

LEGISLATIVE DIGEST

[Planning Code—Preservation and Rehabilitation of Transfer Lots After Sale of Transferable Development Rights; 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 preservation and rehabilitation of the Transfer Lot property, to establish reporting procedures regarding the preservation and rehabilitation, 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.

Amendments to Current Law

The proposed legislation would require that any net proceeds from the sale of TDR be first spent on correcting any outstanding Notices of Violation, any mandatory seismic retrofit work, or work required to meet any disability access or life safety requirements, of the historic building from which the TDR was sold. It would also require submittal of a plan for ongoing maintenance of the historic building prior to issuance of a Certificate of Transfer for the sale of TDR. The proposed legislation requires the seller of the TDR to report this spending to the Planning Department for its review and establishes an enforcement mechanism.

The proposed legislation also imposes a requirement that the Zoning Administrator act on a Certificate of Transfer Application within 30 days of a complete application.

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.