoid the Project's potentially significant environmental impacts (Pub. Res. Code §§ 21002, 21081(a)), and describe those mitigation measures in the CEQA document. (Pub. Res. Code § 21100(b)(3); CEQA Guidelines § 15126.4.) A public agency may not rely on mitigation measures of uncertain efficacy or feasibility. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation measure because no record evidence existed that replacement water was available).) "Feasible" means 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.) Mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments. (Id. at § 15126.4(a)(2).) A lead agency may not conclude that an impact is significant and unavoidable without requiring the implementation of all feasible mitigation measures to reduce the impacts of a project to less than significant levels. (CEQA Guidelines §§ 15126.4, 15091.)

The City has clearly failed to impose all feasible mitigation measures to reduce airborne cancer risks. The City is therefore legally prohibited from adopting a statement of overriding considerations and may not approve the Plan until all mitigation measures are imposed.

E. The EIR Fails to Analyze and Mitigate Impacts Related to Gentrification and Displacement.

Since the Plan creates four times more jobs than housing, it will create jobs-housing imbalance, which will increase pressure on the limited housing stock, will increase home prices, and will lead to gentrification and displacement. The EIR refuses to analyze or mitigate this impact, erroneously concluding that gentrification is not an environmental impact under CEQA. (RTD-250). The city is mistaken.

CEQA requires the lead agency to determine whether the "environmental effects of a project will cause substantial adverse effects on human beings, either directly or

indirectly," (PRC § 21083(b)(3), (d)), and to "take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." See PRC §21000 et seq.

CEQA Guidelines Appendix G, Section XII provides that a project will have significant impacts where it will:

- Induce substantial population growth or concentration of population in an area, either directly (for example, by proposing new housing or businesses), or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere; or
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. ^(U)_(SEP) See CEQA Guidelines Appendix G, Section XII.

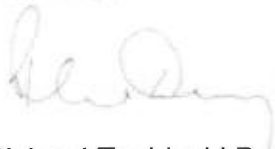
Here, the Plan will create four times more jobs than housing, which will drive up prices for limited housing, causing massive displacement and dislocation. See Kalama D. Harris, Attorney General, "Environmental Justice at the Local and Regional Level," May 8, 2012, available at http://oag.ca.gov/sites/all/files/pdfs/environment/ej_fact_sheet_final_050712.pdf.

A Revised Draft EIR is required to analyze displacement impacts and to propose feasible mitigation measures and alternatives. One obvious alternative is the Mid-Rise Alternative, which would have a more balanced mix of housing compared to jobs.

CONCLUSION

For the reasons set forth above and in our earlier comments, we urge the City to reject the EIR as legally inadequate, refuse to rely upon AB 73, and adopt the Mid-Rise Alternative. Thank you for considering our comments.

Sincerely,



Richard Toshiyuki Drury
LOZEAU | DRURY LLP
Counsel for Central SoMa Neighbors and SFBLU

ATTACHMENT A



SMITH ENGINEERING & MANAGEMENT

April 12, 2018

Mr. Richard Drury
Lozeau Drury
410 12th Street, Suite 250
Oakland, CA 94607

Subject: Central SoMa Plan Project FEIR (SCN 2013042070 P17003

Dear Mr. Drury:

At your request, I have reviewed the Final Environmental Impact Report (the "FEIR") for the Central SoMa Plan Project ("the Project") in the City and County of San Francisco (the "City"). My review is specific to the traffic and transportation section of the FEIR and its supporting documentation. I previously commented on the Draft Environmental Impact Report (the "DEIR") for this Project in a letter dated February 13, 2017

My qualifications to perform this were thoroughly documented in my letter of February 13, 2017 and my professional resume was attached thereto. They are incorporated herein by reference.

Findings of my current review are summarized below.

Comment O-CSN-1.59 and Response TR-3

My comments now labeled O-CSN-1.59 in the FEIR response concerned whether the Project's transportation impacts are eligible to be evaluated under the provisions of SB 743 and that the metric adopted, VMT per capita, is not a reasonable one because a) it fails to measure the effects of people traveling through the study area and b) because it provides no measure of when the

aggregate effects of the numbers of people living, working and passing through the study area is too great for the functionality of the transportation system and the quality, livability and safety of the study area. The FEIR replies with a mind-numbing 2 and 2/3 page assertion that the DEIR can and does comply with the terms of SB 743 despite the fact that the Sustainable Community Strategy did not set any VMT per employee target, despite the fact that the DEIR analysis discloses that the Project would cause an increase in VMT generated per employee and nonsensically claiming that considering net VMT in the Project area "is essentially arguing for an automobile capacity metric". In addition to revealing the responder's bias toward unlimited development and manhattanization of San Francisco, the statement that considering net VMT in the Project area is essentially arguing for an automobile capacity metric is factually incorrect. Reasonable people understand that one cannot jam unlimited numbers of rats into a cage or goldfish into a bowl without adverse consequences. However, using *efficiency standards* like average VMT per capita and average VMT per employee as a sole measure of sustainability is like saying one *can jam an unlimited number of rats into a cage or goldfish into a bowl except in this case the matter involves stuffing people into a limited area*. What is needed in addition to the VMT efficiency metric is a VMT ceiling for the area. And this in no way like an automobile capacity metric such as Level of Service (LOS) because LOS tends to be a point specific metric (i.e. a particular street intersection, road segment, freeway ramp or freeway segment) whereas a net VMT metric is a Project area-wide metric.

Moreover, Response TR-3 attempts to weasel out from the DEIR's disclosure that under the Project, the VMT per employee would *increase* over the existing condition. It states "*These increases in the employment category are within the general margin of error inherent in efforts to model travel behavior into the future*", apparently referring to the error range in the validation of the SFMTA's SF-CHAMP transportation model that was relied upon in the analysis. However, the DEIR and the FEIR response has not disclosed any statistics on the SF-CHAMP's validation statistics, particularly on screen lines or cordons close to the Central SoMA. This begs the question whether the VMT reductions claimed per capita among future residents in the Central SoMa area are also within the margin of error of the SF-CHAMP model. Cherry-picking results favorable to the Project while dismissing results unfavorable to the Project is inconsistent with the good faith effort to disclose impact required by CEQA.

The response is inadequate and unreasonable.

