## Introduction: Schedule of EN Workshops

<table>
<thead>
<tr>
<th>TOPIC (S)</th>
<th>COMMISSION DATE</th>
<th>BOARD LU COMM. DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Places for Jobs</td>
<td>May 15</td>
<td>May 19</td>
</tr>
<tr>
<td>Places to Live, Public Benefits</td>
<td>June 5</td>
<td>June 9</td>
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<tr>
<td>Complete Neighborhoods</td>
<td>June 12</td>
<td>June 23</td>
</tr>
<tr>
<td>Implementing the Plans; Pipeline</td>
<td>June 19</td>
<td>June 30</td>
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<tr>
<td>Further discussion</td>
<td>June 26</td>
<td>July 7</td>
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<tr>
<td>Further discussion</td>
<td></td>
<td>July 3</td>
</tr>
<tr>
<td>Certification and Approvals</td>
<td></td>
<td>July 10</td>
</tr>
</tbody>
</table>
Tonight’s Agenda: **Implementing the Plans**

- Reviewing the Zoning Map
- Zoning Controls – Remaining Issues
- Project Review Process and Legal Nonconforming Uses
- Implementation Program
- Pipeline
Eastern Neighborhoods

- PDR Districts (former industrial)
- UMU Districts (former industrial)
- SoMa Mixed Use Districts
- NCT/NC Districts
- RTO Districts
- Residential Districts
PDR DISTRICTS

- Former Industrial Areas – focus on PDR protection
URBAN MIXED USE (UMU)

- Former Industrial Areas – focus on housing and mixed uses
SoMa Mixed Use Districts (MUR, MUO, MUG, SP, DTR)

- Unique to SoMa – focus on different variations of mixed uses
Neighborhood Commercial Transit & Neighborhood Commercial

- Smaller-scale mixed use, emphasizing residential and neighborhood retail
Residential Transit Oriented (RTO)

- New residential district focusing on density and parking controls appropriate near transit
Residential – (RH, RM, RED)

- Existing districts residential districts – no change
Zoning Controls
Remaining Issues
Zoning Controls – Parking
Zoning Controls – Parking

Districts with no change:

- RH-1, RH-2, RH-3, RM-1, RM-2, RM-3, RED
- NC-1, NC-2, NC-3, NC-S, 24th St Mission NCD
- SLI, M-2
# Zoning Controls – Parking

**Residential Controls:** None required, maximums vary as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>As-of-right</th>
<th>Maximum, with ZA/Commission Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-bedroom</td>
<td>2+ bedroom</td>
</tr>
<tr>
<td>MUG, MUR, MUO, SPD, SB DTR</td>
<td>0.25</td>
<td>0.25</td>
</tr>
<tr>
<td>UMU</td>
<td>0.75</td>
<td>1.00</td>
</tr>
<tr>
<td>RTO</td>
<td>0.75</td>
<td>0.75</td>
</tr>
<tr>
<td>NCT</td>
<td>0.50</td>
<td>0.50</td>
</tr>
</tbody>
</table>
# Zoning Controls – Parking: Non-Residential

<table>
<thead>
<tr>
<th>Existing control</th>
<th>Proposed control</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum requirements per Sec. 151</td>
<td>Maximum requirements per Sec. 151.1</td>
</tr>
</tbody>
</table>
# Zoning Controls – Parking

**Office Controls:** None required, maximums vary as follows:

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>CONTROL</th>
</tr>
</thead>
<tbody>
<tr>
<td>MUO, MUR, MUG, SPD</td>
<td>7% of gross floor area</td>
</tr>
<tr>
<td>UMU &amp; PDR-1 near transit</td>
<td>1 parking space per 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>UMU &amp; PDR-1 away from transit</td>
<td>1 parking space per 500 sq. ft. of gross floor area</td>
</tr>
</tbody>
</table>

“Near transit” = ¼ mile from Market, Mission, 3rd, and 4th Streets
# Zoning Controls – Retail

**Where can it go?**

<table>
<thead>
<tr>
<th>District</th>
<th>Small Retail</th>
<th>Medium Retail</th>
<th>Large Retail</th>
</tr>
</thead>
<tbody>
<tr>
<td>RTO</td>
<td>P</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Corner lots only</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>P</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>MUG, MUR, MUO</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Must be part of mixed-use development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UMU</td>
<td>P</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Must be part of mixed-use development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PDR</td>
<td>P limited by parcel</td>
<td>NP</td>
<td>NP</td>
</tr>
</tbody>
</table>

