

1 [Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood]

2
3 **Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot**
4 **numbers in Assessor's Parcel Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, 2790,**
5 **2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A,**
6 **2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block 2643B except Lot**
7 **Nos. 5 and 8; all lots in Block 2781 except Lot No. 22; all lots in Block 2782 except Lot**
8 **No. 27; all lots in Block 2788 except Lot No. 27; all lots in Block 2789 except Lot No. 29;**
9 **and Lot Nos. 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24 of Assessor's Parcel Block No.**
10 **2821, from their current designation as Residential, House: One-Family (RH-1) to**
11 **Residential, House: One-Family (Detached Dwellings) (RH-1(D)); revising the Zoning**
12 **Map to rezone Assessor's Parcel Block No. 2643B, Lot No. 8, in from its current**
13 **designation as Public to RH-1(D); amending the Planning Code to exempt the above**
14 **blocks and lots from the requirements for Accessory Dwelling Units in RH-1(D) zoning**
15 **districts; affirming the Planning Department's determination under the California**
16 **Environmental Quality Act; and making findings, including findings of public necessity,**
17 **convenience, and welfare under Planning Code, Section 302, and findings of**
18 **consistency with the General Plan, and the eight priority policies of Planning Code,**
19 **Section 101.1.**

20 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
21 **Additions to Codes** are in *single-underline italics Times New Roman font*.
22 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
23 **Board amendment additions** are in double-underlined Arial font.
24 **Board amendment deletions** are in ~~strikethrough Arial font~~.
25 **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:

1 Section 1. Findings.

2 (a) The neighborhood of Midtown Terrace, generally bounded by Twin Peaks
3 Boulevard to the east, Twin Peaks Reservoir and the lands of Sutro Tower to the north,
4 Clarendon Avenue, Laguna Honda Hospital, and the Juvenile Detention Center to the west,
5 and Portola Avenue to the south, is characterized by lots of greater width and area than many
6 other parts of the City, with single-family homes that have side yards. The neighborhood is
7 also characterized by open space and landscaping at the front and rear of homes. Midtown
8 Terrace was originally developed in the mid-1950's by a single developer on 150 acres, and
9 the homes have similar building styles on streets that follow the contours of the western slope
10 of Twin Peaks. The homes in Midtown Terrace are detached homes with side yards on lots of
11 greater than 25 feet in width. Thus, as built, the Midtown Terrace neighborhood conforms to
12 the definition of Residential, House: One-Family (Detached Dwellings) (RH-1(D)) in Planning
13 Code Section 209.1.

14 (b) The current zoning for Midtown Terrace is generally Residential, House One-family
15 (RH-1). Under Planning Code section 209.1, RH-1 districts are generally occupied by single-
16 family housing on lots 25 feet in width without side yards that, while built on separate lots,
17 have the appearance of small-scale row housing. Thus, Midtown Terrace, as developed in the
18 1950's and continuing to the present time, does not conform to the definition of RH-1 districts
19 in the Planning Code.

20 (c) Lot 8 in Assessor's Block 2643B is currently zoned Public. However, that lot is
21 occupied by a single-family detached home.

22 (d) The changes in this ordinance are to conform the Planning Code use designation to
23 the as-built neighborhood character of Midtown Terrace. The rezoning would involve the
24 following streets, which are located in their entirety in the Midtown Terrace neighborhood:
25 Aquavista, Cityview, Clairview, Dellbrook, Farview, Gladeview, Greenview, Knollview,

1 Longview, Marview, Midcrest, Mountview, Olympia, Panorama, Skyview, and Starview
2 Streets.

3 (e) The changes herein do not preclude the City from meeting its housing needs under
4 its current Regional Housing Needs Assessment, because none of the lots herein are vacant,
5 near vacant, or underdeveloped, and therefore were not included in the 2014 Housing
6 Element's calculation of housing construction potential.

7 Section 2. Other Findings

8 (a) The Planning Department has determined that the actions contemplated in this
9 ordinance comply with the California Environmental Quality Act (California Public Resources
10 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
11 Supervisors in File No. 160426 and is incorporated herein by reference. The Board affirms
12 this determination.

13 (b) On August 11, 2016, the Planning Commission, in Resolution No. 19725, adopted
14 findings that the actions contemplated in this ordinance are consistent, on balance, with the
15 City's General Plan and the eight priority policies of Planning Code Section 101.1. The Board
16 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
17 Board of Supervisors in File No. 160426, and is incorporated herein by reference.

