



December 6, 2017 Working Group Meeting Proposed Revisions to Land Use Recommendations

The following edits are proposed for the following Land Use Recommendations to address Working Group member concerns.

Land Use Recommendations #51, 52, 54, 55

These leasing and development related recommendations were approved by the Working Group, but there was considerable discussion around the public review process.

Land Use #51: No revision (except minor clarifying edit to indicate that retail and restaurant are recognized public-oriented uses)

Competitive Solicitation

51. Port staff should provide Community Input Process for Competitive Solicitation for:

- Long-term, non-maritime development opportunities for Embarcadero Historic District piers (including bulkhead buildings), Seawall Lots, and other Port properties.
- Intermediate-term master lease opportunities for majority or entire Embarcadero Historic District piers (including bulkhead buildings) [except for intermediate-term leases for maritime only businesses in the Embarcadero Historic District and other Port facilities].
- Lease opportunities that would convert industrial space to new retail, restaurant or other public-oriented use in bulkhead buildings, piers or other Port facilities.

Recommended steps for competitive solicitation opportunities should include:

- a. Port Commission meeting and public comments to consider preparation of a competitive lease/development solicitation opportunity after review of Port staff report describing competitive solicitation opportunity, including requirements and key Waterfront Plan and public trust goals and objectives;
- b. Community review and input by PAC, city and regional stakeholders to determine community and public trust values and priorities to be reflected in the lease/development solicitation opportunity;
- c. Port Commission meeting and public comments, and authorization to issue the competitive lease/development solicitation opportunity, and establish a Review Panel process to evaluate and score response submittals consistent with City Contract Monitoring Division rules and standards. Review Panel should include a development expert, Port staff member, a PAC member, and a member providing city or regional stakeholder perspective. PAC representatives and public should attend Port Commission meeting to provide public comments prior to Port Commission authorization of competitive solicitation opportunity.
- d. Evaluation of responding lease/development proposals by Port staff for compliance with minimum qualifications, financial capability, and references; and by Review Panel for scoring developer interviews and responses.
- e. Port Commission informational public meeting to receive presentations from qualified developer respondents, receive Port Commission, PAC and public comments.
- f. Port Commission consideration of developer selection, after review of Port staff report of Review Panel and Port staff scores and recommendation.

Land Use #52: Clarify that Sole Source development proposals are not Port's preferred approach, and include Port Advisory Committee (PAC) review as part of the process; it was implied in "a." but edit makes it specific.

Sole Source Proposals

52. Under the San Francisco Administrative Code and the Waterfront Plan, it is City and Port policy to competitively-bid development opportunities. If and when the Port receives unsolicited proposals for unique development opportunities, the Port may only enter a sole source lease for such opportunities if the Board of Supervisors finds that it would be impractical or impossible to follow competitive bidding procedures. These are recommended steps for Port Commission consideration of unsolicited (Sole Source) proposals:
- a. Require developer to provide written submittal that describes the proposal, any community outreach completed to date, specific ways in which the project will achieve Waterfront Plan and public trust goals and objectives, and reasons that support waiving the competitive solicitation process.
 - b. Port Advisory Committee meeting(s), for review and comment on the proposal, if not already completed and described above
 - c. Port Commission informational meeting and public comments on Sole Source proposal, including review of information in Item a above. ~~Port Commission may make findings on sole source proposal to be forwarded for consideration by Board of Supervisors.~~
 - d. Board of Supervisors public hearing and consideration of waiving City competitive solicitation leasing policy provisions, ~~and consider any Port Commission findings regarding the proposal.~~

Land Use #54 and 55: Edit provides additional process for intermediate-term leases not covered by whole or majority-pier leasing scenarios as outlined in Recommendation #51. Since leases of more than 10 years and \$1M or more in annual revenue must go to the Board of Supervisors, staff will want to support any such request with review comments from the public, including PACs.

