

1 [General Plan Amendment - Rincon Hill Area Plan]

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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 **that the Amendment was within the scope of the Rincon Hill Area Plan and the Program**  
8 **Environmental Impact Report, which adequately analyzed this Amendment.**

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

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

17

18 Section 1. Findings.

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

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

1 Commission in whole or in part, the proposed amendment shall be presented to the Board of  
2 Supervisors, which may approve or reject the amendment by a majority vote.

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

5 (d) Pursuant to Planning Code Section 340, the Planning Commission initiated this  
6 amendment on May 28, 2015, in Resolution No. 19382. Pursuant to Planning Code Section  
7 340 and Charter Section 4.105, the Planning Commission adopted this amendment to the  
8 Rincon Hill Area Plan on September 24, 2015 in Resolution No. 19479, finding that this  
9 amendment serves the public necessity, convenience and general welfare, and is in  
10 conformity with the General Plan and the eight Priority Policies in Planning Code Section  
11 101.1.

12 (e) The Planning Department has determined that the actions contemplated in this  
13 ordinance comply with the California Environmental Quality Act (California Public Resources  
14 Code Sections 21000 et seq.), finding that this Amendment was within the scope of the  
15 Rincon Hill Area Plan and that the Rincon Hill Area Plan Program Environmental Impact  
16 Report adequately analyzed this Amendment and prepared an Addendum for this Amendment  
17 and the proposed project. Said determination and Addendum are is on file with the Clerk of  
18 the Board of Supervisors in File No. 151062 and is incorporated herein by reference, and the  
19 Rincon Hill Area Plan Environmental Impact Report is available for review at the San  
20 Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California  
21 (Case No. 2013.0159E). The Board affirms this determination.

22 (f) The October 14, 2015 letter from the Planning Department transmitting the  
23 proposed amendment to the Rincon Hill Area Plan, and the resolutions adopted by the  
24 Planning Commission with respect to the approval of this amendment to the Rincon Hill Area  
25 Plan, are on file with the Clerk of the Board of Supervisors in File No. 151062.

1 (g) The Board of Supervisors finds, pursuant to Planning Code Section 340, that  
2 this amendment to the Rincon Hill Area Plan, set forth in the documents on file with the Clerk  
3 of the Board in File No. 151062, will serve the public necessity, convenience and general  
4 welfare for the reasons set forth in Planning Commission Resolution No. 19479 and  
5 incorporates those reasons herein by reference.

6 (h) The Board of Supervisors finds that this amendment to the Rincon Hill Area  
7 Plan, as set forth in the documents on file with the Clerk of the Board in Board File No.  
8 151062, is in conformity with the General Plan and the eight priority policies of Planning Code  
9 Section 101.1 for the reasons set forth in Planning Commission Resolution No. 19479. The  
10 Board hereby adopts the findings set forth in Planning Commission Resolution No. 19479 and  
11 incorporates those findings herein by reference.

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

16 Policy 3.3

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

23 Policy 3.4

24 Require towers to be spaced no less than 115 feet apart, the maximum plan dimension  
25 per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open

1 space, and to preserve at least as much sky plane as tower bulk. In recognition of a new  
2 housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and  
3 tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage  
4 the provision of housing on this site in keeping with the overall goals of this plan, provided that the  
5 other urban design and planning policies of the plan are met.

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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 Municipal  
15 Code 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 KATE H. STACY  
23 Deputy City Attorney

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