Comment O-CSN-1.60 and Response TR-5

This comment concerned the fact that the DEIR did perform a typical traffic LOS analysis of intersections and freeway ramps in the SoMa study area but, other than a generalized summary, withheld the detailed results from the public.

Response TR-5 repeats the information that in March 2016, the City Planning Commission adopted a resolution to replace vehicular delay and LOS as a criterion for determining significant impacts pursuant to CEQA with a criterion based on VMT. However, the Notice of Preparation (NOP) for the Central SoMa Plan Project EIR was published on April 24, 2013, just about a month short of 3 years prior to the Planning Commission resolution revising the impact criterion. This is akin to changing the rules of the game at half-time. This EIR should have been completed under the criteria that were in effect at the time of the NOP.

Furthermore, the City snuck the Transportation Impact Study (the "TIS")¹ into the Administrative Record rather than publishing it as an Appendix to the DEIR and posting it on the Planning Department's web site as the DEIR and its other appendices were. This is an impropriety that parallels the deletion of portions of footnotes from tables drawn from the City Planning Department's May 15th 2015 memorandum *Transit Data For Transportation Impact Studies* in order to conceal the outdated nature of data contained therein, an impropriety that Response GC-2 now essentially admits and purports to remedy by restoring the deleted footnote language.² Since the DEIR clearly relies upon the LOS/delay analyses in the TIS as the basis for its conclusions about the consequences of street network changes on transit operations, it obviously should have made this study open and obvious to the public by publishing it as an appendix to the DEIR.

The final section of Comment O-CSN-1.60 concerns the fact that the DEIR transportation analysis does not distinguish how much of the operational deterioration is generated by Project land uses versus that caused by street network changes and versus consequences of growth in nearby areas. Response TR-5 claims that the analysis of Alternative 5 (Land Use Plan Only) in Chapter VI, Alternatives, addresses this issue. However, the analysis of this Alternative is only generalized, qualitative, narrative and conclusory in nature. Furthermore, it only attempts to analyze in this general way what would happen if the land use portion of the Project were implemented without the street network changes; it fails to address the consequences of growth in nearby areas. The response is inadequate.

Comment O-CSN-1.61 and Response GC-2

This comment pointed out that much of the transportation data relied on in the analysis is stale. It also pointed out that, as noted above, the DEIR presentation

¹ *Central SoMa Plan Transportation Impact Study*, Advant Consulting/Fehr & Peers/LCW Consulting, December 2016.

² See Responses To Comments pages 377 and 378.

of the transportation data it relied on deleted certain footnotes from the original City document. The deleted footnotes made evident how stale the data is.

Without any apology for the impropriety of deleting the footnotes indicating the dates the transportation data was collected, Response GC-2 simply restores the portion of the footnotes indicating the age of the data.

The larger issue is the adequacy of relying on data as dated as 2010. In 2010, the City, region and nation were in the early stages of recovery from the Great Bush Recession that had depressing effects on usage of most forms of transportation. By 2013 when the NOP was released, it was already evident that employment and transportation statistics had substantially changed since 2010. Moreover, by the time the DEIR was circulated, it was about 2 years and 8 months subsequent to the NOP and 6 years distant from 2010. Now, as the FEIR is being considered for certification, it is fully 5 years from the date of the NOP and 8 years subsequent to 2010. The City could have updated the regional population/employment/transportation data it relied upon to 2013 or to the anticipated release date of the DEIR by interpolation. Updating transportation ridership data is even easier. For example, Caltrain issues ridership data every month based on paid fares in the packet for its Board meeting the next month and does manual passenger counts in January or February of each year and analyzes them in a report that is normally available sometime in July. BART posts average weekday, Saturday and Sunday ridership statistics by station for each month, usually by the fifth day of the subsequent month. So it is not an unreasonable expectation to have baseline data in an EIR that is relatively current. Unfortunately, the City and its consultants apparently have no interest in making the baseline data as current as practical. This undermines the findings of the EIR.

Comment O-CSN-1.62 and Response TR-6

This comment concerns the DEIR's failure to disclose and mitigate BART's problems with platform capacity in some downtown San Francisco stations and the likelihood that the Project would intensify those problems. The Response to Comment directs the commenter to Response TR-6. However, Response TR-6 concerns the adequacy of certain figures in the DEIR and nothing to do with our comment O-CSN-1.62.

After searching through other responses, it is evident that the topic of Comment O-CSN-1.62 is replied to in Response TR-8. This response deceptively and untruthfully claims that the comment is "incorrect". It does so based on the assertion that another City EIR, that for the Transit Center District Plan, did disclose impacts on the downtown BART stations. However, the comment is concerned about what is in this EIR; not some other EIR that was not even

referenced in this context in this EIR. This irrelevant and misleading response is inadequate.

Further, the response attempts to divert focus from the subject DEIR's failure to disclose and mitigate this Project's impacts on the Montgomery Street BART station's capacity problems by noting that the Project's BART patrons would likely be split between the Powell and Montgomery stations. Because Montgomery Street BART Station is already capacity- and safety-challenged, even a split contribution of Project patrons would be a significant impact.

The response also attempts to divert attention from the failure to disclose impact by stating that because more of the development is located west of Third Street, much of the BART patronage split would be toward Powell Street BART Station, using Muni's Central Subway. However, this ignores the fact that for many, the side-track or backtrack walk to the 4th and Clementina or 4th and Brannan stations, the wait for a train, the ride and then the 1,000-foot connector tunnel backtrack walk to get to Powell BART (or the reverse in the opposite direction), many patrons will just walk to the nearest BART station.

This response is clearly inadequate.

Comment O-CSN-1.63 and Response CU-3

Response CU-3 satisfactorily replies to this commenter's question as to whether and how certain large projects near Central SoMa are included in the transportation analysis. However, its conclusion that the Project would not have significant construction impacts on traffic, pedestrian and bicyclist operations and safety is unsubstantiated, speculative and illogical. The assumption supporting this conclusion makes no sense. That assumption is that because of the relatively short period of individual project construction and long duration of Plan build out, there is little likelihood of projects undergoing concurrent construction close enough to one-another to have cumulative impacts. In fact, with development projects typically taking 2 to 3 years to construct as the subject response discloses at page RTC 303, in order to house the projected 25,500 new residents and 62,600 jobholders plus additional numbers whose places of residence or work are displaced by the new developments that are to take place in a 17 block area over a period of 22 years, there is every likelihood that several projects close to one another will be simultaneously under construction at any point in time.