Other Leasing

54. Board of Supervisors - Under current policy, Port non-maritime leases of 10 years or more and \$1 million (or more) in annual rental revenue are required to secure approval by the Board of Supervisors after Port Commission approval. Public comment opportunities are provided in Port Commission and Board of Supervisor hearings. ~~For any such intermediate-term, non-maritime leases that are not covered by Recommendation #51, the Port should take the following steps prior to authorization by the Port Commission and approval by the Board of Supervisors:~~

- a. Schedule a Port Commission informational public meeting regarding the proposed lease and related capital investment, and proposed lease term necessary to amortize cost of facility improvements;
- b. Present the proposed lease for Port Advisory Committee review and comment, including a description of the proposed capital investment in the pier to warrant the intermediate lease term;
- c. Port Commission meeting to receive Port Advisory Committee and public comments and lease authorization, prior to consideration and approval by Board of Supervisors.

Land Use #55: Edit makes it specific that public-oriented use includes restaurant and retail, consistent with edit to #51.

55. No additional required process - The following types of leases do not require separate public review:

- a. Short-term (0-10yr) leases (except in Southern Waterfront), and turnover leasing for maritime, light-industrial/PDR, existing office, retail, restaurant spaces.
- b. ~~Intermediate lease for a limited area (ie. not a master lease) within industrial pier shed in the Embarcadero Historic District (consistent with industrial building occupancy limits, no seismic repairs) that supports amortization of capital repair and tenant improvement costs.~~
- c. Intermediate lease renewal/re-lease for existing public-oriented use, including restaurant and retail, in historic bulkhead building

Land Use Recommendations #44 and #36

These recommendations were not discussed at the Working Group Meeting on October 25th, however, modified edits are proposed for review and acceptance.

Land use #44: *Replace the abbreviated wording originally circulated in the Part 2 document with language originally discussed/endorsed by the Land Use Subcommittee so that it's clear that parking on Seawall Lots is an accepted use when it supports Port operations, but is not a preferred end use. New edit to reflect the possibility that parcel use MAY change as needed, not just as a result of long-term development.*

Seawall Lot Development

44. Parking on SWLs is a trust use which furthers trust objectives by:
- a. Accommodating Port visitors from the region/state who drive, especially families with children, seniors, those with disabilities, and tour buses.
 - b. Supporting Port businesses, their service needs, and their employees who are currently underserved by transit (i.e. maritime operators, Fisherman's Wharf businesses, Ferry Building Marketplace, Exploratorium).
 - c. Providing revenue stream for Port capital needs on an interim basis, until other uses are long-term development is approved. **Staff will coordinate with Transportation Policies**

~~Support parking on Seawall Lots that furthers trust objectives by:~~

- ~~a. serving visitors to the waterfront from the region/state who drive, especially families with children, seniors, those with disabilities, as well as tour buses~~
- ~~b. supporting Port businesses and their employee and service needs (e.g. maritime operators, Fisherman's Wharf, Ferry Building Marketplace, Exploratorium) providing revenue stream for Port capital needs on an interim basis **Staff will coordinate with Transportation Policies**~~

Land Use #36: *Clarify the practical effect of the Land Use discussion on hotel use. While a number of subcommittee members supported the investigation of hotel use within one or two historic piers meeting historic renovation standards, most were uncomfortable recommending that the Port invest its time and resources in pursuing a ballot measure to modify the existing law prohibiting hotel use, so we did not recommend that. The net effect is more clearly described below than in our original recommendation language. Port staff supports this revision.*

Hotels on Piers

- ~~36. Support further consideration by the Port of allowing hotel use as one way to rehabilitate Embarcadero Historic District piers, possibly limited to one or two specific piers.~~

~~Note: At the conclusion of the discussions, all except one attending Subcommittee member endorsed the recommendation above. The Subcommittee acknowledged the sensitivity of reconsidering the hotel ban and did not make a recommendation about whether the Proposition H prohibition of pier hotels should be revisited. Further details of the pier hotel discussions are in the May 24 and May 31, 2017 Meeting Notes.~~

36. To assist the Working Group in its deliberations, the Port engaged economic consultants to determine the economic feasibility of adapting and rehabilitating an Embarcadero Historic District finger pier for hotel use, consistent with Secretary of Interior Standards for historic rehabilitation. Such a conversion is currently prohibited by law. The economic analyses showed that such a conversion could be economically feasible, however the Working Group did not reach consensus on recommending that the Port Commission pursue any efforts to change the voter passed initiative that prohibits such conversions.



