

1 [Zoning Map amendments in connection with the Transbay Redevelopment Plan.]

2
3 **Ordinance amending the San Francisco Planning Code by amending Sectional Maps 1,**
4 **1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection**
5 **with the Transbay Redevelopment Plan and an associated special use district with the**
6 **Redevelopment Plan area and adopting environmental findings and findings that the**
7 **amendments are consistent with the General Plan and eight Priority Policies of**
8 **Planning Code Section 101.1.**

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are *strikethrough italics Times New Roman*.
11 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. Findings. The Board of Supervisors of the City and County of San
14 Francisco hereby finds and determines that:

15 (a) City Charter Section 4.105 requires that the San Francisco Planning Commission
16 (the "Planning Commission") consider any proposed amendments to the City's Zoning Map
17 and make a recommendation for approval or rejection to the Board of Supervisors before the
18 Board of Supervisors acts on the proposed amendments.

19 (b) Approval of the Transbay Redevelopment Plan requires certain Zoning Map
20 amendments to Sectional Maps 1, 1H, and 1 SU (the "Zoning Map Amendments"). The
21 Zoning Map Amendments are contained in this Ordinance and the creation of special districts
22 within the Transbay Redevelopment Plan and various Planning Code text amendments are
23 contained in companion legislation, a copy of which is on file with the Clerk of the Board of
24 Supervisors in File No. 050182. In addition, this Board adopted Ordinance No. 125-05 to
25

1 amend the City's General Plan in relation to the Transbay Redevelopment Plan. Said
2 Ordinance is on file with the Clerk of the Board of Supervisors in File No. 050181.

3 (c) The proposed amendments to Sectional Zoning Map 1 are intended to address the
4 new Transbay Downtown Residential District. The proposed amendments to Sectional
5 Zoning Map 1H are intended to address the new Transbay Special Height and Bulk District
6 within this same area. These districts will establish general intent as to land use, urban form,
7 and development requirements within the Transbay Redevelopment Plan and will refer to this
8 Plan for specific regulations. Both districts are proposed to cover Zone 1 as designated in the
9 Transbay Redevelopment Plan, generally bounded by Folsom, Essex, Clementina, Beale,
10 Natoma, Main, Clementina, and Spear Streets.

11 (d) The proposed amendments to Sectional Zoning Map 1 SU are intended to address
12 the new Transbay C-3 Special Use District. This district will impose certain design guidelines,
13 direct certain development fees to be administered by the Redevelopment Agency, and
14 increase the minimum inclusionary housing requirement to 15%. This district is proposed to
15 cover Zone 2, as designated in the Transbay Redevelopment Plan, generally bounded by
16 Second, Mission, Main, Natoma, Beale, and Clementina Streets.

17 (e) Copies of the proposed amendments to the City's Zoning Map are on file with the
18 Clerk of the Board in File No. 050183 and are incorporated herein by reference as though fully
19 set forth herein.

20 (f) On January 13, 2005, the Planning Commission conducted a duly noticed public
21 hearing on the Zoning Map Amendments. Following such hearing, the Planning Commission,
22 in Resolution No. 16926, found such amendments to be consistent with the Priority Policies of
23 Planning Code Section 101.1 and recommended such amendments for approval by the Board
24 of Supervisors. On December 9, 2004, the Planning Commission conducted a duly noticed
25

1 public hearing on conformance of the Transbay Redevelopment Plan and related
2 implementing documents with the General Plan. Following such hearing, the Planning
3 Commission, in Motion No. 16907, found the Redevelopment Plan and related documents
4 consistent with the General Plan. Said Resolution and Motion are on file with the Clerk of the
5 Board in File No. 050183 and are incorporated herein by reference as though fully set forth
6 herein.

7 Section 2. General Findings.

8 (a) The Board of Supervisors finds that this Ordinance is in conformity with the priority
9 policies of Section 101.1 of the Planning Code and consistent with the General Plan, for the
10 reasons specified in Planning Commission Motion No. 16907 and Resolution No. 16926.

11 (b) Pursuant to Planning Code Section 302, the Board finds that the proposed Zoning
12 Map Amendments will serve the public necessity, convenience, and welfare for the reasons
13 set forth in Planning Commission Resolution No. 16926.

14 Section 3. Environmental Findings.

15 On September 28, 2004, this Board, in Resolution No. 612-04 adopted findings that
16 various actions related to the Transbay Redevelopment Project were in compliance with the
17 California Environmental Quality Act (California Public Resources Code sections 21000 et
18 seq.). Said findings and all documents and materials related to said findings are on file with
19 the Clerk of the Board of Supervisors in File No. 041079 and are incorporated herein by
20 reference. Said findings remain valid for the actions contemplated in this Ordinance and are
21 made part of this Ordinance by reference herein. Said findings also are supplemented by the
22 environmental findings that the Planning Commission adopted on December 9, 2004, in
23 Motion No. 16905. The Planning Commission Motion is on file with the Clerk of the Board in
24 File No. 050183 and is incorporated herein by reference as though fully set forth herein.

