



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 19, 2010

TO: The Board of Supervisors

FROM: AnMarie Rodgers, Manager of Legislative Affairs
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RE: Development Stimulus and Fee Reform

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Board File Numbers: 091275/091275-2 Development Impact and In-Lieu Fees;
091251/091251-2 Development Fee Collection Procedure Administrative Fee;
and
091252 Affordable Housing Transfer Fee Restriction Alternative for
Inclusionary & Jobs Housing Linkage Programs

This memorandum is in response to a request from the Planning Commission to provide information on projects subject to area plan fees and/or inclusionary affordable housing requirements and may be affected by proposed fee deferral legislation. Currently, fees are typically collected at one of two points: either at issuance of Site Permit, or later at Certificate of Occupancy-- both of which are issued by the Department of Building Inspection (DBI). The lists provided in the memorandum show projects that are either pending Planning entitlement or have been entitled by Planning. Due to the various fee collection procedures currently in place, each project will need to be researched further to determine if it has paid its fees. Further, the San Francisco consolidated development pipeline is an imperfect estimate of all project applications filed with either the Planning Department or DBI.

SUMMARY: Table 1 is a summary of projects that are subject to 1) plan area impact fees; 2) Section 313 requirements for the Jobs-Housing Linkage Program; and 3) Section 315 requirements for the Residential Inclusionary Affordable Housing Program.

Table 1:

Requirement	Entitled		Not Entitled	
	No. of Projects	Units or Sq Ft	No. of Projects	Units or Sq Ft
Plan Area Impact Fees:-(residential units)	38	3,183	44	2,542
Section 313: Office (square feet)	16	1,112,955	20	4,531,233
Section 315: Inclusionary Affordable Housing program (Residential Units)	60	7,095	78	6,035

“Entitled” projects are those projects that have received City Planning entitlements but have not received Department of Building Inspection approvals as of 12/31 2009. Projects that have filed applications for City Planning entitlement but have yet to receive a decision are “Not Entitled.” It

should be noted that some projects may be counted twice as some projects subject to Plan Area impact fees may also be required to comply with Section 313 or Section 315.

DATA SOURCE: The tables submitted are from the 2009 fourth quarter development pipeline database obtained from Planning Department and Department of Building Inspection project and permit tracking databases, and includes applications filed with the Planning Department as of 12/31/2009. San Francisco Redevelopment Agency (SFRA) projects are included in this accounting but not all of them may be subject to the area plan, office or inclusionary requirements. The SFRA entitles applications independently and under redevelopment agency jurisdiction of the Redevelopment Code. Only projects that have to comply with the Planning Code would be subject to planning fees **and** the fee deferral legislation. Projects entitled per SFRA controls do not need to meet Planning Code requirements **and** therefore could not defer fees that were not paid.

What is not included: Projects that are a) under construction; b) have received building permit approvals or have been issued a building permit (“BP”), or c) have had BP re-instated are not included in this accounting. Very large projects in the pipeline -- such Treasure Island, Park Merced and the Bayview Waterfront Project – are assumed to have developer agreements in lieu of §315 requirements and are therefore not included. Mission Bay projects are also exempt from these requirements and are not included.¹

PROJECTS SUBJECT TO PLANNING AREA FEES: Table 2 is a summary of projects subject to planning area fees.

Table 2:

Planning Area	Entitled		Not Entitled	
	No of Projects	No of Units	No of Projects	No of Units
Balboa Park	1	159	3	104
Central Waterfront	1	196		
East SoMa	9	221	11	902
Market Octavia	9	1,012	11	686
Mission	8	50	16	393
Rincon Hill	5	1,528		-
Showplace Sq / Potrero Hill	4	9	2	453
Visitacion Valley	1	8	1	4
Total	38	3,183	44	2,542

¹ Mission Bay projects are not entitled by the Planning Department. “This Plan and the other Plan Documents, including the Design for Development, shall supersede the San Francisco Planning Code in its entirety.” Mission Bay North Redevelopment Plan, San Francisco Redevelopment Agency, 1998.