December 6, 2017 Working Group Meeting Comments Requiring Revisions to Transportation Subcommittee Recommendations & Outstanding Issues

The following are suggested edits to the Waterfront Land Use Plan Transportation Sub-Committee Recommendations presented to the full Working Group on September 19, 2017.

Policy Recommendation lettering and numbering below reflect those prepared and distributed for the September 19th Working Group meeting see below line: Section 3, page 18.

<http://sfport.com/sites/default/files/Planning/WLUP%20Documents/9.11.17%20Waterfront%20Update%20Part%202%20Summary%20Report.pdf>

The comments received at the 9.19.17 meeting which prompted the proposed edits are in ***bold italic***, prior to the Recommendation; proposed edits (additions) are in underline.

A. Integrated Transportation Systems

Comment:

Review/augment the Transportation Recommendations to incorporate the concepts of inclusion, equity and diversity of access to the waterfront regardless of income level, age, visitor, or local. Consider importance of parking for parents carrying equipment for small children, neighborhoods that are underserved by transit, elderly or disabled, etc.

New Recommendation

Access to all forms of transportation should consider inclusion, equity and diversity of access to the waterfront regardless of income level, age, residents, visitors or individual abilities.

Comment:

Is this the best hierarchy, should it be a hierarchy?

1. Design streets, designate sidewalk and curb space, and tailor new development and major leasing decisions considering the following hierarchy of transportation considerations:
 - a. Walking
 - b. Bicycling
 - c. Transit/paratransit (including Water Transit)
 - d. Taxi/transportation network company/commercial transit/shared vehicles
 - e. Deliveries and truck loading
 - f. Zero emission vehicles
 - g. Other single-occupant vehicles.

Revised Recommendation

1. Design new and improve existing streets based upon the City's "Complete Street" policy: Streetscapes should reflect a unified, complete design that balances among a wide variety of

functions, including storm water management, safe pedestrian travel, use as public space, bicycle, transit, and vehicle movement, parking and loading requirements, ease of maintenance, and emergency access. Wherever possible, the Port should coordinate street improvement projects to make related improvements simultaneously to construct holistically designed street improvements.

B. Walking and Bicycling

Comment

Recommendation #14 (Walking and Bicycling): *Should the Port establish a policy that prohibits motorized vehicles (and bikes) on sidewalk (without eliminating motorized wheelchairs)? Port staff notes that the policy intends to reduce conflicts; enacting the policy may lead to a law that prohibits motorized vehicles, etc.*

Revised Recommendation

14. Work to eliminate~~Minimize~~ conflicts between vehicles, bicycles and motorized personal vehicles (e.g., scooters) and pedestrians through improved design and signage.

C. Public Transit (Land Transit)

Comment:

Consider adding reference to support the concept study of extending the Central subway from Chinatown to Fisherman's wharf.

21. Encourage local and regional transit providers to improve and expand fast, frequent, and reliable service connecting waterfront areas and the City and region. Focus capacity improvements in the following areas:
 - a. Peak and off-peak (midday, nights and weekends) service along The Embarcadero to and from Fisherman's Wharf;
 - b. South of China Basin, from Mission Bay to the Southern Waterfront/India Basin;
 - a. Accessibility improvements to E and F-lines; and
 - b. E-Line extension to Fort Mason.
 - c. Extension of Central Subway from China Town to Fisherman's Wharf

D. Water Transportation

Comment

Recommendation #26 (Water Transportation) *Is "water-taxi" service an appropriate term? Or is it "small-vessel ferry" or "water shuttle"? Consider adding expansion of these types of facilities.*

25. Coordinate with WETA, Golden Gate Ferry, California Public Utilities Commission and other commercial water taxi, small ferry and water shuttle operators to establish an integrated, accessible, and federally compliant water transit system, linking Port destinations to one another, and the Port to other destinations around the Bay.

G. Parking and Automobile Access

Comment:

Suggestion to revise to prohibit new development of parking spaces and eliminate non-essential parking

Revised Recommendation # 40 and #41

40. Discourage ~~Limit~~ the development of new automobile parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service.

41. ~~Restrict Limit~~ dedicated parking spaces in pier rehabilitation projects to promote transit and reduce vehicle/pedestrian conflicts along Herb Caen Way.