P = Permitted        C = Conditional        NP = Not Permitted
Zoning Controls – Retail

Formula Retail

- Existing Controls: C in all Neighborhood Commercial Districts
- Proposed Controls: C in UMU and MUG
Zoning Controls – Retail
Neighborhood-Serving Commercial Streets
COMMERCIAL STREET CORRIDORS

- Green: Retail Required
- Blue: Curb Cuts Prohibited
- Red: Both

SAN FRANCISCO PLANNING DEPARTMENT
JUNE 2008
ADOPTION HEARING 4: IMPLEMENTING THE PLANS
Zoning Controls – Nighttime Entertainment
Zoning Controls – Arts
Zoning Controls – Arts

- Permit arts activities
- Reduce space competition
- PDR Demo controls
Zoning Controls – Single Room Occupancy

- SROs are less than 350 sq. ft. – “affordable by design”
- Pay same fees, require inclusionary housing
- Market-rate allowed, except in the SLI
- Will be monitored
Commission Discussion
Conformity & Process
What is a nonconforming use?

- A use which was legally authorized at some point in the past which, due to a subsequent change of zoning, could not be authorized today.
Case Study: A Crisis of Widgets

- **Yesterday**
  - Jane Doe obtained permits and built a widget shop

- **Today**
  - The City adopts anti-widget zoning

- **Tomorrow**
  - No new widget shops, but Jane Doe’s existing shop is grandfathered
Real World Nonconformity

- Zoning changes Include:
  - Office limits
  - Housing limits
  - Retail limits

- Nonconforming Uses are Forward Looking:
  - Grandfathering extends indefinitely
  - Existing uses are exempted
  - Nonconforming uses are legally protected
  - Nonconformity often means steady-state
A Sampling of Major Rezoning Projects:

- Residential Down-Zoning
- NCRS
- SoMa
NONCONFORMING is not a dirty word
Rules for Nonconforming Uses

Outside the Eastern Neighborhoods

- nonconforming uses either terminate after a set number of years or continue in perpetuity unless:
  - changed to a conforming use
  - abandoned for 3 years
  - other intent to abandon

- rules for residential NCU’s:
  - cannot expand
  - cannot add new units

- rules for non-residential NCU’s
  - can have new tenants within same use category
  - can generally change to a more widely permitted use
  - cannot generally expand
Rules for Nonconforming Uses **in** Outside the Eastern Neighborhoods

- nonconforming uses either terminate after a set number of years or **continue in perpetuity** unless:
  - changed to a conforming use
  - abandoned for 3 years
  - other intent to abandon

- rules for residential NCU’s:
  - **cannot** expand
  - cannot add new units

- rules for non-residential NCU’s
  - can have new tenants within same use category
  - can generally change to a more widely permitted use
  - cannot generally expand
On-The-Ground Eastern Neighborhoods Impacts

- Nonconforming houses and condos in PDR districts can expand, but new units cannot be created. **No new housing projects.**
- Nonconforming offices can accommodate new office tenants, but cannot enlarge unless consistent with floor-by-floor office controls.
- Nonconforming retail uses can house new retail tenants, but cannot expand.
Never-conforming ≠ Nonconforming

- Illegal uses stay illegal.
  - Dwelling units
  - Offices
  - All other uses

- Documentation of legality / Zoning Administrator Determination

- Amnesty for illegal uses is not proposed.
Never-conforming ≠ Nonconforming

- **Business service uses.**
  - radio and TV stations
  - magazine publishing
  - newspaper offices
  - desktop publishing

- **Current status.**
  - Legally permitted for a particular tenant
  - De-facto office use
  - Left in Limbo

- **Proposed future status.**
  - Exempt from new restrictions on location and size of office
  - Subject to office allocation process for large offices
  - Subject to all fees
PROPOSED EN APPLICATION REVIEW PROCESS
Process Methodology

- Sampled from existing processes
  - Downtown Review (309)
  - Conditional Use & PUD
  - Variance
    - Administrative Modification
- Commission input
- Scale and impact
- Public input
Structural Objectives