Comment O-CSN-1.64 and Response TR-9

This comment concerned increased hazard of collisions due increased numbers of conflict movements between pedestrians, bicyclists and motor vehicle traffic.

The DEIR admits that the Project will increase potential conflicts between all forms of traffic - pedestrians, bicyclists and motor vehicles. But it falsely asserts that increase in exposure to conflict does not constitute a traffic hazard. In fact, all meaningful collision statistics are expressed in collisions per units of exposure.

The DEIR makes the unsupported assertion on page IV.D-41 that street network changes would reduce the incidence of conflict to levels such that would make the traffic hazards of implementation of the plan less than significant. However, neither the DEIR nor Response TR-9 present no analysis of conflict incidence with and without the Project's land use component and with and without the Project's purported improvements to traveled ways. Consequently, the assumption that physical improvements to roadways, sidewalks, bikeways and intersections will offset the increases in conflicts among pedestrians, bicyclists and motorized traffic remains an unsupported speculation extremely favorable to the Project and inconsistent with CEQA's demand of a good faith effort to disclose impact. Hence, Response TR-9, like the DEIR's conclusion on this issue, is inadequate.

Comment O-CSN-1.65 and Response TR-12

This comment concerned emergency vehicle response. It took issue with the DEIR's attempt to gloss over the significant impacts on emergency response that it discloses increased traffic congestion caused by the Project would create. Like the DEIR, Response TR-12 asserts, without foundation, that vaguely defined mitigation measure M-TR-8 would somehow allow emergency responders to get through blocks of extensively queued and gridlocked traffic unimpeded when, in fact, that queued traffic would have nowhere to go to get out of emergency vehicles' way.

Following is the description of mitigation measure M-TR-8 from the DEIR page IV.D-81:

Mitigation Measure M-TR-8: Emergency Vehicle Access Consultation. During the design phase of each street network project, SFMTA shall consult with emergency service providers, including the San Francisco Fire Department and the San Francisco Police Department. Through the consultation process, the street network design shall be modified as needed to maintain emergency vehicle access. SFMTA shall identify design modifications through this process, as needed to meet the following performance criteria:

- No physical barriers shall be introduced that would preclude emergency vehicle access. Street design modifications should achieve the goals of the project without precluding emergency vehicle access. Design modifications selected by SFMTA, as needed to meet the performance criteria, shall be incorporated into the final design of each street network project and could include, but shall not be limited to: mountable concrete buffers, mountable curbs and corner or sidewalk bulbs, modification of corner or sidewalk bulbs and curb locations to accommodate turning emergency vehicles, and emergency vehicle

signal priority. Any subsequent changes to the streetscape designs shall be subject to a similar consultation process.

Significance after Mitigation: Implementation of **Mitigation Measure M-TR-8** would ensure that the significant emergency vehicle access impact would be reduced to a *less-than-significant* level.

This mitigation measure says or does nothing about getting blocks of gridlocked peak hour traffic queues out of the way of emergency vehicles. Like mitigation measure M-TR-8, Response TR-12 is inadequate.

Response TR-7

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 4 percent in 2017³. 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 Francisco⁴. 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 SoMa⁵. On weekdays 21 percent of all TNC VMT is out-of-service travel⁶. 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

³ 2013-2017 Travel Decision Survey Data Analysis and Comparison Report, SFMTA, Fehr & Peers, July, 2017, page 10.

⁴ TNCs Today: A Profile of San Francisco Transportation Company Activity, San Francisco County Transportation Authority, June 2017, page 9.

⁵ Id., page 12.

⁶ Id., page 15.

percent of TNC trips are ones that otherwise would have been made by walking, bicycle or transit⁷.

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.

Conclusion

This concludes my current comments on the Central SoMa Plan Project FEIR. The comments herein demonstrate the inadequacy of the FEIR responses to comments on the flaws in the DEIR and why the FEIR is currently unsuited for certification.

Sincerely,

Smith Engineering & Management
A California Corporation



Daniel T. Smith Jr., P.E.
President

⁷ *Disruptive Transportation, The Adoption, Utilization and Impacts of Ride-Hailing in the United States*, Chewlow, Regina R. and Mishra, Gouri S., University of California Davis Institute of Transportation Studies, October 2017, page 26.

ATTACHMENT B



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: July 2014
TO: Planning Department Staff, Shadow Analysis Consultants
FROM: Rachel Schuett, Kevin Guy, SF Planning Department
RE: Shadow Analysis Procedures and Scope Requirements

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

In the City and County of San Francisco, there are two circumstances which could trigger the need for a shadow analysis:

- (1) If the proposed project would be over 40 feet tall, and could potentially cast new shadow on a property under the jurisdiction of the Recreation and Park Department, per *San Francisco Planning Code Section 295*; and/or
- (2) If the proposed project is subject to review under the California Environmental Quality Act (CEQA) and would potentially cast new shadow on a park or open space such that the use or enjoyment of that park or open space could be adversely affected.

This memorandum documents the Planning Department's standard procedures for conducting a shadow analysis both for the purposes of CEQA review and for the purposes of *Section 295* review. A complete Shadow Analysis has three main components: (1) Shadow Diagrams, (2) Shadow Calculations, and (3) a Technical Memorandum. In some cases, survey information may also be required.

A shadow analysis should be completed in five sequential steps:

- Step 1. Preliminary Shadow Fan
- Step 2. Project Initiation
- Step 3. Shadow Diagrams
- Step 4. Shadow Calculations
- Step 5. Technical Memorandum

Each of these steps is described, in detail, below.

Step 1. Preliminary Shadow Fan

The Planning Department typically prepares a preliminary shadow fan as part of the Preliminary Project Assessment (PPA) process for projects which exceed 40 feet in height. If the preliminary shadow fan indicates that the proposed project has the potential to cast new shadow on a park or open space which is protected by Section 295 of the *Planning Code*, a shadow analysis will be required for the purposes of Section 295 review.

Typically, this information is included in the PPA Letter. For projects not subject to the PPA process, and/or if the project is over 40 feet in height and has potential to cast new shadow on a park or open space that is not protected by Section 295 of the *Planning Code*, or if the project is less than 40 feet in height and could cast new shadow on any park or open space a shadow analysis may also be required for the purposes of CEQA review. This would be determined on a case-by-case basis as part of the scoping process for the environmental review. A preliminary shadow fan would be prepared by Planning Department staff at that time.