Comment: *There was a suggestion that Maritime Leases should be excluded from the Bundling Prohibition*

Revised Recommendation #43

43. ~~Prohibit Discontinue~~ bundling of parking with Port leases except for maritime industrial leases (maritime industrial are uses such as cargo, fish processing, harbor services, batching and are not general commercial, retail or primarily office)., ~~and k~~ keep parking leases short, flexible and at market rates to facilitate better uses of Port property

H. Transportation Demand Management (TDM)

Comment

Consider recommendations about ride-hailing, a growing mode of transportation for families. Note: Ride-sharing is referred to as “transportation network companies (TNCs)”. Also, separating modes that have dangerous conflicts, especially TNC’s and bikes.

50. Develop Port-wide and sub-area TDM plans that promote transit use, bicycle and pedestrian networks, shuttles, taxis, transportation network companies (TNC) and other projects and programs on area-wide basis (rather than on a project-by-project basis)



December 6, 2017 Working Group Meeting

Comments Requiring Revisions to Resilience Subcommittee Recommendations

Proposed additions are shown underlined in italics; deletions are shown in ~~strike through~~. These revisions were reviewed by the Resilience Subcommittee and then circulated to the full Working Group prior to the October 3rd meeting.

1. **Issue referred by Working Group for further review:** The Port should serve as a guardian/leader for research, monitoring and education about Bay water quality.

Proposed New Resilience Recommendation for the Waterfront Plan:

Pursue leadership opportunities and deepen partnerships with regulatory agencies, research institutions, and advocacy groups (e.g., Regional Water Quality Control Board, California Coastal Conservancy, Bay Planning Coalition, BCDC, SF Baykeeper, Mission Creek Conservancy, Save the Bay, etc.) to improve water quality in the Bay through research, data collection and sharing, and broader public education and communication.

In support of this new recommendation, Port staff will add the following updates to the October 26, 2016 background report "[Environmental Sustainability at the Port of San Francisco](#)":

The Port currently participates in collaborative efforts to monitor and improve water quality in San Francisco Bay. For example, the Port provides financial support to the San Francisco Estuary Institute's Regional Water Quality Monitoring Program (RMP) and serves on its Technical Review Committee. The RMP has collected chemical and biological data to characterize long term status and trends in water quality and biological health of San Francisco Bay since 1993. The Technical Review Committee oversees the technical content and quality of scientific investigations conducted for the RMP, serves as an advisory body, and provides a critical link between the Estuary Institute and the organizations charged with implementing recommendations aimed at improving water quality.

The Port is also active in the Bay Planning Coalition (BPC), a group of regulatory, local government, industry, and advocacy organizations that collaborate to advance maritime industry that supports a sustainable San Francisco Bay. The Port participates in BPC's technical and scientific programs and public outreach efforts. For example, Port staff recently participated in a workshop about potential water quality impacts and best management practices to reduce impacts of wood preservatives on water quality; this public workshop was hosted by BPC and the Regional Water Quality Control Board and attended by regulatory agencies, academics, and industry representatives. The Port will use this information in its own operations and to inform the recommendations and requirements that the Port imposes on others' activities under Port jurisdiction. The Port conducts annual training for Port staff and contractors on best management practices to protect water quality during maintenance and construction in and over water. This training includes, among other things, procedures to prevent the spread of invasive seaweed during in-water maintenance and construction.

These are just a few examples of how the Port supports existing programs and partnerships to advance understanding of and improvement in water quality throughout

the Bay. The proposed policy recommendation will highlight the Port's intent to continue seeking such opportunities.

2. **Issue referred by Working Group for further review:** The section on water quality and conservation should include stretch policies that go beyond continuing to implement the City's existing plans and policies (e.g., they should address how to reduce wastewater releases into the Bay).

Proposed Revision to Resilience Recommendation #3

3. Engage City Agencies and private development partners to maintain and repair existing, and construct new wastewater infrastructure (e.g. wastewater storage, transport, treatment and discharge structures to reduce combined sewer overflows (CSOs) and make such infrastructure more resilient to sea level rise and extreme weather). Continue to implement the City's existing Stormwater Management Requirements and, whenever feasible, stretch beyond them to incorporate ~~promote~~ additional implementation of "green infrastructure" to reduce the volume of CSOs and improve the quality of sewer and stormwater runoff, ~~where feasible, incorporate improvements to~~ and reduce the spread of garbage into the Bay.

