

Central SoMa Draft Policy Document

Privately Owned Public Open Spaces (POPOS)

November 2014

Introduction

The Open Space chapter (Chapter 5) of the draft Plan states that the Plan should “ensure that new private development augments the open space network with new publicly accessible privately-owned public open spaces” (Principle 3). The discussion below seeks to convey how such spaces should be provided.

Summary

Require that newly constructed office buildings and hotels in the Central SoMa Plan Area provide publicly accessible open space.

Background

Privately-owned public open spaces (POPOS) come in a range of shapes and sizes, from rooftop gardens to outdoor plazas to indoor “parks”. For nearly 30 years, POPOS have been required for development in the downtown “C-3” zoning districts (per Section 138 of the Planning Code) of new office buildings, hotels, and shopping malls. These POPOS, combined with those voluntarily built before 1985, have created a welcome respite for downtown workers during working hours. They have also created a valuable amenity for property owners.

While open space is required of non-residential uses in the non-C-3 portion of the Central SoMa Plan Area, it is not required to be public. As such, to date office development and hotels in SoMa have not contributed to the public realm, livability and open space system the same way that this has happened in the downtown.

Proposal

The Central SoMa Plan proposes to extend the existing POPOS requirements (as contained in Planning Code Section 138) to all of the Central SoMa Plan Area. This proposal will slightly modify the controls for the non-C-3 portion of the Plan Area, based on 30-years’ experience in the C-3 and the specific context of SoMa.

Applicability

POPOS will be required for any new construction projects containing 25,000 square feet or more of office or hotel.

Amount

One square foot of open space is required for every 50 occupied square feet of office use. Every square foot of the following amenities shall reduce required open space by 33%: a playground, community garden, sport court, or dog run.

Location

Projects are required to locate their POPOS outdoors at grade, with obstructions permitted as per Planning Code Section 136.

For sites where the POPOS requirement exceeds 15% of the lot area, then this portion may be fulfilled through one or more of the following:

- Outdoors at ground level as an extension of the POPOS required for the first 15% of the lot area. To incentivize these larger POPOS, each square foot of such space above the first 15% of lot area will count towards 1.33 square feet of the requirement (unless this area is already counting as a mid-block alley, in which case this incentive does not apply)
- Above ground level or as interior space,
- Off-site (within 900 feet of the development site), or
- Through payment of an in-lieu fee of per required square foot. *Note: the amount of this in-lieu fee is to be determined, but will be based on the cost of the City providing the space, similar to that in the C-3-O(SD) (see Planning Code Sections 138(j)(4) and 427).*

The applicant shall satisfy the requirements by providing one or more of the types of open space described in Planning Code Section 138(d) or Section 135 (h)(1) [except Section 135(h)(1D) where streetscape improvement would be required as part of Section 138.1]. Where allowed, interior POPOS must be accessed during hours of operation without the need to open doors or gates, weather permitting.

Physical Access

POPOS are required to be contiguous with the public sidewalk except as noted in “Location” with sidewalk frontage area free of obstructions during hours of operation.

Hours of Operation

Required publicly accessible open space shall be open to the public at time when it is reasonable to expect substantial public use.

Identification/Signage

Required publicly accessible open space shall have entrance signage that identifies it as part of that system as per Section 138(i).

Activation

Required publicly accessible open space shall be designed to enhance active uses at the ground floor level and applicants are encouraged to provide space for food service and convenience establishments. Permanent and flexible seating is required as per “Guidelines for Open space” in the Open Space Section of the Downtown Plan.

Standards

Requirements for open space in these areas shall meet the standards described in Section 138(d)(1) through (11).

Maintenance

Maintenance requirements for open space in these areas are subject to Section 138(h).

How this Proposal Differs from Existing Controls in the C-3 – and Why

- POPOS are required to be at ground level and outdoors. This requirement is based on experience that such spaces will be functional for more hours of the day. Additionally, it reflects that the public is hesitant or resistant to accessing POPOS through the lobbies of otherwise private office buildings, where they look and feel less public and inviting. This requirement is facilitated by the large size of many of the lots that would be seeking to develop office development.
- POPOS will only be applicable to non-residential projects building at least 25,000 square feet. This also ensures that POPOS will be a minimum of 500 square feet. The Department proposal reflects that smaller POPOS would provide limited public benefit and potentially would create undesirable spaces from a safety and design standpoint.
- There is an incentive for providing active amenities on in the POPOS. This incentive is designed to create more active open spaces that are functional amenities for the neighborhood for more than just lunchtime during the workweek.