Details of all projects that may be subject to plan area impact fees can be found on *Appendix List 1*.

PROJECTS SUBJECT TO OFFICE FEES: Table 3 below summarizes projects subjects to Section 313, the Jobs-Housing Linkage Program, by Planning Area.

Table 3:

Planning Area	Entitled		Not Entitled	
	No of Projects	No of SF	No of Projects	No of SF
Balboa Park			-1	1,139
East SoMa	1	3,861	-	-
Market Octavia	1	9,900	2	34,901
Rincon Hill	1	24,500	-	-
Rest of the City	13	1,074,694	17	4,495,193
Total	16	1,112,955	20	4,531,233

Appendix List 2 includes all office projects citywide that may be subject to Section 313 and have not yet paid fees. Projects in Redevelopment Areas are included to be on the conservative side.

PROJECTS SUBJECT TO INCLUSIONARY AFFORDABLE HOUSING REQUIREMENTS: Table 4 below summarizes projects subject to Section 315, the City’s inclusionary affordable housing requirements.

Table 4:

Plan District	Entitled		Not Entitled	
	No of Projects	No of Units	No of Projects	No of Units
Balboa Park	1	159	3	104
Central Waterfront	1	196		
East SoMa	4	112	10	908
Market Octavia	7	961	10	729
Mission	4	28	10	336
Rincon Hill	5	1,528	-	-
Showplace				
Sq/Potrero Hill			1	450
Visitacion Valley	1	8	-	-
Rest of the City	37	4,103	44	3,508
Total	60	7,095	78	6,035

Appendix List 3 includes all projects subjects to the City’s Inclusionary Affordable Housing requirement that have not yet paid fees. Projects in Redevelopment Areas, except Mission Bay are included to be on the conservative side.

APPENDIX

**List 1:
PROJECTS SUBJECT TO AREA PLAN IMPACT FEES, BY ENTITLEMENT
AND PLANNING AREA**

Planning Area	Project Address	No. of Units	Planning Case Number
ENTITLED PROJECTS			
Balboa Park	1150 OCEAN AV	159	2006.0884
Central Waterfront	2235 - THIRD ST	169	2002.1302
East SoMa	12 SHERMAN ST	3	2007.1015
	251 06TH ST	83	2004.0999
	452 TEHAMA ST	20	2005.1026
	345 06TH ST	33	2005.0876
	574 NATOMA ST	10	2008.0795
	42 HARRIET ST	2	2008.0084
	250 BRANNAN ST	51	2006.0451
	750 02ND ST	18	2007.0007
	136 SOUTH PARK AV	1	2005.0418
Market Octavia	580 HAYES ST	90	2005.0651
	1390 MARKET ST	230	2005.0979
	149 FELL ST	2	2009.0422
	335 OAK ST	16	2008.0988
	4 OCTAVIA ST	49	2008.0569
	299 VALENCIA ST	44	2006.0432
	401 Grove Street	70	2007.0487
	55 Laguna Street	491	2004.0773
	2210 MARKET ST	20	2006.1409
Mission	1340 NATOMA ST	3	2007.0310
	3547 20TH ST	2	2007.0308
	3500 19TH ST	17	2006.1252
	3360 20TH ST	6	2005.0370
	1196 HAMPSHIRE ST	2	2008.0240
	1280 HAMPSHIRE ST	3	2008.1063
	3135 24TH ST	12	2005.1076
	953 TREAT AV	5	2007.0981
Rincon Hill	399 FREMONT ST	432	2006.0358
	340 FREMONT ST	384	2004.0552