- MAKE THE APPROVAL PROCESS MORE STRAIGHTFORWARD
  - Increase certainty
    - Neighbors
    - Development community
    - City
  - Increase flexibility while supporting good design
  - Allow appropriate projects to move ahead expeditiously
Practical Outcomes

- Introduced the ‘Eastern Neighborhoods Large Project Authorization’ Process
  - Assumption that uses are appropriate
  - Strong design review component
  - Commission oversight & public input
  - Allows for physical flexibility

- Reduced the number of CU’s

- Expanded the administrative modification process
ADUPTION HEARING 4: IMPLEMENTING THE PLANS
ADOPTION HEARING 4: IMPLEMENTING THE PLANS

Southern Neighborhood Development Review Framework

Applicable to all ENMUD's [NCOs, RA, and POR's per existing policies]

Full range of PUD exemptions
exception from bulk limits
exception from loading requirements
exception from horizontal massing requirements
exception from residential on-site usable open space requirement (in order to pay in-lieu fee)
exception from height limits for architectural feature
exception from base residential parking limits
exception from bedroom mix requirement

Commission review for consistency with design guidelines, General Plan, and Code intent

EN Large Project Authorization (Sec 309.4)

Conditional Use (Sec 303)

UMU, MUG, & wSoMa
formula retail

unusual use (e.g. institution, etc.)

4kgf retail use or greater in UMU

Project

200' of linear street frontage
75' in height
Net addition of 25 kgsf

NO CRITERIA MET

ADDITIONALLY

AT LEAST ONE CRITERION MET

Administrative Review
Administrative Modification [Sec 307(h)]

if criteria not met

exception from dwelling unit exposure requirements for historic resources

exception from useable open space requirement (in order to provide off-site)

exception from bedroom mix requirement

Curb cut in restricted area

exception from other quantitative standards not mentioned

Street frontage requirements (ceiling height, active uses, etc.)

Variance [Sec 305]
SAN FRANCISCO PLANNING DEPARTMENT

ADOPTION HEARING 4: IMPLEMENTING THE PLANS

- Administrative Review
- Administrative Modification
- Variance

- 200’ of linear street frontage
- 75’ in height
- Net addition of 25 kgsf

NO CRITERIA MET

ADDITIONALLY

AT LEAST ONE CRITERION MET

EN Large Project Authorization

Conditional Use
ADOPTION HEARING 4: IMPLEMENTING THE PLANS

- 200’ of linear street frontage
- 75’ in height
- Net addition of 25 kgsf

NO CRITERIA MET

SMALL PROJECT

AT LEAST ONE CRITERION MET

LARGE PROJECT
ADOPTION HEARING 4: IMPLEMENTING THE PLANS

Administrative Review

200' of linear street frontage

75' in height

Net addition of 25 kgsf

NO CRITERIA MET

ADDITIONALLY

AT LEAST ONE CRITERION MET

EN Large Project Authorization

Conditional Use

Administrative Modification

Variance
SMALL PROJECTS

- Exception from dwelling unit exposure requirements for historic resources
- Exception from any usable open space requirement
- If criteria not met
- Exception from loading requirements
- Exception from base residential parking limits
- Exception from rear yard requirements
- Exception from bedroom mix requirement
- Curb cut in restricted area
- Exception from other quantitative standards not mentioned
- Administrative Modification

Variance

- Street frontage requirements
ADOPTION HEARING 4: IMPLEMENTING THE PLANS

- Administrative Review
- Administrative Modification
- Variance

- 200’ of linear street frontage
- 75’ in height
- Net addition of 25 kgsf

- NO CRITERIA MET
- ADDITIONALLY
- AT LEAST ONE CRITERION MET

- Conditional Use
- EN Large Project Authorization
Large Projects

EN Large Project Authorization (Sec 309.2)

Commission review for consistency with design guidelines, General Plan, and Code intent

- Exception from bulk limits
- Exception from loading requirements
- Exception from horizontal massing requirements
- Exception from residential on-site usable open space requirement *(in order to pay in-lieu fee)*

- Full range of PUD exemptions
- Exception from height limits for architectural feature
- Exception from base residential parking limits
- Exception from bedroom mix requirement
ADOPTION HEARING 4: IMPLEMENTING THE PLANS

- Administrative Review
- Administrative Modification
- Variance

- 200' of linear street frontage
- 75' in height
- Net addition of 25 kgsf

- NO CRITERIA MET
- ADDITIONALLY
- AT LEAST ONE CRITERION MET

- EN Large Project Authorization

- Conditional Use
ALL PROJECTS – ADDITIONAL REQUIREMENTS

Conditional Use

- UMU, MUG, & wSoMa formula retail
- Unusual use (e.g. institution, etc.)
- 4kgsf retail use or greater in UMU
Commission Discussion
Implementation Program
IMPLEMENTATION

What good are the Plans if nothing happens?