Proposed Revision to Recommendation for the Strategic Plan (first bullet on page 10)

- ~~Continue~~ Expedite the Port's ongoing program of inspection and repair of under-pier utilities to reduce discharges of wastewater and potable water to the Bay; seek additional opportunities to relocate utilities above-board during ~~in~~ renovation or new construction.

In support of these changes, Port staff will add the following updates to the October 26, 2016 background report "[Environmental Sustainability at the Port of San Francisco](#)":

Many of the Port-owned water and wastewater lines are suspended on hangars from beneath piers, where they are exposed to salt water and impact from floating debris, and where leaks and breaks are difficult to detect and repair. The Port has undertaken a comprehensive and systematic program of inspection, repair, and replacement of such sewer lines to prevent and mitigate releases of potable water or sewage to the bay. Since 2011, the Port has annually inspected approximately 8 miles of under-pier utilities. Repairs are made as needed to prevent failure. Additionally, wherever feasible, (i.e. in conjunction with substantial reconstruction of a pier) the Port seeks to relocate under-pier utilities so that they are better protected and more readily inspected and repaired.

3. **Issue referred by Working Group for further review:** The water quality recommendations should address aquatic-borne invasives (e.g., bilge water can carry invasive seaweed and crabs).

Proposed New Resilience Recommendation for the Waterfront Plan:

Educate maritime tenants and visitors about the water quality risks associated with waterborne invasives (e.g., seaweeds, worms, mollusks, crabs, etc.) and regulations adopted to reduce the spread of invasive aquatic species. Where feasible, implement leasing policies, services and facilities to help reduce their spread.

In support of this new recommendation, Port staff will add the following updates to the October 26, 2016 background report "[Environmental Sustainability at the Port of San Francisco](#)":

Ballast water is water carried in ships' ballast tanks to improve stability, balance and trim. Ballast water, and the aquatic organisms in it, is taken into or discharged from ballast tanks when cargo is unloaded or loaded, or when a ship needs extra stability in foul weather. Ballast water is the primary vector for dispersion of invasive species associated with Port and maritime activities.

The U.S. Coast Guard, U.S. EPA and California State Lands Commission all regulate ballast water management in order to reduce the spread of invasive species, and Port leases and berthing agreements explicitly require compliance with existing and subsequently promulgated regulations. The State Lands Commission recently adopted more stringent ballast water regulations: New requirements effective October 2017 govern operations such as where ballast water can be exchanged (mid-ocean), and how ballast water tanks are cleaned; require vessels over 300 gross tons to develop and implement “biofouling management plans”; and require reporting by ship operators and inspection and enforcement by regulatory agencies. The regulations apply to vessels over 300 gross tons in capacity because those are most likely to use ballast water. Most vessels that call at the Port of San Francisco (including federal maritime agency reserve vessels, cruise ships, auto carriers) are subject to these regulations. Smaller vessels (including most fishing boats, tugs and ferries), are designed so that they do not use ballast water or they don’t need significant ballast capacity because they do not carry cargo and do not experience large changes in weight during normal operations.

The Port currently distributes educational material produced by the California Department of Boating and Waterways about dispersion of invasive species to berth holders and visitors to its small craft harbors at Hyde Street, Fisherman’s Wharf, and South Beach.

Additionally, as part of our specified maintenance and construction procedures, the Port inspects for invasive seaweed wherever maintenance or new construction might encounter invasive seaweed that would be disturbed and potentially dispersed by the work. When it is found, Port divers remove it in a manner that prevents dispersion of spores before the work begins.

4. **Issue referred by Working Group for further review:** There does not appear to be any cohesive thinking about how sea level rise might dramatically affect which land uses are appropriate along the waterfront.

Proposed Revisions to Resilience Recommendations # 32 and 34:

32. Develop a strategy that includes short, mid- and long-term planning and implementation timeframes and guidelines to ensure that new Port land uses are appropriate in light of rising seas and that new Port projects include appropriate flood protection and SLR adaptations that advance the Port’s and City’s goals; develop near-term adaptation plans for higher risk assets and areas.