	105 HARRISON ST	259	2007.1250
	429 BEALE ST	113	2007.1121
	425 First Street	340	2003.0029
Showplace Sq/Potrero	838 KANSAS ST	2	2007.1484
	1036 WISCONSIN ST	2	2008.0870
	1321 DE HARO ST	3	2008.0505
	1250 DE HARO ST	2	2008.0636
Visitation Valley	95 LELAND AV	8	2006.1082
PROJECTS NOT YET ENTITLED			
Balboa Park	1607-1649 Ocean Ave.	31	2006.0592
	1446 OCEAN AV	13	2008.0538
	50 PHELAN AV	60	2009.1117
East SoMa	537 NATOMA ST	14	2005.0990
	457 TEHAMA ST	1	2006.0123
	374 5TH ST	47	2009.0765
	725-765 Harrison Street	510	2005.0759
	40 CLEVELAND ST	4	2005.1202
	935 FOLSOM ST	69	2006.0241
	205 SHIPLEY ST	51	2006.0679
	468 CLEMENTINA ST	25	2005.0424
	246 RITCH ST	19	2006.1348
	190 RUSS ST	8	2006.0521
	938 HOWARD ST	154	2006.0437
Market Octavia	85 BROSNAN ST	3	2007.0984
	1540 MARKET ST	180	2009.0159
	200 DOLORES ST	13	2008.0992
	360 OCTAVIA ST	16	2008.0428
	1960-1998 MARKET ST	115	2006.1431
	25 DOLORES ST	46	2006.0848
	2001 MARKET ST	72	2008.0550
	1 FRANKLIN ST	35	2008.1328
	2175 MARKET ST	60	2006.1060
	543 GROVE ST	3	2006.1224
	746 LAGUNA ST	143	2005.1085
Mission	500 CAPP ST	2	2009.0757
	2100 MISSION ST	29	2009.0880
	910 YORK ST	2	2009.0858
	2558 MISSION ST	125	2005.0694
	1376 FLORIDA ST	2	2009.0124

	2652 HARRISON ST	30	2006.0054
	3241 25TH ST	3	2007.0659
	899 VALENCIA ST	18	2004.0891
	2374 FOLSOM ST	4	2007.1209
	80 JULIAN AV	9	2009.1095
	1050 VALENCIA ST	16	2007.1457
	3249 17TH ST	5	2005.1155
	49 JULIAN AV	8	2005.0233
	1875 MISSION ST	98	2009.1011
	1801 MISSION ST	18	2004.0675
	411 VALENCIA ST	24	2009.0180
Showplace Sq/Potrero	1366 SAN BRUNO AV	3	2008.0614
	1000 16TH ST	450	2003.0527
	1047 TEXAS ST	3	2008.0665
Visitacion Valley	101 LELAND AV	4	2007.1472

**List 2:
PROJECTS SUBJECT TO JOBS-HOUSING LINKAGE FEES,
BY ENTITLEMENT AND PLANNING AREA**

Planning Area	Project Address	Office	Planning Case Number
ENTITLED PROJECTS			
East SoMa	136 SOUTH PARK AV	3,861	2005.0418
Market Octavia	149 FELL ST	9,900	2009.0422
Rincon Hill	399 FREMONT ST	24,500	2006.0358
Rest Of City	55 9TH ST	267,000	2001.1039
	500 PINE ST	45,610	2000.539
	350 BUSH ST	340,000	2000.541
	220 GOLDEN GATE AV	15,550	2007.098
	2829 California Street	2,281	2006.1525
	1401 DIVISADERO ST	74,000	2007.0094
	4614 CALIFORNIA ST	10,943	2002.0605
	99 WEST PORTAL AV	4,000	2008.1161
	1415 MISSION ST	2,430	2005.054
	115 Steuart Street	57,112	2006.1294
	2231 UNION ST	1,480	2009.0747
	525 HOWARD ST	252,500	2008.0001
	5735-5743 MISSION ST	1,788	2006.1227
NOT ENTITLED PROJECTS			
Balboa Park	50 PHELAN AV	1,139	2009.1117
Market Octavia	1540 MARKET ST	15,281	2009.0159
	746 LAGUNA ST	19,620	2005.1085
Rest Of City	8 Washington Street	1,500	2007.003
	717 BATTERY ST	56,700	2007.146
	2115 TARAVAL ST	1,000	2008.0794
	600 BATTERY ST	218,300	2006.1274
	300 CALIFORNIA ST	195,200	2007.1248
	231 ELLIS ST	11,000	2002.1077
	1100 VAN NESS AVE	244,008	2009.0887
	1634 PINE ST	12,000	2004.0764
	3619 BALBOA ST	4,912	2008.1388
	1425 MENDELL ST	5,625	2007.0331