Implementation Document

- Improvements Program
- Funding Strategy
- Program Administration

VOLUME 3

IV. Zoning Map Amendments (Z Case)
V. Interim Historic Preservation Procedures (U Case)
VI. Implementation Document (UU Case)
WHAT’S IN THE PLANS?

1. LAND USE STRATEGY
   - Planning Code (zoning) Amendments
   - Design Guidelines
   - Historic Preservation Policies & Procedures
   - Affordable Housing

2. PHYSICAL IMPROVEMENTS
   - Parks & Open Space
   - Transit & Transportation
   - Streetscape & Greening

3. PROGRAMS
   - Workforce Development
   - Affordable Housing
   - Arts Programs
   - Community Programs
   - Business Attraction & Retention

WHO IS RESPONSIBLE?

Planning Department
Rec Park, DPW, MTA, TA, PUC, BART
Mayor’s Offices (MOEWD, MOH, MOCD), SFUSD, DCYF, DEM, DPH, Arts Commission
WHAT’S IN THE PLANS?

1. LAND USE STRATEGY
   - Planning Code (zoning) Amendments
   - Design Guidelines
   - Historic Preservation Policies & Procedures
   - Affordable Housing

2. PHYSICAL IMPROVEMENTS
   - Parks & Open Space
   - Transit & Transportation
   - Streetscape & Greening

3. PROGRAMS
   - Workforce Development
   - Affordable Housing
   - Arts Programs
   - Community Programs
   - Business Attraction & Retention

COORDINATION IS CRITICAL

- Planning Department
- Rec Park, DPW, MTA, TA, PUC, BART, Port
- Mayor’s Offices (MOEWD, MOH, MOCD), SFUSD, DCYF, DEM, DPH, Arts Commission
INTERAGENCY COORDINATION

Implementation document developed in close collaboration with:

- Planning Dept - Neighborhood Planning, MEA, City Design Group, Preservation Specialists
- Over 20+ City and regional agencies
IMPLEMENTATION STRATEGIES

EVERY policy in Plans has an implementation action:

<table>
<thead>
<tr>
<th>POLICIES</th>
<th>IMPLEMENTATION</th>
<th>LEAD AGENCY</th>
<th>TIMELINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>#</td>
<td>Policy</td>
<td>#</td>
<td>Action</td>
</tr>
<tr>
<td>1.1.1</td>
<td>Revise land use controls in the core PDR area generally south of 23rd Street, to protect and promote PDR activities, as well as the arts, by prohibiting construction of new housing and limiting the amount of office and retail uses that can be introduced.</td>
<td>1.1.1.1</td>
<td>Amend the Planning Code to establish a new “PDR-2” district in this area</td>
</tr>
</tbody>
</table>
## ADOPTION HEARING 4: IMPLEMENTING THE PLANS