Step 2. Project Initiation

If the preliminary shadow fan indicates that there is potential for the proposed project to cast new shadow on a park or open space, and the Planning Department requests the preparation of a shadow analysis by a qualified consultant, the project sponsor should initiate the analysis by (1) filing a Shadow Analysis Application, (2) retaining the services of a qualified consultant, and (3) providing a scope of work for the shadow analysis.

- (1) Shadow Analysis Application. Filing a shadow analysis application initiates the process of shadow analysis review. The Shadow Analysis Application Packet can be found here: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8442>. The fee is currently \$525.00, payable to the San Francisco Planning Department. Once the Shadow Analysis Application is received, a technical specialist will be assigned.
- (2) Qualified Consultant. The project sponsor should retain the services of a qualified shadow consultant. Currently, the Planning Department does not maintain a list of qualified consultants for the purposes of Shadow Analysis preparation. Thus, consultant selection should be based on the consultant's demonstrated capacity to prepare a Shadow Analysis as outlined in Steps 3 – 5, below.
- (3) Scope of Work. Once a technical specialist is assigned, the consultant should prepare and submit a scope of work for the Shadow Analysis. The scope of the Shadow Analysis should be based on the preliminary shadow fan, and Steps 3 – 5, below. Once the technical specialist has approved the scope of work the Shadow Analysis may be initiated.

Step 3. Shadow Diagrams

The preliminary shadow fan prepared by the Planning Department indicates whether or not there is any possibility that a project may cast new shadow on a park or open space. However, the shadow fan does not take into consideration intervening shadow that is cast by existing buildings and/or permanent infrastructure (such as elevated roadways, on- and off-ramps, etc.). Further, the preliminary shadow fan is typically based on full build out of the zoning envelope including complete lot coverage and maximum height plus a penthouse allowance (typically 16 feet). Therefore, shadow diagrams should be prepared for the building as defined in the project description for environmental review, which should be determined in consultation with the Planning Department.

Please note: shadow cast by vegetation should not be included as part of existing or net new shadow.

Diagrams of shadows cast by the proposed project should be provided for the following four days of the year:

- Winter Solstice (December 21) - midday sun is lowest and shadows are at their longest.
- Summer Solstice (June 21) - midday sun is at its highest and shadows are at their shortest.
- Spring/Fall Equinox (March 21/September 21) - shadows are midway through a period of lengthening.
- The "worst case" shadow day – the day on which the net new shadow is largest/longest duration.

On the days the graphical depictions are required, the shadows should be shown on an hourly basis, from one hour after sunrise (Sunrise + 1 hour) to one hour before sunset (Sunset - 1 hour) and at the top of each hour in between.

Example: On June 21, the sun rises at 5:48 a.m. and sets at 8:35 p.m. Therefore shadow graphics should be included at the following times:

- A.M.: 6:48, 7:00, 8:00, 9:00, 10:00, 11:00
- P.M.: 12:00, 1:00, 2:00, 3:00, 4:00, 5:00, 6:00, 7:00, 7:35

All shadow diagrams should clearly indicate the outline of the project site and any parks or open spaces that may be affected including a generalized layout of park features such as seating areas, landscaped areas, playgrounds, recreational courts, and walking paths. The shadow diagrams should clearly indicate the shadow outline from the proposed project and should graphically distinguish between existing shadows versus net new shadow being cast by the project.

Shadow diagrams should also include the following, at a minimum:

- A north arrow
- A legend
- A figure number
- The project name (Ex. 555 Lyon Street)
- The date and time depicted (Ex. June 21 Sunset – 1 hr. or June 21 6:00 p.m.)

Shadow diagrams should be submitted as one file in .pdf format with a technical memorandum described in Step 5, below.

Step 4. Shadow Calculations

In order to obtain the information needed for a determination under Section 295, a detailed quantitative study of the new shadow cast upon an open space or park under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission is required. The quantitative study must include spreadsheets and/or tables that indicate the amount of existing shadow and net new shadow, measured in square foot hours (sfh), in 15 minute increments throughout the day during the hours regulated by Section 295 " on each day where the proposed project would result in net new shadow on the park.

The hours regulated by Section 295 occur between one hour after sunrise through one hour prior to sunset. Each 15 minute entry should expressly indicate the date, the time of sunrise, and the time of sunset. It is important to indicate the corresponding amount of existing shadow on the subject open space or park, as this amount is key in determining the relative effect of any new shadow.

In order to inform the CEQA analysis, the Planning Department may also require a detailed quantitative analysis for non-Section 295 properties, or in cases where Section 295 does not apply due to the project's height, or based on some other circumstance. This will be determined on a case-by-case basis.

These spreadsheets and tables should be summarized in the Technical Memorandum, as described in Step 5 below, and appended, in their entirety, to the report.

Step 5. Technical Memorandum

The shadow diagrams, shadow calculations, and any other supporting materials should be accompanied by a technical memorandum which includes (at a minimum) the following information:

- **Project Description.** Include the location of the project site (neighborhood, address, Assessor's Block/Lot, nearby landmarks), general topography, and project boundaries. Describe existing building(s) and land use(s) on and around the project site, including building height(s). Include proximity to parks, open spaces, and community gardens. Describe the proposed project including demolition and new construction. Describe the physical characteristics of the proposed building(s) as well as the proposed use(s). Include and refer to building elevations.
- **Modeling Assumptions.** The shadow graphics and calculations should be accompanied by clear documentation of the assumptions for the modeling including:
 - The height assumed for each of the buildings (or building envelopes).
Please note: Please contact the Planning Department for specific direction in how to model intervening shadow cast from buildings between the proposed project site and the affected park or open space.
 - The allowance for penthouses and parapets (which should be determined in consultation with Planning Department staff).
Please note: the Planning Department typically requires that final building designs be modeled rather than building envelopes, or hypothetical building forms based on existing or proposed zoning. However, building envelopes may be substituted in some circumstances as directed by Planning Department staff.
 - Building sections and elevations (for the proposed project).
 - If the project site is steep and/or has varied topography the documentation should identify where the height of the envelope of the building was measured from.
- **Potentially Affected Properties.** Potentially affected properties including: parks, publicly-accessible open spaces, and community gardens identified in the graphical depictions should be listed and described. The description of these properties should include the physical features and uses of the affected property, including but not limited to: topography, vegetation, structures, activities, and programming. Each identified use should be characterized as 'active' or 'passive.' Aerial photographs should be included, along with other supporting photos or graphics. The programming for each property should be verified with the overseeing entity, such as the Port of San Francisco, the Recreation and Parks Department, etc. Any planned improvements should also be noted.
- **Shadow Methodology and Results.** Describe how the analysis was conducted, what assumptions were made? Describe the "solar year", the "solar day" and define any other terms, as needed. Refer to shadow diagrams and describe results.
- **Quantitative Analysis (for properties subject to Section 295, and as required by the Planning Department).** The Technical Memorandum should include a narrative summary of the quantitative shadow effects that would result from the project, and discuss how these effects relate to the quantitative criteria set forth in the "Proposition K – Implementation Memo" as jointly adopted by the Planning and Recreation and Park Commissions in 1989.

