

AMENDMENT OF THE WHOLE  
8/4/08

FILE NO. 080691

ORDINANCE NO. 200-08

1 [Zoning – ~~HOPE-SF~~ Hunters View SUD and the 40/65-X Height and Bulk District.]

2  
3 **Ordinance amending the San Francisco Planning Code by adding Section 263.20 to**  
4 **establish special exceptions for heights within the ~~HOPE-SF~~ Hunters View Special Use**  
5 **District and the 40/65-X Height and Bulk District, allowing residential buildings with**  
6 **conditional use authorization pursuant to Planning Code Sections 303 and 304 to have**  
7 **a maximum height of 65 feet; adopting environmental findings, Section 302 findings,**  
8 **and findings of consistency with the General Plan and the Priority Policies of Planning**  
9 **Code Section 101.1.**

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

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

15 Section 1. Findings.

16 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this  
17 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
18 Planning Commission Resolution No. 17620, and incorporates such reasons  
19 herein by reference. A copy of the Planning Commission resolution is on file with the Clerk of  
20 the Board of Supervisors in File No. 080691.

21 (b) This Board of Supervisors, having reviewed the proposed legislation after public  
22 testimony, finds and declares that this ordinance is in conformity with the General Plan and  
23 with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning  
24 Commission Resolution No. 17620, and hereby adopts and incorporates those  
25 reasons by reference.

1 ~~(c) The Planning Department has determined that the actions contemplated in this~~  
2 ~~Ordinance are in compliance with the California Environmental Quality Act (California Public~~  
3 ~~Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the~~  
4 ~~Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.~~

5 (c) The Board of Supervisors makes the following findings in compliance with the  
6 California Environmental Quality Act ("CEQA"), California Public Resources Code Section  
7 21000 et seq., the CEQA Guidelines, 14 Cal. Code of Regulations Sections 15000 et seq.  
8 ("CEQA Guidelines"), and San Francisco Administrative Code Chapter 31 ("Chapter 31").

9 (i) On June 12, 2008, the Planning Commission, by Motion No. 17617 certified the  
10 completion of the Final Environmental Impact Report ("Final EIR") for the HOPE SF Hunters  
11 View Redevelopment Project ("Project"), and found such Final EIR to be in compliance with  
12 CEQA and the CEQA Guidelines. On June 12, 2008, the Planning Commission adopted  
13 Motion Nos. 17618 and 17621, adopting CEQA findings and approving the Project. Motion  
14 No. 17621 contained the Statement of Overriding Considerations and incorporated a  
15 Mitigation Monitoring and Reporting Program as approval conditions pursuant to CEQA, which  
16 are hereby incorporated by reference. The Planning Commission Motions Nos. 17617, 17618  
17 and 17621, including the Mitigation Monitoring and Reporting Program and the Statement of  
18 Overriding Considerations with respect to the Project, and all documents related thereto, are  
19 either in the files of the City Planning Department, as the custodian of records, at 1660  
20 Mission Street in San Francisco, or on file with the Clerk of the Board of Supervisors in File  
21 No. 080691 and are incorporated herein by reference.

22 (ii) The Board of Supervisors has reviewed and considered the Final EIR and the  
23 environmental documents on file referred to herein. The Board of Supervisors has reviewed  
24 and considered the CEQA Findings adopted by the Planning Commission on June 12, 2008,  
25

1 with respect to the Project, as well as the environmental findings, including the Mitigation  
2 Monitoring and Reporting Program and Statement of Overriding Considerations adopted by  
3 the Planning Commission on such date, and determined that said findings remain valid for the  
4 actions contemplated in this Ordinance.

5 (iii) The Board hereby adopts as its own and incorporates the CEQA Findings  
6 contained in Planning Commission Motion Nos. 17617, 17618 and 17621, by reference as  
7 though such findings were fully set forth in this Ordinance.

8 (iv) The Board of Supervisors endorses the implementation of the mitigation  
9 measures identified in the Planning Commission's CEQA Findings for implementation by other  
10 City Departments and recommends for adoption those mitigation measures that are  
11 enforceable by agencies other than City agencies, all as set forth in the CEQA Findings,  
12 including the mitigation monitoring and reporting program contained in the referenced CEQA  
13 Findings.