### IMPLEMENTATION: PARKS

<table>
<thead>
<tr>
<th>Objective</th>
<th>Policy</th>
<th>LEAD AGENCY</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1.1</td>
<td>Identify opportunities to create new public parks and open spaces and provide at least one new public park or open space serving the East SoMa.</td>
<td>Planning and RPD</td>
<td>10 years</td>
</tr>
<tr>
<td>5.1.1.1</td>
<td>Evaluate sites for ability to provide opportunities for passive and active recreation. Work with the Recreation and Park Department to identify a site that is a minimum of 1/4 acre, but preferably up to one acre in East SoMa.</td>
<td>Planning and RPD</td>
<td>10 years</td>
</tr>
<tr>
<td>5.1.2</td>
<td>Amend the Planning Code to require inclusion of new residential and non-residential development to address public open space needs.</td>
<td>Planning</td>
<td>Upon Plan adoption</td>
</tr>
<tr>
<td>5.1.2.1</td>
<td>Work in cooperation with other City agencies, to support state law changes that will enable use of tax increment financing to support plan-based improvements and explore how programs could be implemented in the Eastern neighborhoods.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.1.2.2</td>
<td>Employ public participation process in design of and selection of facilities in new public open spaces.</td>
<td>RPD</td>
<td></td>
</tr>
<tr>
<td>5.2.1</td>
<td>Require new residential and mixed-use residential development to provide on-site private open space designed to meet the needs of residents.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.2.1.1</td>
<td>Amend the Planning Code to require a 60 square feet per unit, with an allowance of up to 10% reduction in the requirement if the open space is publicly accessible.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.2.2</td>
<td>Strengthen requirements for commercial development to provide on-site open space.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.2.2.1</td>
<td>Amend the Planning Code to apply requirements for open space for commercial development to all areas of the Eastern neighborhoods but allow an in-lieu open space fee if required spaces are unable to be provided.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.2.3</td>
<td>Encourage private open space to be provided as common spaces for residents and workers of the building whenever possible.</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>5.2.3.1</td>
<td>Amend the Planning Code to remove the current provision that disallows common open space instead, allow approval the option to provide space as common or as private open space.</td>
<td>Planning</td>
<td></td>
</tr>
</tbody>
</table>
### IMPLEMENTATION:

#### TRANSPORTATION

<table>
<thead>
<tr>
<th>4.2.1 Improve the safety and quality of streets, stops and stations used by transit passengers.</th>
<th>4.2.1.1 As part of Eastern Neighborhoods Transportation Implementation Study, SFMTA DPW and Planning will identify key transit streets, stops and stations to be prioritized for improvements.</th>
<th>SFMTA</th>
<th>2 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2.2 Provide comprehensive and real-time passenger information, both on vehicles and at stops and stations.</td>
<td>SFMTA, BART and Caltrain will establish programs for improved passenger information in the Eastern Neighborhoods.</td>
<td>SFMTA, BART, Caltrain</td>
<td>5 years</td>
</tr>
<tr>
<td>4.3.1 For new residential development, provide flexibility by eliminating space for all new major development.</td>
<td>Amend the Planning Code to allow and in some cases require, the use of mechanical parking lifts, tandem parking arrangements or valid services in lieu of independently accesses parking arrangements.</td>
<td>SFMTA</td>
<td>2 years</td>
</tr>
<tr>
<td>4.3.4 Encourage, or require where appropriate, innovative parking arrangements that make efficient use of space, particularly where cars will not be used on a daily basis.</td>
<td>Amend the Planning Code to require that any new parking garages be part of mixed-use development, be wrapped in active uses, be generally available to the public, provide ample spaces for car sharing vehicles, and not be sited on key transit, neighborhood commercial, or pedestrian street frontages.</td>
<td>SFMTA and SFFTA</td>
<td>2 years</td>
</tr>
<tr>
<td>4.3.5 Permit construction of new parking garages in Mixed Use districts only if they are part of shared parking arrangements that efficiently use space, are appropriately designed, and reduce the overall need for off-street parking in the area.</td>
<td>SFMTA and SFFTA will continue to study implementation of best practices in parking management.</td>
<td>SFMTA and SFFTA</td>
<td>2 years</td>
</tr>
<tr>
<td>4.3.6 Reconsider and revise the way that on-street parking is managed in both commercial and residential districts in order to more efficiently use street parking space and increase turnover and parking availability.</td>
<td>SFMTA and SFFTA will continue to study implementation of best practices in parking management.</td>
<td>SFMTA and SFFTA</td>
<td>2 years</td>
</tr>
<tr>
<td>4.4.1 Provide an adequate amount of short-term, on-street curbside freight loading spaces in PDR areas of Showplace Square.</td>
<td>As part of Eastern Neighborhoods Transportation Implementation Planning Study, SFMTA, SFFTA and Planning will examine if adequate on-street truck parking spaces are provided in Showplace Square/Potrero. If needed, SFMTA will pursue implementation of new truck parking spaces and meters.</td>
<td>SFMTA</td>
<td>2 years</td>
</tr>
<tr>
<td>4.4.2 Continue to require off-street facilities for freight loading and service vehicles in new large non-residential developments.</td>
<td>Continue to enforce Planning Code provisions regarding off-street freight loading.</td>
<td>SFMTA</td>
<td>2 years</td>
</tr>
</tbody>
</table>
### Implementation: Business Assistance

