

[General Plan Amendments - Rincon Hill Streetscape Master Plan]

Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to incorporate the Rincon Hill Streetscape Master Plan and make other technical amendments; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Findings.

(a) Section 4.105 of the San Francisco Charter provides that the Planning Commission shall periodically recommend to the Board of Supervisors, for approval or rejection, proposed amendments to the General Plan.

(b) On _____, the Board of Supervisors received from the Planning Department proposed General Plan amendments related to the Rincon Hill Streetscape Master Plan, a component of the Rincon Hill Area Plan, which is a subsection of General Plan (the "Rincon Hill Streetscape Amendments"). That letter and related documents are on file with the Clerk of the Board in File No. _____.

(c) The Rincon Hill Plan was the culmination of extensive public planning that began in 2003, with more than 30 workshops, hearings and walking tours, input of the existing

1 residents and business, advocates and other public agencies, and resulted in a plan that
2 balances Rincon Hill's potential to provide much-needed housing with the design
3 requirements of a livable neighborhood.

4 (d) Policy 7.4 of the Rincon Hill Plan Area Plan calls on the City to "[p]ursue the
5 adoption of the Rincon Hill Streetscape Plan by all necessary agencies and the board of
6 Supervisors..."

7 (e) The Planning Department in partnership with the San Francisco Municipal
8 Transportation Agency (MTA) and the Department of Public Works led a robust public process
9 engaging numerous community stakeholders to develop the Rincon Hill Streetscape Plan
10 from ____ to ____.

11 (f) The Rincon Hill Streetscape Master Plan is in compliance with various established
12 San Francisco policies related to the design of streets and the public realm, including the
13 Transit First Policy, the Better Streets Policy, the Complete Streets Policy, and the SFPUC
14 Stormwater Design Guidelines.

15 (g) On _____, 2015 the MTA Board adopted the streetscape
16 improvements identified in the Rincon Hill Streetscape Master Plan in Resolution No.
17 _____, a copy of which is on file with the Clerk of the Board in File No.
18 _____.

19 (h) On May 5, 2005, after a duly noticed public meeting, the Planning Commission
20 certified the Final Environmental Impact Report (EIR) for the Rincon Hill Area Plan by Motion
21 No. 17007 and found that the Final EIR reflected the independent judgment and analysis of
22 the City and County of San Francisco, is adequate, accurate and objective, contains no
23 significant revisions to the Draft EIR, and the content of the report and the procedures through
24 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
25 California Environmental Quality Act (CEQA) (California Public Resources Code Sections

1 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Sections 15000 et seq.) and
2 Chapter 31 of the San Francisco Administrative Code. Copies of the Planning Commission
3 Motion and Final EIR are on file with the Clerk of the Board in File No. 050862 and are
4 incorporated herein by reference.

5 (i) The project evaluated in the Final EIR included amendments to the General Plan
6 related to the Rincon Hill Area Plan. This Project also included references to the Rincon Hill
7 Streetscape Master Plan that was not completed at the time the City adopted the Rincon Hill
8 Area Plan. The subject of this ordinance is adoption and implementation of the Rincon Hill
9 Streetscape Master Plan.

10 (j) At the same hearing during which the Planning Commission certified the Final EIR,
11 the Planning Commission adopted CEQA Findings with respect to the approval of the
12 proposed Rincon Hill Area Plan and other actions in Motion No. 17008.

13 (k) The Board of Supervisors in Ordinance No. 205-05 adopted the Rincon Hill Area
14 Plan and adopted CEQA Findings adopted by the Planning Commission with respect to the
15 approval of the Rincon Hill Area Plan, including a mitigation monitoring and reporting program
16 and a statement of overriding considerations. This ordinance and related materials are in the
17 Clerk of the Board in File No. 050862. These and any and all other documents referenced in
18 this ordinance have been made available to the Board of Supervisors and may be found in
19 either the files of the Planning Department, as the custodian of records, at 1650 Mission
20 Street in San Francisco, or with the Clerk of the Board in File Nos. 050862 and
21 _____, which are located at 1 Dr. Carlton B. Goodlett Place, San Francisco, and are
22 incorporated herein by reference.

23 (l) For purposes of this ordinance, the Board of Supervisors has reviewed and
24 considered the Final EIR and the environmental documents on file referred to herein. The
25 Board of Supervisors also has reviewed and considered the CEQA Findings adopted by the

1 Planning Commission in support of the approval of the Rincon Hill Streetscape Master Plan
2 (the “CEQA Findings for the Rincon Hill Streetscape”), including the mitigation monitoring and
3 reporting program, and hereby adopts as its own and incorporates the CEQA Findings for the
4 Rincon Hill Streetscape contained in Planning Commission Motion No. _____ by
5 reference as though such findings were fully set forth in this Ordinance.

6 (m) The Board of Supervisors endorses the implementation of the mitigation measures
7 identified in the CEQA Findings for the Rincon Hill Streetscape including those for
8 implementation by other City Departments and recommends for adoption those mitigation
9 measures that are enforceable by agencies other than City agencies, all as set forth in the
10 CEQA Findings for the Rincon Hill Streetscape, including the mitigation monitoring and
11 reporting program contained in the referenced Findings.