14 (v) The Board of Supervisors finds that no substantial changes have occurred in the  
15 Project proposed for approval under this Ordinance that will require revisions in the Final EIR  
16 due to the lack of new significant environmental effects or a substantial increase in the  
17 severity of previously identified significant effects, no substantial changes have occurred with  
18 respect to the circumstances under which the Project proposed for approval under the  
19 Ordinance are undertaken which will require significant revisions to the Final EIR due to the  
20 lack of new environmental effects or a substantial increase in the severity of effects identified  
21 in the Final EIR and no new information of substantial importance to the Project as proposed  
22 for approval in the Ordinance has become available which indicates that (1) the Project will  
23 have significant effects not discussed in the Final EIR, (2) significant environmental effects will  
24 be substantially more severe, (3) mitigation measure or alternatives found not feasible which  
25

1 would reduce one or more significant effects have become feasible or (4) mitigation measures  
2 or alternatives which are considerably different from those in the Final EIR would substantially  
3 reduce one or more significant effects on the environment. The only revision that needs to be  
4 made to the Final EIR concerns a small typographical error in the document's Table of  
15 Contents, which in Section I.C of the Summary should state that the Mitigation and  
26 Improvement Measures start at page 183 instead of 180.

37 Section 2. The San Francisco Planning Code is hereby amended by adding Section  
48 263.20, to read as follows:

59 SEC. 263.20. Special Exceptions: HOPE SF Hunters View Special Use District and the  
60 40/65-X Height and Bulk District.

71 (a) General. In the HOPE SF Hunters View Special Use District and the 40/65-X Height  
82 and Bulk District, exceptions to the 40-foot base height up to 65 feet may be approved by the Planning  
93 Commission, in appropriate cases, as part of a Planned Unit Development, and as provided herein.

104 (b) Purpose. The San Francisco Housing Authority, in partnership with the San Francisco  
115 Redevelopment Agency, proposes to demolish the existing public housing on the HOPE SF Hunters  
126 View site and to develop a mixture of public housing, affordable rental and ownership housing, and  
137 market-rate housing to replace it. It is anticipated that the project will be developed in multiple phases.  
18 Proceeds from the sale of the market rate units will be used to cross-collateralize the construction of  
159 the public housing and rental units. In order to achieve a successful program, the density of the HOPE  
120 SF Hunters View site will be increased from 267 units to up to 800 units. Due to the difficult  
171 topography of the site, such density cannot be achieved without an increase in the height limit for the  
182 site.

123 (c) Height Exceptions. Such height exceptions may be permitted provided that the following  
204 criteria, in addition to those stated in Section 303(c), are met:

1       (1) The height of the building or structure so approved by the Planning Commission does  
2 not exceed 65 feet.

3       (2) The principal use of the building or structure for which the additional height is sought is  
4 residential.

5       (3) The additional height will not add significant shadows on property under the  
6 jurisdiction of the Recreation and Park Commission pursuant to Section 295.

7       (4) The development as a whole, and any building or structure that is over 40 feet, provides  
8 an appropriate transition to adjacent higher or lower buildings or structures.

9       (5) No more than 35% of the gross area of the site will contain buildings or structures  
10 exceeding 50 feet in height and no more than 50% of the gross area of the site will contain buildings or  
11 structures exceeding 40 feet in height, as measured pursuant to Section 304(d)(6). Building heights in  
12 excess of 40 feet shall only be allowed in accordance with a Design for Development or other design  
13 guidelines approved by the Planning Commission as a part of a Planned Unit Development. Where  
14 such a Design for Development or other design guidelines is approved as part of a Planned Unit  
15 Development and provides more stringent restrictions on the amount of site area that can contain  
16 buildings over 40 feet than set forth in this subsection (5), the said Design for Development or design  
17 guidelines shall govern.

18  
19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

21 By:   
22 ANDREA RUIZ-ESQUIDE  
23 Deputy City Attorney



# City and County of San Francisco

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

## Tails

## Ordinance

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**File Number:** 080691

**Date Passed:**

Ordinance amending the San Francisco Planning Code by adding Section 263.20 to establish special exceptions for heights within the Hunters View Special Use District and the 40/65-X Height and Bulk District, allowing residential buildings with conditional use authorization pursuant to Planning Code Sections 303 and 304 to have a maximum height of 65 feet; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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August 5, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

August 12, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval


Noes: 1 - Daly

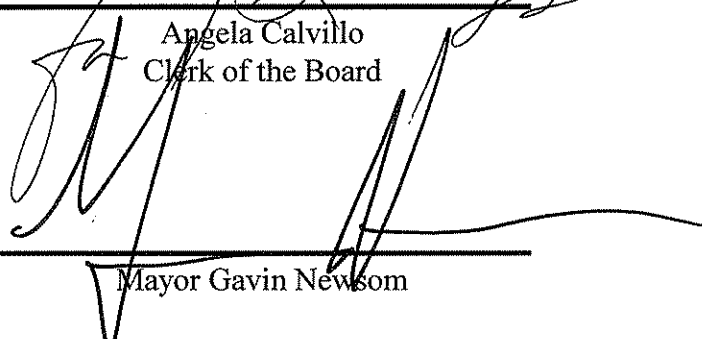
File No. 080691

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on August 12, 2008  
by the Board of Supervisors of the City and  
County of San Francisco.

8-22-08

Date Approved

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mayor Gavin Newsom