

BOARD of SUPERVISORS



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October 27, 2015

File No. 151062

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

On October 20, 2015, Supervisor Kim introduced the following proposed legislation:

File No. 151062

Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in blue ink that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

1 [General Plan Amendment - Rincon Hill Area Plan]

2
3 **Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies**
4 **3.3 and 3.4; making findings, including findings of consistency with the General Plan,**
5 **and the eight priority policies of Planning Code, Section 101.1; and affirming the**
6 **Planning Department's determination under the California Environmental Quality Act.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings.

16 (a) Charter Section 4.105 and Planning Code Section 340 provide that the
17 Planning Commission shall periodically recommend to the Board of Supervisors, for approval
18 or rejection, proposed amendments to the San Francisco General Plan.

19 (b) Planning Code Section 340 provides that an amendment to the General Plan
20 may be initiated by a resolution of intention by the Planning Commission, which refers to, and
21 incorporates by reference, the proposed General Plan amendment. Section 340 further
22 provides that the Planning Commission shall adopt the proposed General Plan amendment
23 after a public hearing if it finds from the facts presented that the public necessity, convenience
24 and general welfare require the proposed amendment or any part thereof. If adopted by the
25 Commission in whole or in part, the proposed amendment shall be presented to the Board of
Supervisors, which may approve or reject the amendment by a majority vote.

1 (c) The Rincon Hill Area Plan Element of the General Plan was adopted by the
2 Planning Commission and Board of Supervisors in 2005.

3 (d) Pursuant to Planning Code Section 340, the Planning Commission initiated this
4 amendment on _____, 2015, in Motion No. _____. Pursuant to Planning Code Section
5 340 and Charter Section 4.105, the Planning Commission adopted this amendment to the
6 Rincon Hill Area Plan on _____, 2015 in Resolution No._____, finding that this amendment
7 serves the public necessity, convenience and general welfare, and is in conformity with the
8 General Plan and the eight Priority Policies in Planning Code Section 101.1.

9 (e) The Planning Department has determined that the actions contemplated in this
10 ordinance comply with the California Environmental Quality Act (California Public Resources
11 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
12 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
13 this determination.

14 (f) The _____, 2015 letter from the Planning Department transmitting the proposed
15 amendment to the Rincon Hill Area Plan, and the resolutions adopted by the Planning
16 Commission with respect to the approval of this amendment to the Rincon Hill Area Plan, are
17 on file with the Clerk of the Board of Supervisors in File No. _____.

18 (g) The Board of Supervisors finds, pursuant to Planning Code Section 340, that
19 this amendment to the Rincon Hill Area Plan, set forth in the documents on file with the Clerk
20 of the Board in File No._____, will serve the public necessity, convenience and general
21 welfare for the reasons set forth in Planning Commission Resolution No. _____ and
22 incorporates those reasons herein by reference.

23 (h) The Board of Supervisors finds that this amendment to the Rincon Hill Area
24 Plan, as set forth in the documents on file with the Clerk of the Board in Board File
25 No._____, is in conformity with the General Plan and the eight priority policies of Planning

1 Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.
2 _____. The Board hereby adopts the findings set forth in Planning Commission
3 Resolution No. _____ and incorporates those findings herein by reference.
4

5 Section 2. The San Francisco General Plan is hereby amended by revising the Rincon
6 Hill Area Plan Element of the General Plan, Policies 3.3 and 3.4 of the Rincon Hill Area Plan,
7 to read as follows:

8 Policy 3.3

9 Minimize tower bulk to the dimensions shown in Figure 4, to ensure a feasible tower
10 floorplate, to create elegant, slender towers and to preserve views and exposure to light and
11 air. In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to
12 a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be
13 permitted to encourage the provision of housing on this site in keeping with the overall goals of this
14 plan, provided that the other urban design and planning policies of the plan are met.

15 Policy 3.4

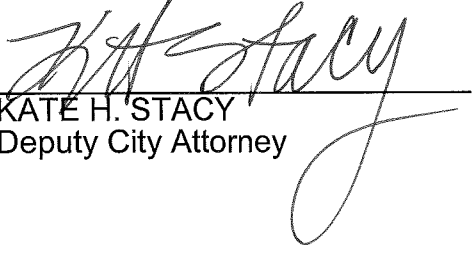
16 Require towers to be spaced no less than 115 feet apart, the maximum plan dimension
17 per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open
18 space, and to preserve at least as much sky plane as tower bulk. In recognition of a new
19 housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and
20 tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage
21 the provision of housing on this site in keeping with the overall goals of this plan, provided that the
22 other urban design and planning policies of the plan are met.
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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
KATE H. STACY
Deputy City Attorney

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