12 (n) The Board of Supervisors finds that no substantial changes have occurred in the
13 Rincon Hill Area Plan as proposed for amendment under this ordinance that will require
14 revisions in the Final EIR due to the involvement of new significant environmental effects or a
15 substantial increase in the severity of previously identified significant effects, no substantial
16 changes have occurred with respect to the circumstances under which the Rincon Hill Area
17 Plan are undertaken which will require major revisions to the Final EIR due to the involvement
18 of new environmental effects or a substantial increase in the severity of effects identified in the
19 Final EIR and no new information of substantial importance to the Rincon Hill Area Plan as
20 proposed for amendment has become available which indicates that (1) the Rincon Hill Area
21 Plan will have significant effects not discussed in the Final EIR, (2) significant environmental
22 effects will be substantially more severe, (3) mitigation measure or alternatives found not
23 feasible which would reduce one or more significant effects have become feasible or (4)
24 mitigation measures or alternatives which are considerably different from those in the Final
25 EIR would substantially reduce one or more significant effects on the environment.

1 (o) Section 4.105 of the City Charter further provides that if the Board of Supervisors
2 fails to act within 90 days of receipt of the proposed General Plan amendments, then the
3 proposed amendments shall be deemed approved.

4 (p) San Francisco Planning Code Section 340 provides that the Planning Commission
5 may initiate an amendment to the General Plan by a resolution of intention, which refers to,
6 and incorporates by reference, the proposed General Plan amendments. Section 340 further
7 provides that Planning Commission shall adopt the proposed General Plan amendments after
8 a public hearing if it finds from the facts presented that the public necessity, convenience, and
9 general welfare require the proposed amendment or any part thereof. If adopted by the
10 Commission in whole or in part, the proposed amendments shall be presented to the Board of
11 Supervisors, which may approve or reject the amendments by a majority vote.

12 (q) After a duly noticed public hearing on _____, 2015, in Motion No.
13 _____, the Planning Commission initiated amendments to the General Plan in
14 regard to the Rincon Hill Streetscape Master Plan. Said Motion is on file with the Clerk of the
15 Board in File No. _____.

16 (r) After a duly noticed public hearing on _____, 2015, in Resolution No.
17 _____, the Planning Commission recommended that the Board of Supervisors
18 approve the Rincon Hill Streetscape Amendments. In this Motion, the Planning Commission
19 found, pursuant to Planning Code Section 340, that the Rincon Hill Streetscape Amendments
20 will serve the public necessity, convenience, and general welfare. Said Resolution is on file
21 with the Clerk of the Board in File No. _____ and incorporated herein by reference.
22 The Board hereby adopts the Planning Code Section 340 findings set forth in Planning
23 Commission Resolution No. _____ as its own.

24 (s) The Board of Supervisors finds that the Rincon Hill Streetscape Amendments are,
25 on balance, in conformity with the General Plan, as it is proposed for amendment by this

1 ordinance, and the eight priority policies of Planning Code Section 101.1 for the reasons set
2 forth in Planning Commission Resolution No. _____. The Board hereby adopts
3 these findings as its own.

4
5 Section 2. The Board of Supervisors hereby approves the Rincon Hill Streetscape
6 Amendments set forth below as an amendment to the Rincon Hill Area Plan portion of the
7 General Plan and directs the Planning Department, if necessary, to update the General Plan's
8 Land Use Index to reflect these Amendments. In addition, the Planning Department shall
9 update Map 9 (Rincon Hill Streetscape) of the Rincon Hill Area Plan to reflect the map
10 included in Planning Commission Resolution No. _____ and on file with the Clerk of
11 the Board in File No. _____. The Rincon Hill Streetscape Amendments are as
12 follows:

13 **Policy 5.1**

14 Implement the Rincon Hill Streetscape Plan.

15 ~~A comprehensive streetscape plan is proposed for Rincon Hill. This plan~~ The Rincon Hill
16 Streetscape Master Plan calls for extensive sidewalk widenings, tree plantings, street
17 furniture, and the creation of new public spaces along streets throughout the district.
18 The plan ~~will~~ describes specific curb and sidewalk changes and roadway lane
19 configurations. New development ~~will~~ in the plan area is required to implement portions
20 of the streetscape plan as a condition of approval, and to pay into a community
21 facilities district that will enable the City to implement and maintain those portions of the
22 Streetscape Plan not put in place by new projects. ~~The proposed Streetscape Plan will be~~
23 ~~separately approved by the Municipal Transportation Authority, the Department of Public~~
24 ~~Works, the Planning Commission, and the Board of Supervisors.~~

25 * * * * *

1 **Policy 7.4**

2 ~~*Pursue the adoption of the Rincon Hill Streetscape Plan by all necessary agencies and the*~~
3 ~~*Board of Supervisors consistent with this plan.*~~

4 *The Rincon Hill Streetscape Master Plan serves as the guiding framework for the design of*
5 *streets within the Rincon Hill Plan Area. The City shall seek to implement the plan to the*
6 *maximum extent feasible, both through its oversight and permitting of privately sponsored street*
7 *improvements as well as City-sponsored improvements.*

8
9 Section 3. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

13
14 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the General
17 Plan that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 John D. Malamut
 Deputy City Attorney

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