25

1 Section 4. Additional Findings.

2 The Board of Supervisors in a companion Ordinance regarding adoption of the
3 Transbay Redevelopment Project Area Tax Increment Allocation and Sales Proceeds Pledge
4 Agreement and an Option Agreement approved certain findings. A copy of said Ordinance is
5 on file with the Clerk of the Board of Supervisors in File No. 060347 and is incorporated herein
6 by reference. As part of this legislation, the Board hereby adopts and incorporates by
7 reference as though fully set forth the findings in Section 1(a)-(e) and the environmental
8 finding in Section 3(b) of said Ordinance.

9 Section 5. In accordance with Planning Code Sections 106 and 302, the following
10 changes are hereby adopted as amendment to Sectional Map 1 of the Zoning Map of the City
11 and County of San Francisco:

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Description of Property	Use District to be Superseded	Use District Hereby Approved
Block 3718, Lots 012, 025 (partial), 026 (partial), 027 (partial)	P, C-3-O(SD), C-3-S, M-1	Transbay Downtown Residential District designation on Sectional Map 1, see Planning Code Section 825-1828
Block 3736, Lots 016, 017, 018 (partial), 119, 120		
Block 3737, Lots 005, 012, 027		
Block 3738, Lot 004		
Block 3739 (entire block), Lots 002, 006, 004, 007, 008		
Block 3740, Lots 027, 029, 030, 031, 032		
Block 3749, Lots 061, 064, 068		

1 Section 6. In accordance with Planning Code Sections 106 and 302, the following
 2 changes are hereby adopted as amendment to Section Map 1H of the Zoning Map of the City
 3 and County of San Francisco:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved
4 5 6 Block 3718, Lots 012, 025 (partial), 026 (partial), 027 (partial) 7 8 Block 3736, Lots 016, 017, 018 (partial), 119, 120 9 Block 3737, Lots 005, 012, 027 10 Block 3738, Lot 004 11 Block 3739 (entire block), Lots 002, 006, 004, 007, 008 12 13 Block 3740, Lots 027, 029, 030, 031, 032 14 Block 3749, Lots 061, 064, 068 15	80-X, 200-S	50/85-TB, 50/85/165-TB, 50/85/300-TB, 50/165/400-TB, 50/85/450-TB, and 50/85/550-TB on Sectional Map 1H ("TB" Special Height and Bulk District: Transbay Downtown Residential District, see Planning Code Section 263.18)

16
 17 Section 7. In accordance with Planning Code Sections 106 and 302, the following
 18 changes are hereby adopted as amendment to Section Map 1SU of the Zoning Map of the
 19 City and County of San Francisco:

Description of Property	Special Use District to be Superseded	Special Use District Hereby Approved
20 21 22 Block 3718, Lots 025 (partial), 026 (partial), 027 (partial) 23 24 Block 3719 (entire block), Lots 001, 003, 009, 010, 25	none	Transbay C-3 Special Use District, see Planning Code Section 249.2728

1	011, 017, 018		
2	Block 3720 (entire block), Lots 001, 008		
3	Block 3721, Lots 006, 013, 014, 015, 015A, 016, 019, 020, 022, 023, 025, 029, 031, 045A, 046, 047, 048, 049, 050, 051, 052, 053, 054, 068, 082, 083, 092, 108, 109, 119, 120		
4			
5			
6	Block 3736, Lots 006, 007, 018 (partial), 023, 024, 025, 036, 037, 074, 075, 076, 077, 078A, 079, 083, 083A, 084, 085, 086, 088, 089, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 107, 110, 111, 112, 114, 121		
7			
8			
9			
10			
11	Block 3737, Lot 030		
12	Block 3738, Lots 011, 012		
13	Block 3749, Lot 052		
14			

15 Section 8. This is an uncodified section of this legislation. The provisions of this
16 Ordinance shall not apply to any project (including any subsequent non-material amendments
17 to the approvals for the project) that has, on the effective date of this Ordinance, valid final
18 approvals from the Planning Commission, provided that such approvals remain in full force
19 and effect. This Section does not confer on any such project development rights that are not
20 otherwise granted under existing law. For purposes of this Section, a project shall be deemed
21 in "full force and effect" if the Planning Commission has not revoked the project's approvals
22 and such approvals require revocation to terminate development rights.

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

25

By:

John D. Malamut
Deputy City Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25