

## LEGISLATIVE DIGEST

[Planning Code—Preservation, Rehabilitation, and Maintenance of Transfer Lots; Zoning Map and General Plan Map Amendments—680 California Street (Old St. Mary's Cathedral).]

**Ordinance amending Section 128 of the San Francisco Planning Code to require that ~~proceeds from the sale of Transferable Development Rights (TDR) be spent on approval of a plan for preservation, and rehabilitation, and maintenance of the a~~ Transfer Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights, to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block 0241, Lots 011 and 012 (the Property), from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.**

### Existing Law

Section 128 of the Planning Code currently allows for the sale of development rights (known as Transferable Development Rights, or "TDR") from certain historic properties located within the downtown C-3 zoning districts to other, non-historic, sites for use in development projects. Currently, no limitations are placed on the property owner's use of the proceeds from the sale of TDR, and there are no requirements regarding preservation, rehabilitation, or maintenance of the historic property.

### Amendments to Current Law

The proposed legislation would require that, prior to the issuance of a Statement of Eligibility to sell TDR, the property owner correct any outstanding Notices of Violation. The legislation would also require the Planning Department approve a plan for rehabilitation, preservation, and maintenance of the building, including any mandatory seismic retrofit work, or work required to meet any disability access or life safety requirements, for the historic building. One year after the Statement of Eligibility is issued, the property owner is required to submit a report regarding compliance with the plan. Compliance with the plan is made a condition of approval, enforceable through the Planning Code's existing enforcement provisions.

The proposed legislation would also require that any seller of TDR report the sale price to the Planning Department.

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The proposed legislation would also allow for the sale of TDR from an individually landmarked building on a lot located within any C-3 District to any lot also located within any C-3 District as long as the development lot is not within a Redevelopment Agency Plan Area.

Finally, the proposed legislation rezones the property on which Old St. Mary's Cathedral is located from Chinatown Visitor Retail to C-3-O, which would enable its owners to sell TDR.