The quantitative analysis discussion should (1) Identify the theoretical annual available sunlight (T.A.A.S.) for any/all affected Section 295 protected properties (and/or other properties identified by the Planning Department), calculated in square-foot-hours (sfh) by multiplying the area of the park by 3,721.4 (the number of hours in the year subject to Section 295), (2) Identify the amount of existing shadow on the park or open space (in sfh), (3) Identify the amount of net new shadow cast on the park or open space by the proposed project (in sfh), and (4) Where applicable for Section 295 properties, identify the park's 'shadow budget'. Compare (1) to (2) and (3), and (4) if applicable.

Summary tables and graphics should be included.

It should be noted that accurate park or open space boundaries are germane to an accurate calculation of the theoretical annual available sunlight hours (T.A.A.S.). It is advised that the shadow consultant verify park boundaries and area with Planning Department staff prior to initiating the calculation. Similarly, the assumptions for calculating the existing shadow load should also be verified with Planning Department staff prior to initiating the calculation.

- Shadow Characterization. The Technical Memorandum should include a narrative, qualitative summary of the effects of net new shadow on each park or open space on which new shadow would be cast. This narrative summary should be based on the following shadow characteristics:
 - Size
 - Times of year
 - Times/duration within a given day
 - Location of new shadow in relation to park features
 - Relationship of new shadow to surveyed¹ usage patterns in the park

The narrative description should clearly characterize the net new shadow that would occur over the course of the year.

Example: "the proposed project would cast net new shadow on Jackson Playground and Tennis Courts between March 3 and October 14, with the largest area of shadow being cast on July 27. . ."

Then go on to characterize the times of day during which the shadow would occur, and identify what is occurring in that area of the park or open space at that time.

- Cumulative Shadow Analysis. In the event that the proposed project would cast net new shadow on a park or open space that would also be affected by other proposed projects, the Planning Department may require a cumulative shadow analysis in addition to the 'existing plus project' analysis that is described above. The cumulative scenario should be developed in cooperation with Planning Department staff. The cumulative analysis requirement could potentially include all of the information required for the 'existing plus project' analysis, but would be determined on a case-by-case basis in consultation with Planning Department staff.

¹ Note: the scope and approach for a use survey should be vetted in advance with Planning Department staff.

- Proposed Project-Related Public Good. Under Section 295 of the Planning Code decision-makers may weigh the amount and duration of shadow cast by the proposed project against the public good or public benefits associated with the proposed project. This section should identify (1) the public interest in terms of a needed use, (2) building design and urban form, (3) impact fees, and (4) other public benefits.

The Technical Memorandum should include summary tables and graphics to inform decision makers of the potential effects of net new shadow. The Technical Memorandum should only document facts and observations related to the amount and duration of shadow and the use of the park or open space and should not include a conclusion as to whether or not an impact(s) would occur.

Work Plan

The scope of work identified in Steps 2 – 5 is a complete scope of work meeting the requirements of a shadow analysis for the purposes of a Section 295 determination and/or in support of an impact determination under CEQA, where net new shadow on a park or open space would be associated with a proposed project.

In some cases the Planning Department may wish to review the shadow diagrams, shadow calculations, and the descriptions of the use(s) of the affected properties, in advance of making further recommendations on the shadow analysis scope. Therefore, the graphics and descriptions may be requested in advance of the preparation of the full Technical Memorandum.

For example, the Planning Department may make a recommendation for the scope of a park survey(s) after reviewing the shadow diagrams, shadow calculations, and the descriptions of the use(s) of the affected properties. Therefore, the work plan for the shadow analysis should be developed in consultation with Planning Department staff.

Fees

The current application fee for a shadow analysis (K Case) is \$ 525.00 (adjusted annually). Please note, any time spent by Planning Department staff over and above the initial application fee will be billed on a time and materials basis. Recreation and Park Department staff will also bill time spent on the shadow analysis; including, but not limited to; providing information about park properties, review of the shadow analysis, preparation of the staff report, presentation to the Capital Committee and/or Recreation and Park Commission.

Recreation and Park Commission and Planning Commission Hearings

Projects which require a shadow analysis for the purpose of Section 295 compliance and which result in net new shadow on a park or open space under the jurisdiction of the Recreation and Park Department also require a hearing before the Recreation and Park Commission and the Planning Commission.

Recreation and Park Commission Hearings consist of two steps:

- (1) Capital Committee Hearing (meets 1st Wednesday of each month)
- (2) Recreation and Park Commission Hearing (meets 3rd Thursday of each month)

At the second hearing, the Recreation and Park Commission issues a recommendation, and the proposed project may then be heard by the Planning Commission.

The environmental review document should be final (not certified) prior to the Capital Committee Hearing. This means that a Categorical Exemption, or Community Plan Exemption, or Mitigated Negative Declaration should be signed, for an EIR the Responses to Comments and changes to the DEIR should be finalized. Recreation and Park Department staff should be consulted on how far in advance of the Capital Committee Hearing the environmental review document should be finalized.

The shadow analysis should be finalized at least three weeks prior to the Capital Committee Hearing for inclusion in the staff report. Recreation and Park Department staff typically review one or two drafts of the shadow analysis prior to finalizing the document. Recreation and Park staff should be consulted as early in the process as possible.

