

1 [Eastern Neighborhoods – Mission Street Landmark Special Height District.]

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3 **Ordinance amending the San Francisco Planning Code by adding Section 263.22 to**
4 **establish the Mission Street Landmark Special Height District; and making various**
5 **findings, including environmental findings and findings of consistency with the**
6 **General Plan and priority policies of Planning Code Section 101.1.**

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

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

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

13 (a) Under Planning Code Section 302, the Board of Supervisors finds that this
14 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
15 Planning Commission Resolution No. _____ recommending the approval of this
16 Planning Code Amendment and incorporates such reasons by this reference thereto. A copy
17 of said resolution is on file with the Clerk of the Board of Supervisors in File No. _____
18 and is incorporated here by reference.

19 (b) Under Planning Code Section 101.1, the Board of Supervisors finds that this
20 ordinance is consistent with the Priority Policies of Planning Code Section 101.1(b) of the
21 Planning Code and with the General Plan as proposed to be amended in companion
22 legislation and hereby adopts the findings of the Planning Commission, as set forth in
23 Planning Commission Resolution No. _____. A copy of said Resolution is on file with
24 the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by
25 reference.

1 (c) In accordance with the actions contemplated herein, this Board adopted
2 Resolution No. _____, concerning findings pursuant to the California Environmental
3 Quality Act (California Public Resources Code sections 21000 et seq.). A copy of said
4 Resolution is on file with the Clerk of the Board of Supervisors in File No. _____ and is
5 incorporated by reference herein.

6 Section 2. The San Francisco Planning Code is hereby amended by adding Section
7 263.22, to read as follows:

8 **SEC. 263.22. MISSION STREET LANDMARKS SPECIAL HEIGHT DISTRICT.**

9 The Mission Street Landmarks Special Height District shall apply to Assessors Block
10 3595 Lot 024 and Assessors Block 3616 Lot 007, which contain designated City Landmarks
11 as of the effective date of this Section. In the Mission Street Landmarks Special Height
12 District, as designated on Sectional Map. No. 7SU of the Zoning Map, heights are limited to
13 85 feet for the front portion of the lot extending from Mission Street to no further than 50
14 percent of the total lot depth and to a height of 65 feet for the remainder of the lot depth.
15 Should a project within this Special Height District not receive its first building or site permit
16 within 36 months after receiving a final and effective conditional use authorization, then the
17 applicable heights shall revert back to those in effect on November 18, 2008 be 50-X for
18 Assessors Block 3595 Lot 024, and 50-X/65-B for Assessors Block 3616 Lot 007. However,
19 this 36 month time period shall be tolled until the expiration of the appeal period if no appeal is
20 filed, or if an appeal is filed, final resolution of the appeal the 36-month time period shall be
21 tolled until the expiration of the any appeal period if no appeal is filed, or if an appeal is filed,
22 final resolution of the any appeal. This time period also shall be tolled until a final judgment is
23 issued in any litigation challenging the project authorization. The Planning Commission shall
24 hold a public hearing on any expired authorization in order to finalize the expiration or, upon

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1 presentation of evidence documenting extraordinary or unusual circumstances, extend the
2 duration of validity of the authorization.

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

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

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