

Member, Board of  
Supervisors District 2



City and County of San  
Francisco

**STEPHEN SHERRILL**

June 25, 2026

The Honorable Daniel Lurie  
Mayor, City and County of San Francisco  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Director Sarah Dennis Phillips  
San Francisco Planning Department  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

**Re: Determining 11-15 Marina Boulevard's Eligibility for Assembly Bill 2011's (AB 2011)  
Environmental Review Exemptions**

Mayor Lurie and Director Dennis Phillips,

Over the past six months, we, along with members of our organizations, have come together in various forms to better understand the proposed project at 11-15 Marina Boulevard (or the "Marina Safeway Project"). We have worked with outside counsel, government agencies (including the California Department of Housing & Community Development), additional land use experts, and others to understand this very unique and site-specific application of state law.

There is no question that rapidly escalating housing costs are exacerbating an already dire affordability crisis here in San Francisco. That was the primary basis for the construction and passage of last year's Family Zoning Plan.

Although many San Franciscans - indeed, some of us signatories to this letter - do not fully agree with all the final details of the Family Zoning Plan, we can all agree that that plan was put together with community input in order to allow the City to maintain local control and craft a path forward for building more housing in the most "San Francisco-centric" way possible.

In this context, we respectfully ask that you and the Planning Department determine that the proposed residential development at 11-15 Marina Boulevard does not qualify for AB 2011's (Affordable Housing and High Road Jobs Act of 2022) ministerial review process and its streamlining of environmental reviews.

This request is based on the requirement that, for a project to be eligible for ministerial approval under AB 2011, at least 75% of the site perimeter must adjoin parcels developed with "urban uses." In code, AB 2011 amended California Government Code § 65912.111 to state that:

"A development project shall not be subject to the streamlined, ministerial review provided by Section 65912.114 unless the development is proposed to be located on a site that satisfies all of the following criteria: ...(b) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For purposes of this subdivision, parcels that are only separated by a street or highway shall be considered to be adjoined."

Subsequently, [Assembly Bill 2243](#) (AB 2243) expanded the definition of adjacent "urban uses" to include "any current or former residential, commercial, public institutional, public park that is surrounded by other urban uses, transit or transportation passenger facility, or retail use, or any combination of those uses."

Approximately 50% of the Marina Safeway site is adjoined by a National Park (to the east and northeast) and County Assessor Parcel 0900/003, which contains the San Francisco Marina Yacht Harbor, Marina Green, and supporting parking areas. This parcel is city-owned property, and is officially publicly-zoned under the jurisdiction of the San Francisco Recreation & Parks Department. Its use is restricted under the Public Trust Doctrine to maritime, recreational, water-access, and supporting amenities (e.g., parking) rather than urban development.<sup>1</sup> Even if this parcel were to be categorized as a public park, it does not qualify as an "urban use" because it is not "surrounded by other urban uses."

Although AB 2243 does not define "surrounded" as a numerical percentage, 75% has been used in other contexts in state housing legislation (e.g., AB 2011's 75% urban use perimeter requirement). **It is fitting that the 75% threshold would apply to a parcel's eligibility to classify a public park as an "urban use" as it pertains to AB 2243 and AB 2011.**

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<sup>1</sup> The Planning Department has previously described Parcel 0900/003 as "a recreational boating center...within a P (Public) District and an OS (Open Space) Height and Bulk District." See, e.g., Draft EIR for the San Francisco Overlook Development Residential Project 2004.0093E.

Parcel 0900/003 (or the “S.F. Marina Yacht Harbor parcel”) is bordered by the Bay to the north, the Golden Gate National Recreation Area/Fort Mason to the east, the Presidio to the west, and residential and commercial development to the south. The S.F. Marina Yacht Harbor parcel is mostly surrounded by non-urban park, recreational, and supporting uses. **Parcel 0900/003 is not surrounded primarily by urban uses and, most certainly, does not meet the 75% threshold.**

We want to especially highlight that AB 2011 states that, “At least 75 percent of the perimeter of the site adjoins *parcels* [*emphasis added*] that are developed with urban uses.” It does not say “portions of parcels.” Therefore, any analysis of the parcel on the northern side of 11-15 Marina Boulevard (Parcel 0900/003) should consider the *entirety* of that parcel (i.e. Marina Green, the Marina Yacht Harbor, etc.) and not just the *portion* of Parcel 0900/003 adjacent to 11-15 Marina Boulevard (i.e. the parking lot).

This request is not made lightly, and it is not made without significant research and legal clarification. Based on that work, we are confident that a determination that 11-15 Marina Boulevard is not surrounded by urban uses is reasonable and defensible.

This is a moment where the City of San Francisco not only can, but also has a responsibility to, make a policy decision as to whether we continue to build on recent progress by exercising the City's own independent, fact-based judgment - or whether we allow private entities to decide what the laws mean by default.

We support the development of housing at 11-15 Marina Boulevard as was prescribed in the Family Zoning Plan. We also support further action to make housing, both at this site and across the City, more feasible and affordable.

We would also be interested in additional agreements, like an Enhanced Infrastructure Financing District (EIFD), regarding 11-15 Marina Boulevard that would make both housing and improved transit, congestion, pedestrian safety, and park access (developed in conjunction with all local stakeholders including the San Francisco Recreation and Parks Department, Fort Mason, and the Golden Gate National Recreation Area) more feasible as well as properly addressing environmental concerns.

Therefore, we are formally requesting that the City and County of San Francisco determine that the project proposed at 11-15 Marina Boulevard does NOT qualify for AB 2011 streamlining and ministerial review because the site in question is not surrounded by adjoining parcels that qualify as “urban uses.”

We deeply appreciate your attention to this issue, and we look forward to your reply.

Sincerely,



Stephen Sherrill  
District 2 Supervisor  
City and County of San Francisco

Erin Roach, President, Marina Community Association  
Elliot Robbins, Board Member, Marina Community Association  
Art Craig, Board Member, Marina Community Association  
Carina Trowbridge, Board Member, Marina Community Association  
Jason Pellegrini, Board Member, Marina Community Association  
Paul Wermer, President, Pacific Heights Residents Association  
Bridget Maley, Neighborhoods United SF  
Bruce McKleroy, Presidio Heights Association of Neighbors  
Cow Hollow Association  
ConnectedSF

Cc:

Ned Segal, Chief of Housing and Economic Development  
City Attorney David Chiu  
Supervisor Rafael Mandelman, President of the Board of Supervisors