It should be noted that in some cases, a joint hearing before the Planning Commission and the Recreation and Park Commission is required. If a joint hearing is required, you will be notified by Planning Staff. Joint hearings are scheduled on a case-by-case basis through the respective Commission Secretaries.

Please do not hesitate to contact Rachel Schuett at Rachel.Schuett@sfgov.org or (415) 575.9030 or Kevin Guy at Kevin.Guy@sfgov.org or (415) 558.6163 with any questions, or if you need further clarification.

REUBEN, JUNIUS & ROSE, LLP

Received at CPC Hearing 5/10/18
S. Wertheim

May 10, 2018

Delivered Via Hand

President Rich Hillis
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94102

Re: Central SoMa Plan – Outstanding Code Amendment Modifications

Dear President Hillis:

Our office represents many key and non-key sites in the Central SoMa Plan area. We have been working diligently with staff to ensure the proposed Planning Code amendments regulate the key sites consistent with the project proposals that have been developed with staff oversight. While staff has identified most issues we feel still need to be resolved in the amendments that would achieve this purpose, there are a handful of issues that require consideration by the Planning Commission, as outlined below:

1. Non-residential ground floor height (Sec. 145.1). Throughout the Central SoMa Plan process it was assumed that the 14-foot minimum non-residential ground floor height that applies in the MUO district would apply in Central SoMa. The current code amendments apply a 17 foot ground floor height in Central SoMa. At 4th/Harrison the project has been designed to date with the 14 foot ground floor height and a floor would be lost or sub-standard floor heights would need to be introduced with the 17 foot ground floor height.
2. Jobs Housing Linkage Fee Credit for Land Dedication (Sec. 413.7). Currently, the code amendments are somewhat unclear about being able to credit a portion of the Jobs Housing Fee if the value of a land dedication is less than the full fee amount. The language should be clarified.
3. 4th/Harrison Height Controls (Secs. 263.32, 263.34). The Code amendments provide the 4th/Harrison site the ability to achieve a 160/130 base height limit as well as an additional 25 foot height limit increase on top of that (the 25 foot increase is not site-specific). Currently, there are several eligibility options for the 25 foot height increase, but the 160/130 foot base height at the 4th/Harrison site is only allowed if land is

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben¹
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight
Chloe V. Angelis | Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

donated for affordable housing. The same eligibility criteria should apply to the base height as apply to the 25 foot height increase.

4. Land dedication references (Secs. 263.32, 263.34, 413.7). Currently the amendments regarding the land dedication option have references to relevant code sections that should be made clearer.
5. Key site tower separation exception (Sec. 329(e)). While it appears the intent of staff is to allow for a complete exception for tower separation at key sites, this should be made absolutely clear in the amendments.
6. Required Ground Floor Commercial Use (Sec. 145.4). Ground floor commercial use is required along certain corridors in Central SoMa. Certain projects intend to provide PDR space on the ground floor. It should be made clear that PDR space counts towards the ground floor commercial requirement.
7. Wind exceptions (Sec. 249.78(d)(7)). The amendments would allow for broader exceptions to the Planning Code wind requirements for new projects in Central SoMa. It should be made clear that so long as a project with mitigations is below the Nine Hour Hazard Criterion that an exception is available.

Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

cc: Steve Wertheim (Planning Department staff)
Jonas Ionin (Commission Secretary)

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

REUBEN, JUNIUS & ROSE, LLP

April 10, 2018

Dear President Hillis and Members of the Planning Commission,

Santa Rosa Wholesale Florist is the oldest family-owned and operated wholesale florist in the San Francisco Flower Mart. My uncles, Nick Ivanovich and Tony Campelia, started the company in Santa Rosa in 1927 (my father joined the company in 1940 after graduating high school). Shortly after starting the company, they moved operations to the San Francisco Flower Mart, which was then located at 5th and Howard. My family has been part of the market ever since, moving to the current market at 6th and Brannan when it opened in 1956. My son Kevin, who is also in the family business, plans to continue the legacy and pass it on to my grandchildren after that.

In addition to the 300 people directly employed by the vendors in the Flower Mart, the market supports several more jobs in the Bay Area and beyond. These include truckers who transport the product, small business owners who sell the product to retail consumers, and designers who use the product for weddings, events, and interior decorating for hotels, businesses, and homes.

The buildings we are currently in are in bad shape. If we are going to preserve all of these jobs and continue to be successful for future generations like my son and my grandchildren, we need to upgrade our facilities. The new Flower Mart that will be made possible by the Central SoMa Plan gives us the opportunity to design a state-of-the-art flower market with modern facilities and an open plaza where we can host floral exhibitions and keep flowers relevant and exciting for people for years to come.

I understand that in order for a new market to be built, we must move to a temporary location during construction. It is my view that no matter where the temporary location is, the most important thing is for all tenants to stay together. The Flower Mart is the hub of the floral industry for the Bay Area and beyond and supplies several retailers, event planners, interior designers, etc. who come to the Flower Mart because of the variety we offer. When we moved from 5th and Howard to 6th and Brannan, our customers did not stop coming. Similarly, if the market needs to move somewhere temporarily in order to build a brand new flower market that will sustain us into the future, our customers will not stop coming. They know we will continue to serve them the same way we have since 1927 and we will be able to serve them even better in the new facility.

Please do not delay in showing your support for the Central SoMa Plan and the plan to build a new Flower Mart at 6th and Brannan Streets, as well as the plan for any temporary Flower Mart that is proposed for the time of construction of the new market. These projects are critical for the success of my business, the future success of the San Francisco Flower Mart, and the preservation of hundreds of jobs in San Francisco and the Bay Area.

Thank you for your time,

Allyn Tognoli


Owner, Santa Rosa Wholesale Florist

674 Brannan Street

San Francisco, CA, 94107

(415) 778-2850

636 Fourth Street project

Proposed amendments to Central SOMA Planning Code amendments (April 10 substitute ordinance) to facilitate an increase from 271 units to approximately 332 units and to resolve tower separation issue

1. Sec. 132.4(d)(2)(B) on page 23, line 7, amend to read:

(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, except that for a residential Tower on Block 3786, Lot 035, a 5-foot setback is required for the Tower Portion for the entire frontage along Fourth Street but not for the Bluxome Street frontage.