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<table>
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<tr>
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<tbody>
<tr>
<td><strong>6.1.2</strong></td>
<td>Provide business assistance for new and existing Knowledge Sector businesses in the Eastern Neighborhoods.</td>
</tr>
<tr>
<td><strong>6.1.2.1</strong></td>
<td>Targeted Knowledge Sector industries will be staffed by MOEWD sector-specific industry managers who serve as a single point of contact for information on real estate, tax incentives, workforce training and hiring programs, and assistance navigating city government. Targeted Knowledge Sector industries may include but not be limited to clean technology, life science, and digital media.</td>
</tr>
<tr>
<td><strong>MOEWD</strong></td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

#### 6.1.3
Provide business assistance for new and existing small businesses in the Eastern Neighborhoods.

#### 6.1.3.1
Develop a strategic plan in collaboration with MOEWD, the Mayor’s Office of Community Development (MOCD), local Neighborhood Economic Development Organizations and the Small Business Commission. This strategic plan will focus on creating a system to manage small business interaction with the City, providing outreach to local businesses, exploring financial incentive programs, designating the roles and responsibilities of relevant city agencies and non-profit partners, and streamlining the permit and licensing process for new and existing small businesses.

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td><strong>MOEWD</strong></td>
<td>2 years</td>
</tr>
</tbody>
</table>

#### College Degree
Industries were identified because they currently require a significant number of jobs, or are expected to in the near future. The seven industries are: Health Care and Social Assistance, Biotechnology, Information Technology, Hospitality, Retail, Construction, and Transportation. MOEWD and HSDA will identify strategies to link low income and low-skilled San Francisco residents to sector-based training programs for skill development.
ACCOUNTABILITY & MONITORING

Where are the “teeth”?

- Monitoring Program (2yrs, 5yrs, 10 yrs....)
- Establishment of Citizens Advisory Committee (ENCAC)
- IPIC (Interagency Plan Implementation Committee)
- Administrative Code (sec. 10E)
IMPLEMENTATION: Questions

How do we ensure agencies work to implement Plans?

1. Significant agency buy-in on Plans’ proposals
2. Impact fee will generate revenue to fund projects
3. Monitoring program/Admin Code are citywide policy for ALL agencies
Commission Discussion
Pipeline
The Pipeline

- What is the Pipeline?
- How many units are in the pipeline?
- What is the “Post-Adoption” Pipeline
- What is the “Pre-Adoption” Pipeline
The Pipeline - controls

- Review Process
- PDR replacement (pre-adoption pipeline only)
- Impact fees
- Inclusionary housing requirements
- Permitted uses
- Other code requirements
The Pipeline - categories

- **Project could NOT be approved** under zoning at time of application
  - Approx. 15 projects and 1,979 units

- **Project could be approved** under zoning at time of application (i.e. code compliant)
  - Filed *before* cut-off date
    - Approx 65 projects and 1,208 units
  - Filed *after* cut-off date
    - Approx 41 projects and 965 units
## The Pipeline by Year of Application

<table>
<thead>
<tr>
<th>Year</th>
<th>Projects</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>2004</td>
<td>12</td>
<td>267</td>
</tr>
<tr>
<td>2005</td>
<td>32</td>
<td>467</td>
</tr>
<tr>
<td>2006</td>
<td>17</td>
<td>460</td>
</tr>
<tr>
<td>2007</td>
<td>42</td>
<td>965</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>108</strong></td>
<td><strong>2173</strong></td>
</tr>
</tbody>
</table>

*Includes only code-compliant projects not yet approved*
## Post-Adoption Pipeline Proposal

<table>
<thead>
<tr>
<th>Review Process</th>
<th>Project could not be approved under zoning in effect at time of application</th>
<th>Project could be approved under zoning in effect at time of application</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Application date pre-January 19, 2007¹</td>
<td>Application date - January 19, 2007¹ through April 16, 2008</td>
</tr>
</tbody>
</table>

### Impact Fees
- None
- Full EN fees

### Inclusionary Housing
- Pre-EN inclusionary requirements
- Full EN inclusionary requirements

### Permitted Uses
- Full EN Controls and fees
- Pre-EN Planning Code use controls continue to apply

### Other Code Requirements
- All EN Article 1 and 2 code requirements apply. Height increase of up to 8 feet available when necessary to comply with these requirements.
- In cases where height limits have been reduced, limits in affect at time of application shall apply.
- Project sponsor may request relief from requirements (other than use) through conditional use permit, if the requirements would require a substantial re-design.