18 (c) Under Planning Code Section 302, the Board of Supervisors finds that this
19 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
20 Planning Commission Resolution No. 19725 recommending the approval of this Zoning Map
21 Amendment, and incorporates such reasons by this reference thereto. A copy of said
22 resolution is on file with the Clerk of the Board of Supervisors in File No. 160426.

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24 Section 3. The Planning Code is hereby amended by revising Sheet ZN06 of the
25 Zoning Map, as follows:

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Block	Lot(s)	To Be Superseded	Hereby Approved
2643B	ALL, except lots 5 and 8	RH-1	RH-1(D)
2780	ALL	RH-1	RH-1(D)
2781	ALL except lot 22	RH-1	RH-1(D)
2782	ALL, except lot 27	RH-1	RH-1(D)
2783	ALL	RH-1	RH-1(D)
2784	ALL	RH-1	RH-1(D)
2785	ALL	RH-1	RH-1(D)
2786	ALL	RH-1	RH-1(D)
2787	ALL	RH-1	RH-1(D)
2788	ALL, except lot 27	RH-1	RH-1(D)
2789	ALL, except lot 29	RH-1	RH-1(D)
2790	ALL	RH-1	RH-1(D)
2791	ALL	RH-1	RH-1(D)
2792	ALL	RH-1	RH-1(D)
2793	ALL	RH-1	RH-1(D)
2794	ALL	RH-1	RH-1(D)
2795	ALL	RH-1	RH-1(D)
2796	ALL	RH-1	RH-1(D)
2797	ALL	RH-1	RH-1(D)
2798	ALL	RH-1	RH-1(D)
2820	ALL	RH-1	RH-1(D)

Block	Lot(s)	To Be Superseded	Hereby Approved
2821	Lots 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24	RH-1	RH-1(D)
2822	ALL	RH-1	RH-1(D)
2822A	ALL	RH-1	RH-1(D)
2822B	ALL	RH-1	RH-1(D)
2823	ALL	RH-1	RH-1(D)
2823A	ALL	RH-1	RH-1(D)
2823B	ALL	RH-1	RH-1(D)
2823C	ALL	RH-1	RH-1(D)
2824	ALL	RH-1	RH-1(D)
2825	ALL	RH-1	RH-1(D)
2833	ALL	RH-1	RH-1(D)
2834	ALL	RH-1	RH-1(D)
2835	ALL	RH-1	RH-1(D)
2836	ALL	RH-1	RH-1(D)

Section 4. The Planning Code is hereby amended by revising Sheet ZN06 of the Zoning Map, as follows:

Block	Lot	To Be Superseded	Hereby Approved
2643B	8	P	RH-1(D)

1 Section 5. The Planning Code is hereby amended by revising Section 207 to read as
2 follows:

3 **SEC. 207 DWELLING UNIT DENSITY LIMITS**

4 * * * *

5 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
6 under this Section shall be made in the following circumstances:

7 * * * *

8 (5) **Accessory Dwelling Units in RH-1(D) Zoning Districts.**

9 * * * *

10 (B) **Controls on Construction.** Except as specified in subsection (c)(5)(C), a
11 Accessory Dwelling Unit in an RH-1(D) zoning district shall be allowed only as mandated by
12 Section 65852.2 of the California Government Code and only in strict compliance with the
13 requirements of subsection (b) of Section 65852.2, as that state law is amended from time to
14 time.

15 (C) This subsection (c)(5) shall not apply to the blocks and lots rezoned from RH-1 and
16 P to RH-1(D) in the ordinance in Board of Supervisors File No. 160426, which ordinance
17 rezoned the neighborhood of Midtown Terrace, generally bounded by Twin Peaks Boulevard
18 to the east, Twin Peaks Reservoir and the lands of Sutro Tower to the north, Clarendon
19 Avenue, Laguna Honda Hospital, and the Juvenile Detention Center to the west, and Portola
20 Avenue to the south. Notwithstanding any provision to the contrary, such blocks and lots shall
21 be governed by subsection 207(c)(4).

22 (D) **Department Report.** In the report required by subsection (c)(4)(I)(iii), the
23 Department shall include a description and evaluation of the number and types of units being
24 developed pursuant to this subsection (c)(5), their affordability rates, and such other
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1 information as the Director or the Board of Supervisors determines would inform decision
2 makers and the public.

3 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
4 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
5 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
6 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
7 additions, and Board amendment deletions in accordance with the “Note” that appears under
8 the official title of the ordinance.

9 Section 57. 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.

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14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: AUDREY WILLIAMS PEARSON
17 Deputy City Attorney

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