350 MISSION ST	503,000	2006.1524
222 02ND ST	393,700	2006.1106
231 ELLIS ST	12,460	2009.0343
2095 Jerrold Ave	85,472	2009.1153
425 MISSION ST	1,700,000	2008.0789
181 FREMONT ST	530,316	2007.0456
50 01ST ST	520,000	2006.1523

**List 3:
PROJECTS SUBJECT TO INCLUSIONARY AFFORDABLE HOUSING
REQUIREMENTS, BY ENTITLEMENT AND PLANNING AREA**

Planning Area	Project Address	No. of Units	Planning Case Number
PROJECT ENTITLED			
Balboa Park	1150 OCEAN AV	159	2006.0884
Central Waterfront	2235 - THIRD ST	169	2002.1302
East SoMa	750 02ND ST	18	2007.0007
	574 NATOMA ST	10	2008.0795
	250 BRANNAN ST	51	2006.0451
	345 06TH ST	33	2005.0876
Market Octavia	580 HAYES ST	90	2005.0651
	1390 MARKET ST	230	2005.0979
	299 VALENCIA ST	44	2006.0432
	401 Grove Street	70	2007.0487
	55 Laguna Street	491	2004.0773
	2210 MARKET ST	20	2006.1409
	335 OAK ST	16	2008.0988
Mission	953 TREAT AV	5	2007.0981
	3249 17TH ST	5	2005.1155
	3135 24TH ST	12	2005.1076
	3360 20TH ST	6	2005.0370
Rincon Hill	429 BEALE ST	113	2007.1121
	340 FREMONT ST	384	2004.0552
	399 FREMONT ST	432	2006.0358
	425 First Street	340	2003.0029
	105 HARRISON ST	259	2007.1250
Visitacion Valley	95 LELAND AV	8	2006.1082
Rest of the City	2829 CALIFORNIA ST	12	2007.0543
	48 TEHAMA ST	66	2000.1215
	265 DORLAND ST	5	2008.1171
	220 GOLDEN GATE AV	180	2007.0980
	870 HARRISON ST	22	2006.0430
	1266 09TH AV	15	2007.1397
	1169 MARKET ST	970	2002.1179
	1 Stanyan Street	13	2007.0113
	248 OCEAN AV	5	2008.0502

	1415 MISSION ST	117	2005.0540
	570 JESSIE ST	47	2005.1018
	121 09TH ST	20	2005.0200
	1662-1664 Union St.	7	2007.0598
	201 Folsom St	806	2000.1073
	134-140 NEW MONTGOMERY ST	175	2007.1337
	1622 BROADWAY	34	2008.0862
	1285 SUTTER ST	107	2005.0298
	973 MARKET ST	100	2007.0368
	2829 California Street	12	2006.1525
	2655 BUSH ST	84	2005.1106
	636 PLYMOUTH AV	6	2006.0674
	723 TAYLOR ST	14	2004.0975
	1080 SUTTER ST	35	2006.0431
	4801 MISSION ST	6	2008.0286
	245 HYDE ST	65	2005.0762
	101 EXECUTIVE PARK BL	340	2003.1113
	5735-5743 MISSION ST	22	2006.1227
	2245 GENEVA AVENUE	9	2006.0864
	1741 POWELL ST	17	2007.1117
	800 Brotherhood Way	127	2003.0536
	5735 MISSION ST	20	2009.0057
	5050 MISSION ST	61	2006.1213
	300 Grant Ave.	66	2004.1245
	782-786 ANDOVER ST	6	2006.0825
	419 BOWDOIN ST	6	2008.1400
	472 ELLIS ST	151	2008.0392
	5800 03RD ST	355	2003.0672
PROJECTS NOT ENTITLED			
Balboa Park	1607-1649 Ocean Ave.	31	2006.0592
	50 PHELAN AV	60	2009.1117
	1446 OCEAN AV	13	2008.0538
East SoMa	537 NATOMA ST	14	2005.0990
	468 CLEMENTINA ST	25	2005.0424
	725-765 Harrison Street	510	2005.0759
	1044 FOLSOM ST	38	2009.1109
	935 FOLSOM ST	69	2006.0241
	938 HOWARD ST	154	2006.0437
	205 SHIPLEY ST	51	2006.0679