¹ Application date pre-January 19, 2007 through April 16, 2008
## Pre-Adoption Pipeline Proposal

<table>
<thead>
<tr>
<th>Review Process</th>
<th>Project could be approved under zoning in effect at time of application</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Project could not be approved under zoning in effect at time of application</td>
</tr>
<tr>
<td></td>
<td>Application date pre-January 19, 2007¹</td>
</tr>
<tr>
<td>PDR Replacement</td>
<td>Mandatory DR</td>
</tr>
<tr>
<td>(Springing) Impact Fees</td>
<td>Required in some cases [i]</td>
</tr>
<tr>
<td>Inclusionary Housing</td>
<td>N/A – it is assumed that no independent rezonings will occur prior to the EN rezoning</td>
</tr>
<tr>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Permitted Uses</td>
<td>Pre- EN inclusionary requirements</td>
</tr>
<tr>
<td>Other Code Requirements</td>
<td>Pre-EN Planning Code use controls continue to apply</td>
</tr>
</tbody>
</table>

PDR Replacement Policy

- In NC and RED Districts: **No replacement required**
- In Housing/Mixed Use, Housing/PDR and Mixed Use Housing zones under policies: **1:1 replacement required**
- In CORE PDR and Industrial Protection Zones under policies: **1 FAR replacement required**
- In Dogpatch Historic District: **Replacement to be informed by historical appropriateness**
### PUBLIC BENEFITS: Projected Infrastructure Need

<table>
<thead>
<tr>
<th>Source</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secured Funding</td>
<td>$30-50m</td>
</tr>
<tr>
<td>Fee Revenue</td>
<td>$100-150m</td>
</tr>
<tr>
<td>Potential Grants</td>
<td>$100-125m</td>
</tr>
<tr>
<td>Agency Funding</td>
<td>varies</td>
</tr>
</tbody>
</table>

**Projected Revenue:** $245m

**Tax increment, Other:** $100-200m

**Total Revenue/Need:** $400m

*Does not include affordable housing revenue*
Impact on Fees and Affordable Housing

- **Community Benefits Impact Fee:**
  - Staff proposal would result in foregoing $11-12 million in fees from 65 projects and 1,208 units which filed before January 19, 2007.

- **Affordable Housing Impact Fee:**
  - Staff proposal would result in foregoing $1-2 million in impact fees from about 200 units in MUR and Mission NCT which filed before January 19, 2007.

- **Inclusionary Units**
  - Negligible impacts
Daly Ordinance – Key provisions

- Applies to the pre-adoption pipeline
- $21/sq. ft. impact fee on code-compliant pipeline housing projects filed after March 31, 2006
- PDR Replacement requirements in core PDR areas under res. 16727:
  - Construct or make available PDR space, in or out of EN, comparable in size and rent to that which is removed
  - Pay fee to city of $125 per square foot of PDR removed
  - Pay to the city amount equivalent to 80% of construction cost of PDR space removed
Daly Ordinance – Key provisions (continued)

- **Community Stabilization Fund ($21/sq. ft on housing)**
  - Can fund community facilities, infrastructure and community services
  - Reimburse city departments for costs incurred in processing the fees
  - Defend the fee against legal challenge
Daly Ordinance – Key provisions (continued)

- PDR Replacement Fund ($125/sq. ft on PDR removed)
  - Can fund creation of new PDR space anywhere in the city to replace loss of PDR in Eastern Neighborhoods
  - Reimburse city departments for costs incurred in processing the fees
  - Defend the fee against legal challenge
Daly Ordinance – how it differs from staff pipeline proposal

- ONLY applies to pre-adoption pipeline (Sunsets at EN adoption)
- Would impose a $21/ sq. ft fee on residential units, instead of $10 staff proposal
- Would “grandfather” approx. 1,030 units from the fee, instead of 1,208 under staff proposal
- Would add option for $125/ sq. ft PDR replacement fee not offered under staff proposal
- Would require 1:1 replacement of removed PDR space in both Core PDR areas and Housing/PDR Areas.
Commission Discussion