

[Transferable Development Rights.]

Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1.

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

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

Section 1. The San Francisco Planning Code is hereby amended by amending Section 128(c), to read as follows:

Sec. 128. Transfer of Development Rights in C-3 Districts

(c) Eligibility of Development Lots and Limitation on Use of TDR on Development Lots.

(1) (i) The Transfer Lot and the Development Lot are located in the same C-3 Zoning District, or (ii) the Transfer Lot is located in a C-3-O, or C-3-R District and the Development Lot is located in the C-3-O(SD) Special Development District, or (iii) the Transfer Lot is a Preservation Lot that contains a Significant building and is located in the Extended Preservation District or a C-3-G or C-3-S District and the Development Lot is located in the C-3-O(SD) Special District, or (iv) the Transfer Lot is in a C-3-R District or a District designated C-3-O (SD) in the Yerba Buena Center Redevelopment Plan and is located in the Yerba Buena Center Redevelopment Project Area and the Development Lot is located in a C-3-O District.

Supervisor Daly, Gonzalez

Planning Department
BOARD OF SUPERVISORS

1 (2) TDR may not be transferred for use on any lot on which is or has been located a
2 Significant or Contributory building; provided that this restriction shall not apply if the
3 designation of a building is changed to Unrated; nor shall it apply if the ~~City~~ Planning
4 Commission finds that the additional space resulting from the transfer of TDR is essential to
5 make economically feasible the reinforcement of a Significant or Contributory building to meet
6 the standards for seismic loads and forces of the 1975 Building Code, in which case TDR may
7 be transferred for that purpose subject to the limitations of this Section and Article 11,
8 including Section 1111.6. Any alteration shall be governed by the requirements of Sections
9 1111 to 1111.6.
10

11 (3) Notwithstanding any other provision of this Section, development on a
12 Development Lot is limited by the provisions of this Code, other than those on floor area ratio,
13 governing the approval of projects, including the requirements relating to height, bulk,
14 setback, sunlight access, and separation between towers, and any limitations imposed
15 pursuant to Section 309 review applicable to the Development Lot. The total allowable gross
16 floor area of a development on a Development Lot may not exceed the limitation imposed by
17 Section 128(c).
18

19 Section 2. Findings.

20 (a) The San Francisco Redevelopment Agency, acting as Lead Agency, has
21 concluded that this Planning Code text amendment and the companion General Plan
22 amendment ("Project") are Categorically Exempt from environmental review. The exemption
23 was issued on May 22, 2001 pursuant to CEQA Guidelines Section 15061(b)(3) and 15305.
24 The Agency determined that the Project would constitute a minor alteration in land use
25

1 limitations without the potential for significant environmental impact. In its Resolution 16345,
2 a copy of which is on file with the Clerk of the Board in File No. 020328, the
3 Planning Commission concurred with the Agency's conclusion and found it was based on
4 substantial evidence in the record.

5 (b) The Board of Supervisors finds that this ordinance meets the Priority Policies of
6 Planning Code Section 101.1 and is consistent with the General Plan, as it is proposed to be
7 amended, and hereby adopts and incorporates by reference the findings set forth in Planning
8 Commission Resolution 16345.
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10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By:


13 JUDITH A. BOYAJIAN
14 Deputy City Attorney
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25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 020328

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1.

February 4, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval

February 11, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Sandoval

Absent: 1 - Peskin

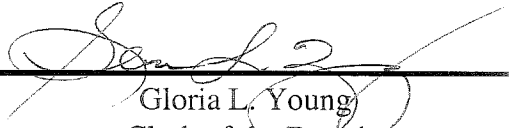
Excused: 1 - Ammiano

File No. 020328

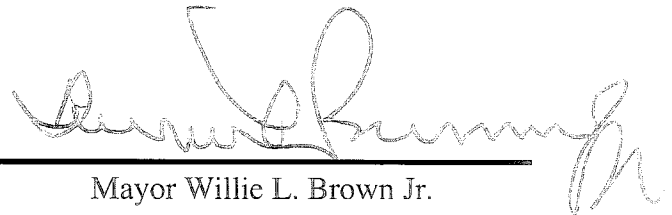
I hereby certify that the foregoing Ordinance was FINALLY PASSED on February 11, 2003 by the Board of Supervisors of the City and County of San Francisco.

FEB 21 2003

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.