	190 RUSS ST	8	2006.0521
	452 TEHAMA ST	20	2005.1026
	246 RITCH ST	19	2006.1348
Market Octavia	1540 MARKET ST	180	2009.0159
	25 DOLORES ST	46	2006.0848
	2175 MARKET ST	60	2006.1060
	1960-1998 MARKET ST	115	2006.1431
	200 DOLORES ST	13	2008.0992
	746 LAGUNA ST	143	2005.1085
	360 OCTAVIA ST	16	2008.0428
	4 OCTAVIA ST	49	2008.0569
	1 FRANKLIN ST	35	2008.1328
	2001 MARKET ST	72	2008.0550
Mission	3500 19TH ST	17	2006.1252
	2652 HARRISON ST	30	2006.0054
	1050 VALENCIA ST	16	2007.1457
	2558 MISSION ST	125	2005.0694
	899 VALENCIA ST	18	2004.0891
	411 VALENCIA ST	24	2009.0180
	1875 MISSION ST	60	2004.0674
	2100 MISSION ST	29	2009.0880
	80 JULIAN AV	9	2009.1095
	49 JULIAN AV	8	2005.0233
Showplace Sq/Potrero Hill	1000 16TH ST	450	2003.0527
Rest of the City	1433 BUSH ST	26	2009.1074
	397 05TH ST	24	2007.1110
	350 08TH ST	416	2007.1035
	651 GEARY ST	40	2008.0981
	436 OFARRELL ST	9	2009.0258
	153 KEARNY ST	51	2005.0946
	231 ELLIS ST	7	2009.0343
	8 Washington Street	170	2007.0030
	3340 SAN BRUNO AV	8	2006.1078
	41 TEHAMA ST	176	2004.0803
	1255- 1275 COLUMBUS AV	20	2008.0723
	1634 PINE ST	250	2004.0764
	950 MASON STREET	160	2008.0081
	2353 LOMBARD ST	21	2009.1177
1020 BROADWAY	6	2006.1202	

5 DWIGHT ST	7	2009.0979
4126 17TH ST	5	2006.1154
700 36TH AV	6	2009.0653
5400 GEARY BL	39	2004.0482
690 STANYAN ST	56	2006.0460
1282 HAYES ST	8	2008.0432
4550 MISSION ST	17	2006.0861
340 11TH ST	20	2005.0525
350 11TH ST	20	2005.0525
1645-1661 PACIFIC AV	50	2007.0519
2 NEW MONTGOMERY ST	125	2005.1101
2550 VAN NESS AV	109	2005.0474
651 DOLORES ST	8	2006.0144
1333 GOUGH ST	231	2005.0679
706 MISSION ST	220	2008.1084
1529 PINE ST	113	2006.0383
1545 PINE ST	113	2006.0383
1701 09TH AV	6	2009.0129
50 01ST ST	600	2006.1523
181 FREMONT ST	140	2007.0456
1145 MISSION ST	25	2007.0604
3657 SACRAMENTO ST	18	2007.1347
1990 CALIFORNIA ST	22	2008.0419
2299 MARKET ST	18	2008.0430
5498 MISSION ST	6	2009.0812
832 SUTTER ST	27	2007.0392
1401 CALIFORNIA ST	95	2008.0700
1338 FILBERT ST	8	2009.0412
4199 MISSION ST	12	2007.0463