

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

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3 **Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot**

4 **numbers in Assessor's Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, , 2790, 2791,**

5 **2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A, 2823B,**

6 **2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block 2643B except lots 5 and 8;**

7 **all lots in Block 2781 except lot 22; all lots in Block 2782 except lot 27; all lots in Block**

8 **2788 except lot 27; all lots in Block 2789 except lot 29; and lots 1, 2, 9, 12, 13, 14, 15, 16,**

9 **17, 23, and 24 of Assessor's Block 2821, from their current designation as Residential,**

10 **House: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings)**

11 **(RH-1(D)); revising the Zoning Map to rezone Lot number 8 in Assessor's Block No.**

12 **2643B from its current designation as Public to RH-1(D); amending the Planning Code**

13 **to exempt the above blocks and lots from the requirements for Accessory Dwelling**

14 **Units in RH-1(D) zoning districts; affirming the Planning Department's determination**

15 **under the California Environmental Quality Act; and making findings, including**

16 **findings of public necessity, convenience, and welfare under Planning Code Section**

17 **302, and findings of consistency with the General Plan and the eight priority policies of**

18 **Planning Code Section 101.1.**

19 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

20 **Additions to Codes** are in *single-underline italics Times New Roman font*.

21 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.

22 **Board amendment additions** are in double-underlined Arial font.

23 **Board amendment deletions** are in ~~strikethrough Arial font~~.

24 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code

25 subsections or parts of tables.

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

25 Section 1. Findings.

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

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

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

21 (d) The changes in this ordinance are to conform the Planning Code use designation to  
22 the as-built neighborhood character of Midtown Terrace. The rezoning would involve the  
23 following streets, which are located in their entirety in the Midtown Terrace neighborhood:  
24 Aquavista, Cityview, Clairview, Dellbrook, Farview, Gladeview, Greenview, Knollview,  
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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: 0.

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| <b>Block</b> | <b>Lot(s)</b>            | <b>To Be Superseded</b> | <b>Hereby Approved</b> |
|--------------|--------------------------|-------------------------|------------------------|
| 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)                |

| <b>Block</b> | <b>Lot(s)</b>                                    | <b>To Be Superseded</b> | <b>Hereby Approved</b> |
|--------------|--|-------------------------|------------------------|
| 2820         | ALL  | RH-1                    | RH-1(D)                |
| 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)         |

Section 5. The Planning Code is hereby amended by revising Section 207 to read as follows: At its meeting of September 27, 2016, the Board of Supervisors deleted the amendments to Planning Code 207 that had been contained in Section 5 of this ordinance. As a result of the Board's action, Planning Code 207 remains, in its entirety, unamended.

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

Section 57. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: AUDREY WILLIAMS PEARSON  
Deputy City Attorney

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