2. Sec. 132.4(d)(3)(A) on page 24, line 16, amend to read:

(A) The Tower Portion of a project shall have a horizontal separation of at least 115 feet from the Tower Portion of any other Tower, except that a residential Tower on Block 2786, Lot 035 may have a horizontal separation of not less than 40 feet from the Tower Portion of an approved or proposed Tower on an adjacent Key Site, as defined in Section 329(e).

3. Section 270(h)(3)(A)(i) on page 83, line 22, amend to read:

(i) For residential and hotel uses, the maximum Gross Floor Area of any floor shall be 12,000 gross square feet, except that for a residential Tower on Block 3786, Lot 035, the maximum Gross Floor Area of any floor shall be 13,000 gross square feet.

4. Section 270(h)(3)(B) on page 84, line 4, amend to read:

(B) Maximum Plan Dimensions for the Tower Portion:

(i) The maximum length shall be 150 feet, except that for a residential Tower on Block 3786, Lot 035, the maximum length shall be 170 feet.

5/10/18

Dear Commissioners,

The We Are SoMa coalition has consulted with numerous SoMa groups, and the demands outlined below are collective community demands. These demands are not new, we have been talking and presenting to the planning department and the planning commission for months regarding our community demands. These demands must be met for this coalition to support the plan.

Sincerely,

We Are SoMa Coalition

We Are SoMa Demands for the Central SOMA Plan

Housing

- Purchase existing affordable housing and land-bank future affordable housing sites
- Achieve 50% affordable housing for all new housing development
- Maximize Resident Neighborhood Housing Preference for new affordable housing units to the highest extent possible
- Expand AMI requirements for new affordable housing to include lower-income and middle-income people
- Support CCHO position on Jobs-Housing Balance¹
- Aggressive site acquisition and land dedication

Jobs

- No hotels until labor demands are met²

Production, Distribution, and Repair (PDR) and Small Businesses

- Secure affordable PDR space, for uses including small neighborhood businesses

¹ CCHO's Jobs-Housing Analysis:

- 1) Creation of close to 35,000 new jobs would create need for almost 30,000 new households
- 2) 55% of these 30,000 new households (close to 15,000 households) will be in the low to moderate-income categories (even more will not be able to afford market-rate housing)
- 3) Currently only 17% of the needed 15,000 affordable units are proposed as part of the plan, and the plan lacks enough housing overall to meet the new housing demand that would be created

² Position of Good Jobs 4 All:

- 1) **Targeted Hiring for End Use Jobs:** Employers commit to hiring targets for disadvantaged residents of Central Soma and the region
- 2) **Retention and Promotion:** Employers commit to retention and promotion targets;
- 3) **Workforce Development:** Developer fees will fund workforce development programs;
- 4) **Monitoring and Compliance:** Employers shall provide monthly hiring and retention data to the SF Office of Economic & Workforce Development (OEWD) and Central Soma groups;
- 5) **Living Wages, Stable Schedules & Fair Working Conditions:** Employers shall pay living wages, provide fair work schedules and respect employees' right to form a union by signing a card check neutrality agreement with the respective unions.

- Require compensation for the impacts of construction projects on adjacent businesses
- Support TODCO's position on affordable PDR space, including that there should be no change to the Prop X conditional use requirement³

SoMa CAC

- We want to see a governing body that represents the vibrancy and diversity of SOMA, that represents the people of SOMA and that has real power to set policy and direct funding to the areas and goals that are most needed

Schools and Childcare

- Require childcare facilities in major new developments; facilities should be provided onsite where it is physically possible to do so.

Parks and Recreation

- If there must be POPOS (rather than city parks), establish a community review board to create predefined POPOS design guidelines for new POPOS and a mandatory review process where the community review board must approve POPOS designs before they are presented to the Planning Commission to ensure that POPOS are neighborhood serving and friendly to children, youth, families, and seniors.
- There should be no incentive given to provide POPOS over parks (such as the proposed 33% reduction in required amount of open space if the developer provides a dog run, community garden, and/or sport court in new POPOS development)

Complete Streets

- SoMa CAC control in order to lead a community planning process for these changes
- Alleyways must be prioritized in improvements and changes

Environmental Sustainability

- Create a public participation process via the SoMa CAC
- Require living walls in new developments

³ TODCO's Position:

- 1) In determining the office developments to approve in any single year as provided by Section 415 of the Planning Code, the Annual Limit on Office Development, with regard to proposed projects that are located in the Central SOMA Plan District the Planning Commission shall give approval priority as follows for the allocation of available Prop M office space to those projects which shall include on-site, or provide off-site within the South of Market Special Use District, non-office commercial, nonprofit, or City-owned spaces equal in total to at least 40% of the office building's footprint that (a) is permanently affordable with rents no greater than 50% of market rates for comparable newly constructed San Francisco PDR space, and that (b) will be limited to occupancy by one of more of the following Central SOMA Neighborhood-Building uses: A. PDR/Arts; B. Predominantly SOMA/Mission Bay neighborhood residents-serving retail, including supermarkets; C. City of San Francisco public health, safety, and recreation facilities; D. Nonprofit community services facilities, including childcare centers; E. City-certified Legacy Businesses.

Received at CPC Hearing 5/10/18
S. Wertheim



South of Market Community Action Network

1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | www.somcan.org

May 10, 2018

Rich Hillis
President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Delivered via email: richhillissf@gmail.com

Dear Commission President Hillis,

The seventeen organizations listed below are writing to express significant concerns about the impact that the Central SoMa Plan as currently written will have on housing, displacement and employment creation for SoMa residents and working class communities city-wide. Our recommendations outlined below are critical steps to address our concerns and protect these communities, and we urge all of the Planning Commissioners to adopt them into the Central SoMa Plan before you approve it.

Central SoMa is a Plan for Developers, Not the SoMa Community

The proposed rezoning under the Central SoMa Plan represents a plan created by and for developers, not the existing community. As it stands, the plan is a recipe for gentrification and displacement in the South of Market and the rest of San Francisco. By upzoning and allowing office and luxury housing uses where they were previously banned, the City is effectively raising the value of land and inviting rampant speculation. These changes will also mean increased rents for both residential and commercial tenants (including vulnerable nonprofit organizations) as new developments create a new and higher comparable value for the area. More needs to be done to ensure that existing community members are able to stay living in the area, access the benefits of employment creation, and thrive as the plan is implemented.

