

1 [General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay
2 Redevelopment Plan Blocks 1 and 2]

3 **Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to**
4 **include a note stating that the proposed Height and Bulk Districts on Block 1**
5 **(Assessor’s Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom**
6 **Street between Main and Spear Streets, and a portion of Block 2 (Assessor’s Parcel**
7 **Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay**
8 **Redevelopment Project Area shall be consistent with those provided in the Transbay**
9 **Redevelopment Plan Development Controls; and making findings, including findings**
10 **under the California Environmental Quality Act, and findings of consistency with the**
11 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

20 Section 1. Findings.

21 (a) The Ordinances relating to adoption of the Transbay Redevelopment Plan in 2005
22 and 2006 (Ordinance Nos. 124-05, 125-05, 94-06, 95-06, and 99-06) included General Plan
23 Amendments that reflected the height and zoning changes. Map 5 of the Downtown Plan,
24 which identified recommended height and bulk limits in the City’s Downtown, was amended
25 with a notation: “Remove 80-x label from freeway lands in Transbay and replace with notation
that says ‘See Redevelopment Plan Development Controls.’” This amendment appears to

1 have inadvertently excluded Transbay Redevelopment Plan Zone 1 blocks that are within the
2 200 foot Height District and “S” Bulk District in Map 5 (Assessor Block 3740/027-32 on Folsom
3 Street between Main and Spear Streets, and Assessor Block 3739/004 on Folsom and Main
4 Streets), leaving the General Plan out of sync with the adopted Transbay Redevelopment
5 Plan. While the Redevelopment Plan changed the allowable height and bulk of the
6 aforementioned Assessor’s Blocks to a 300’ Height District and a “TB” Bulk District, the added
7 notation in Map 5 of the Downtown Plan did not reference the Redevelopment Plan. The
8 proposed General Plan Amendment that is the subject of this ordinance would correct Map 5
9 of the Downtown Plan to reflect that the aforementioned Assessor Blocks are subject to the
10 controls of the Transbay Redevelopment Plan. In doing so, the General Plan Amendment
11 also would accommodate and provide consistency for a height increase at a development
12 project proposed for Assessor Block 3740, Lots 027, 029, 030, 031, and 032 of the Transbay
13 Redevelopment Project Area (“Block 1”) from 300 to 400 feet.

14 (b) Pursuant to Charter Section 4.105 and Planning Code Section 340, the Planning
15 Commission shall first consider any amendments to the General Plan and thereafter
16 recommend such amendments for Board of Supervisors approval or rejection. On January
17 14, 2016, after a duly noticed public hearing, the Planning Commission, by Motion No. 19549,
18 initiated General Plan amendments that are the subject of this ordinance. On February 25,
19 2016, after a duly noticed public hearing, the Planning Commission, by Resolution No. 19572,
20 adopted environmental findings; found that the General Plan amendments are, on balance,
21 consistent with the General Plan as proposed for amendment; the public necessity,
22 convenience and general welfare required the General Plan Amendment; the proposed
23 amendments are in conformity with the eight priority policies of Planning Code Section 101.1;
24 and recommended the amendments for Board of Supervisors approval. A copy of Planning
25

1 Commission Motion No. 19549 and Resolution No. 19572 are on file with the Clerk of the
2 Board of Supervisors in File No. 160188 and are incorporated herein by reference.

3 (c) The Board of Supervisors finds that this ordinance is, on balance, consistent with
4 the General Plan as it is proposed for amendment herein and in conformity with the eight
5 priority policies of Planning Code Section 101.1 for the reasons set forth in Planning
6 Commission Resolution No. 19572. The Board hereby adopts these findings as its own.

7 (d) On June 15, 2004, this Board approved Motion No. M04-67 affirming the Planning
8 Commission's certification of the final environmental impact report for the Transbay
9 Terminal/Caltrain Downtown Extension/Redevelopment Project ("FEIR") in compliance with
10 the California Environmental Quality Act ("CEQA") (California Public Resources Code sections
11 21000 et seq.) A copy of said Motion is on file with the Clerk of the Board of Supervisors in
12 File No. 040629 and is incorporated herein by reference.

13 (e) The Board of Supervisors in Resolution No. 612-04, adopted environmental
14 findings in relation to the Transbay Terminal, Caltrain Downtown Extension, and Transbay
15 Redevelopment Plan. Copies of said Resolution and supporting materials are in the Clerk of
16 the Board of Supervisors File No. 041079. The Board of Supervisors in Ordinance No. 124-
17 05, as part of its adoption of the Transbay Redevelopment Plan, adopted additional
18 environmental findings. Copies of said Ordinance and supporting materials are in the Clerk of
19 the Board of Supervisors File No. 050184. The FEIR analyzed development on Transbay
20 Redevelopment Project Area Block 1 of a project extending up to 300 feet in height. Said
21 Resolution and Ordinance and supporting materials are incorporated herein by reference.

22 (f) On January 14, 2016, in response to a proposed height increase from 300 to 400
23 feet on Block 1, the Successor Agency to the Redevelopment Agency of the City and County
24 of San Francisco, commonly known as the Office of Community Investment and
25 Infrastructure, ("Successor Agency" or "OCII") in conjunction with the Planning Department

1 prepared an Addendum to the FEIR in accordance with CEQA Guidelines Section 15164 (the
2 “Addendum”).

3 (g) On January 19, 2016, after a duly noticed public hearing, the Commission on
4 Community Investment and Infrastructure (“CCII”) in Resolution No. 2-2016 approved
5 development actions for Block 1 and adopted the Addendum along with other environmental
6 review findings pursuant to CEQA. A copy of the Addendum and CCII Resolution are on file
7 with the Clerk of the Board of Supervisors in File No. 160188 and are incorporated herein by
8 reference.

9 (h) Based on this Board’s review of the FEIR and the Addendum, the Board concurs
10 that the analysis conducted and the conclusions reached in the FEIR remain valid and the
11 proposed Block 1 height amendment will not cause new significant impacts not identified in
12 the FEIR, and no new mitigation measures will be necessary to reduce significant impacts.
13 Further, other than as described in the Addendum, no Block 1 changes have occurred, and no
14 changes have occurred with respect to circumstances surrounding Block 1 that will cause
15 significant environmental impact to which the height amendment will contribute considerably;
16 and no new information has become available that shows the height amendment will cause
17 significant environmental impacts not previously discussed in the FEIR, that significant effects
18 previously examined will be substantially more severe than shown in the FEIR, or that
19 mitigation measures or alternatives previously found infeasible are feasible, or that new
20 mitigation measures or alternatives considerably different from those in the FEIR would
21 substantially reduce significant impacts. Therefore, the Board finds that no environmental
22 review is required under CEQA other than the Addendum and hereby adopts CCII’s and the
23 Planning Commission’s environmental findings as its own.

1 Section 2. The San Francisco General Plan is hereby amended by revising Map 5 of
2 the Downtown Area Plan as follows:

3 Remove the 200-S label from Assessor’s Block 3740, Lots 027, 029, 030, 031, and
4 032, and Assessor’s Block 3739, Lot 004, and replace it with a notation that states “See
5 Transbay Redevelopment Plan Development Controls.”
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7 Section 3. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
10 of Supervisors overrides the Mayor’s veto of the ordinance.
11

12 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the General
15 Plan that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the “Note” that appears under
17 the official title of the ordinance.
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19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: _____
22 John D. Malamut
23 Deputy City Attorney

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