34. Consider a wide range of strategies for managing SLR, including armored edges, elevated land or floors, floating development, floodable development, living shorelines or wetlands, limiting land uses, and managed retreat; choose multi-benefit strategies that reflect the unique character, location, and land uses of adjacent neighborhoods as well as the need to maintain resilience in the face of sea-level rise potentially increasing storm intensity and frequency.

5. **Issue referred by Working Group for further review:** The recommendation for the Port Strategic Plan that addresses tenants earthquake preparedness (first bullet on p. 13) should require, rather than suggest, that tenants evaluate their earthquake risk

Proposed Revision to Emergency Preparation Planning Recommendation for the Strategic Plan - first bullet at top of page 13:

- ~~Encourage tenants~~ Complete Tenant Emergency Guidelines to educate tenants about the nature of potential emergencies and disasters at the Port including how to evaluate their earthquake risks ~~and~~ Work closely with them ~~City agencies, first responders, Port tenants and neighbors~~ to maximize emergency preparedness and disaster recovery operations at the Port; foster

tenant-to-tenant and tenant-to-neighbor connections to advance disaster readiness and response.

Explanation for Change: As discussed during the Resilience Subcommittee meetings, the Port's emergency planning is overseen by the Port's Homeland Security Division, in close coordination with the CCSF Department Emergency Management (DEM). As a department of the CCSF, the organizational and planning principles of the CCSF Emergency Operations Plan (EOP) and, ultimately, the Port EOP are based on a myriad of local, state and federal regulatory documents and operating procedures for conducting and supporting emergency operations. Many of these activities were discussed in background reports for, and with agency experts present at, Resilience Subcommittee meetings. The EOP is reviewed and exercised periodically and revised as necessary to meet changing requirements and information.

The Port is developing Tenant Emergency Guidelines to further improve emergency preparedness and response on Port property. Tenant and public understanding of the nature of potential emergencies, the likely response of emergency services, and awareness of how to increase chances of survival are vital to ensuring partnerships required for successful response and recovery operations. These Guidelines should not be embedded in the Waterfront Land Use Plan; they should instead be part of the Port's EOP, ensuring that they sit within and build upon the body of complex rules, regulations, and practices that already govern emergency preparation and disaster response at the Port.

- 6. Issue referred by Working Group for further review:** Consider asking the City to study a MUNI underground tunnel (big idea) from Mission Bay to Fisherman's Wharf to address MUNI and seawall/pier seismic issues. This Plan is a good place to come up with a big dream....vs how to park cars, get buses through, etc.

Proposed Revision to Resilience Recommendation #35:

35. Seek to achieve a broad range of Waterfront Plan urban design, historic preservation, public access, transportation, maritime, ecological, and recreational goals and other public benefits when designing and constructing Port projects to adapt to sea-level rise; Encourage exploration and consideration of long-term aspirational, holistic, multi-benefit solutions.

Proposed New Resilience Recommendation for the Waterfront Plan:

The Waterfront Plan goals and policies should guide the Port while long-range adaptation planning, engineering, and financing studies to respond to sea level rise and strengthen the Seawall are undertaken by the Port, along with the appropriate City, State, Regional and other authorities.

Explanation for Change: Although it is premature to address specific project solutions to sea level rise, the Waterfront Plan should support consideration of "big ideas" and multi-benefit solutions that are likely to emerge as broader multi-agency/jurisdiction adaptation planning continues over the next several years (e.g., through the Mayor's Sea Level Rise Coordinating Committee, Resilient by Design, etc.). As stated in Guiding Principle #1: "The Waterfront Plan Update should guide the Port while long-range adaptation planning, engineering, and financing studies to respond to sea level rise and strengthen the Seawall are undertaken by the Port, along with the appropriate City, State, Regional and other authorities.

City and regional studies required for the Port to successfully adapt to long-term sea level rise (SLR) and repair the historic Seawall will extend beyond the timeframe for the Waterfront Plan Update process. Part 2 discussions should therefore focus on defining the public values, design criteria and/or other policy guidance that will underlie and support these longer term resiliency planning efforts, without prescribing specific solutions..." This Guiding Principle should be incorporated into the Waterfront Plan.