Huge Jobs/Housing Imbalance will Impact the Entire City

The plan proposes adding roughly 35,000 new jobs and 8,300 new housing units (with the majority of those units being luxury market rate units). With most of the new jobs being in the tech sector and majority new market-rate housing, the Plan will benefit wealthier, more highly educated non-residents at the expense of existing low-income

and working-class communities and communities of color in the South of Market and the rest of the City. These proposed changes under the Central SoMa Plan will fuel evictions and displacement across San Francisco, and promote further homogenization of San Francisco in terms of race and class.

While the Planning Department itself has admitted the city-wide impacts of the Plan, it continues to promote false solutions by asserting that the housing needs created by the Plan will be met by new development in other areas of the City such as Treasure Island and Parkmerced. These proposed developments, however, are not yet built and so are not available to address near-term displacement caused by the plan. Furthermore, they have been designed to meet only current housing needs, not the significant increased demand for housing--an estimated approximately 30,000 new housing units-- that Central SoMa would create. There is simply no data to support the assertion that those developments will offset the gentrification and displacement impacts to San Francisco caused by the Central SoMa Plan.

No Existing Protections in the Plan

The Central SoMa plan lacks any strategy to address displacement impacts on existing residents, non-profits, and community serving businesses both in the South of Market and the rest of San Francisco. With the passage of the Central SoMa Plan, the existing pattern of displacement will only intensify. Instead of looking to market-based solutions to address the gentrification and displacement crisis, the City needs to start prioritizing interventions and regulations that can actually keep people in place while development in SoMa continues even without a new plan. In order to combat the negative impacts of the Central SoMa Plan on the existing community and the city at large, emergency controls need to be put in place and serious changes must be made to the Plan, as outlined below.

RECOMMENDATIONS

A. Establish Immediate, Interim Emergency Controls in SoMa *until* the Central SoMa Plan is Implemented to Prevent Speculation, Gentrification and Displacement:

- 1) Aggressive acquisition of existing rent-controlled buildings;
- 2) Aggressive acquisition of new development sites for 100% affordable housing;
- 3) Right of First Refusal for residential renters and/or nonprofits and commercial renters; and a
- 4) Moratorium on the sale of existing rent-controlled buildings, the sale of public land for private or for-profit development, and on new market-rate housing construction for projects not included in the existing Central SoMa Plan.

B. Adopt strong measures in the Central SoMa Plan to increase affordable housing:

- 1) Require at least 50% affordable housing for any new market rate housing development. This percentage of affordable housing is consistent with San Francisco's Housing Balance Policy passed in 2015;
- 2) Mandatory land dedication of sites for affordable housing for any development that is 1 acre or larger

C. Adopt strong measures in the Central SoMa Plan to support job creation for local residents. For development under the Central SoMa Plan to be accountable and equitable, SoMa residents must be employed with living wages and fair working conditions. Specifically, the Commission should adopt the following as part of the Central SoMa Plan:

- 1) For all residential development more than 10 units and all commercial development over 25,000 square feet, require the developer to provide a Community Good Jobs Employment Plan for public review and comment prior to consideration of project approval by the Planning Department that details the goals for all the permanent jobs within the future development for hiring South of Market and Central City residents, especially disadvantaged persons, at good living wages with benefits, and that details how those goals will be addressed through the future project's employers through engagement with concerned community, civic, and labor organizations.
- 2) Unless the following community accountability targets are met, hotels should be excluded from the Central SoMa Plan:
 - a) **Targeted Hiring for End Use Jobs:** Employers commit to hiring targets for vulnerable residents of Central Soma and the region;
 - b) **Retention and Promotion:** Employers commit to retention and promotion targets;
 - c) **Workforce Development:** Developer fees will fund workforce development programs;
 - d) **Monitoring and Compliance:** Employers shall provide monthly hiring and retention data to the SF Office of Economic & Workforce Development (OEWD) and Central SoMa groups;
 - e) **Living Wages, Stable Schedules & Fair Working Conditions:** Employers shall pay living wages, provide fair work schedules and respect employees' right to form a union by signing a card check neutrality agreement with the respective unions.

The Planning Commission has a responsibility to residents of SoMa and San Francisco overall to ensure that development is accountable to residents and community members. Adopting the above recommendations is a minimum necessary step towards stabilizing and protecting the existing community in the South of Market, especially

those who are most vulnerable to displacement. As such, we urge you to adopt these recommendations before your final approval of the plan.

Sincerely,

Angelica Cabande
Director, South of Market Community Action Network

Gordon Mar
Director, Jobs with Justice San Francisco

Susan Solomon
Executive Vice President, United Educators of San Francisco

Sheila R. Tully
Lecturer Vice-President, California Faculty Association – SF State University Chapter

Kim Tavaglione
Director, Community and Political Organizing, National Union of Healthcare Workers

James Tracy
Director, Community Organizing & Resident Engagement, Community Housing Partnership

Sarah “Fred” Sherburn-Zimmer
Executive Director, Housing Rights Committee of San Francisco

Shaw San Liu
Organizing Director, Chinese Progressive Association

Antonio Diaz
Organizational Director, People Organized to Demand Environmental and Economic Rights

Jessica Lehman,
Executive Director, Senior and Disability Action

Hong Mei Pang
Director of Advocacy, Chinese for Affirmative Action

Tony Robles
Board President, Manilatown Heritage Foundation

Carlos Gutierrez
Co-Founder, Homies Organizing the Mission to Empower Youth (HOMEY)

Shanti Singh
Steering Committee Member, Yes to Affordable Housing (YAH!)

Erina Alejo
Site Coordinator, Galing Bata Bilingual Program

Jen Snyder
Coordinator, Neighbors United

Spike Kahn
Founder, Pacific Felt Factory

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:

(note: those modifications not included in the 5/3 packet have their section numbers underlined)

- 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
- 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).
- Commission Policy: "All non-residential development over 25,000 sq ft, shall provide a Community Good Jobs Employment Plan ("Plan") for public review and comment prior to consideration of project approval by the Planning Commission. The Plan must detail the project's strategy for providing permanent jobs within the future development for South of Market residents, especially disadvantaged persons, at good living wages with benefits. The Plan must detail how this strategy would be implemented, including how it would engage concerned community, civic, and labor organizations."