

1 [Planning Code Amendments - Rincon Hill Streetscape Master Plan]

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3 **Ordinance amending Planning Code, Section 138.1, to acknowledge approval of the**
4 **Rincon Hill Streetscape Master Plan; and making findings under the California**
5 **Environmental Quality Act, findings of consistency with the General Plan, and the eight**
6 **priority policies of Planning Code, Section 101.1.**

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 Arial font.
11 **Board amendment deletions** are in ~~Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

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

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14 Section 1. Findings.

15 (a) In companion legislation regarding General Plan amendments related to the
16 Rincon Hill Streetscape Master Plan, a copy of which is in Clerk of the Board File No.
17 _____, the Board of Supervisors adopted various findings, including findings under
18 the California Environmental Quality Act (CEQA).

19 (b) For purposes of this ordinance, the Board adopts the CEQA Findings set forth in
20 the ordinance on file with the Clerk of the Board in File No. _____. Said CEQA
21 Findings are incorporated herein by reference.

22 (c) After a duly noticed public hearing on _____, 2015, in Motion No.
23 _____, the Planning Commission initiated amendments to the Planning Code in
24 regard to the Rincon Hill Streetscape Master Plan. Said Motion is on file with the Clerk of the
25 Board in File No. _____.

1 (d) After a duly noticed public hearing on _____, 2015, in Resolution No.
2 _____, the Planning Commission recommended that the Board of Supervisors
3 approve Planning Code amendments related to the Rincon Hill Streetscape Master Plan. In
4 this Resolution, the Planning Commission found, pursuant to Planning Code Section 302, that
5 the Planning Code amendments will serve the public necessity, convenience, and general
6 welfare. Said Resolution is on file with the Clerk of the Board in File No. _____ and
7 incorporated herein by reference. The Board hereby adopts the Planning Code Section 302
8 findings set forth in Planning Commission Resolution No. _____ as its own.

9 (e) The Board of Supervisors finds that the Planning Code amendments in this
10 ordinance, are, on balance, in conformity with the General Plan, and the eight priority policies
11 of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution
12 No. _____. The Board hereby adopts these findings as its own.

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15 Section 2. The Planning Code is hereby amended by amending Section 138.1, to read
16 as follows:

17 **SEC. 138.1. STREETScape AND PEDESTRIAN IMPROVEMENTS.**

18 * * * *

19 (d) Neighborhood Streetscape Plans. In addition to the requirements listed in
20 Subsection 138.1(c), the Planning Department in coordination with other city agencies, and
21 after a public hearing, may adopt streetscape plans for particular streets, neighborhoods, and
22 districts, containing standards and guidelines to supplement the Better Streets Plan.
23 Development projects in areas listed in this subsection that propose or are required through
24 this section to make pedestrian and streetscape improvements to the public right-of-way shall
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1 conform with the standards and guidelines in the applicable neighborhood streetscape plan in
2 addition to those found in the Better Streets Plan.

3 (1) Downtown Streetscape Plan.

4 (A) In any C-3 District sidewalk paving as set forth in the Downtown
5 Streetscape Plan shall be installed by the applicant under the following conditions:

- 6 (i) Any new construction;
- 7 (ii) The addition of floor area equal to 20 percent or more of an existing
8 building.

9 (B) In accordance with the provisions of Section 309 of the Planning Code
10 governing C-3 Districts, when a permit is granted for any project abutting a public sidewalk in
11 a C-3 District, the Planning Commission may impose additional requirements that the
12 applicant install sidewalk improvements such as benches, bicycle racks, lighting, special
13 paving, seating, landscaping, and sidewalk widening in accordance with the guidelines of the
14 Downtown Streetscape Plan if it finds that these improvements are necessary to meet the
15 goals and objectives of the General Plan of the City and County of San Francisco. In making
16 this determination, the Planning Commission shall consider the level of street as defined in
17 the Downtown Streetscape Plan.

18 (C) If a sidewalk widening or a pedestrian street improvement is used to meet
19 the open space requirement, it shall conform to the guidelines of Section 138.

20 (D) The Planning Commission shall determine whether the streetscape
21 improvements required by this Section may be on the same site as the building for which the
22 permit is being sought, or within 900 feet, provided that all streetscape improvements are
23 located entirely within the C-3 District.

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25 (2) Rincon Hill Streetscape Plan.

1 (A) In the Rincon Hill Downtown Residential Mixed Use (RH-DTR) and Folsom
2 and Main Residential/Commercial Special Use Districts, the boundaries of which are shown in
3 Section Map No. 1 of the Zoning Map, for all frontages abutting a public sidewalk, the project
4 sponsor is required to install sidewalk widening, street trees, lighting, decorative paving,
5 seating and landscaping in accordance with the approved Streetscape Master Plan of the
6 Rincon Hill Area Plan, ~~developed by the Planning Department and approved by the Board of~~
7 ~~Supervisors~~ for: (A) any new construction; or (B) the addition of floor area equal to 20 percent
8 or more of an existing building.

9 ~~(B) Prior to approval by the Board of Supervisors of a Streetscape Plan for Rincon Hill, the~~
10 ~~Planning Commission, through the procedures of Section 309.1, shall require an applicant to install~~
11 ~~sidewalk widening, street trees, lighting, decorative paving, seating, and landscaping in keeping with~~
12 ~~the intent of the Rincon Hill Area Plan of the General Plan and in accordance with this section of the~~
13 ~~Planning Code.~~

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15 * * * *

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17 Section 3. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor's veto of the ordinance.

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22 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
23 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
24 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
25 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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

7 By: _____
8 John D. Malamut
9 Deputy City Attorney

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