

FILE NO. 080319

ORDINANCE NO. 66-08

1 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block
2 870 bound by Laguna, Haight, Buchanan and Hermann Streets]

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4 **Ordinance amending the Market and Octavia Area Plan of the San Francisco**
5 **General Plan to (1) reclassify the Use District on Block 857 from Public to**
6 **Moderate Density Residential and reclassify the Use District on Block 870, Lots 1,**
7 **2 and the northern portion of Lot 3 from Public to Moderate Density**
8 **Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the**
9 **San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A**
10 **from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and**
11 **1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3)**
12 **amending the Generalized Residential Land Use Plan of the 1990 Residence**
13 **Element, the 2004 Housing Element, and of the Land Use Index to reclassify the**
14 **generalized land use of Block 857 from Public/Open Space to Residential and of**
15 **Block 870 from Public/Open Space to Mixed Use, predominantly**
16 **Commercial/Industrial; (4) amending the Residential Density Plan of the 1990**
17 **Residence Element, the 2004 Housing Element, and of the Land Use Index to**
18 **reclassify the residential density of Blocks 857 and 870 from Public and Heavy**
19 **Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the**
20 **California Environmental Quality Act; and (6) adopting findings that the General**
21 **Plan amendments are consistent with the eight priority policies of Planning Code**
22 **Section 101.1.**

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1 Note: Additions are single-underline italics Times New Roman;
2 deletions are ~~striketrough italics Times New Roman~~.
3 Board amendment additions are double underlined.
4 Board amendment deletions are ~~striketrough normal~~.

5 Note: This entire section is new.

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

7 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
8 hereby finds and determines that:

9 (a) City Charter Section 4.105 and Planning Code Section 340 require that the
10 San Francisco Planning Commission consider any proposed amendments to the City's
11 General Plan and make a recommendation for approval or rejection to the Board of
12 Supervisors before the Board of Supervisors acts on the proposed amendments.

13 (b) Approval of the rezoning and height and bulk district redesignation and the
14 establishment of the Laguna, Haight, Buchanan and Hermann Streets Special Use
15 District ("SUD") encompassing Assessor's Block 857 and a portion of Assessor's Block
16 870 requires an amendment to the General Plan to amend the current Land Use Map
17 and the Height Map of the Market and Octavia Area Plan, upon the date it becomes
18 effective, and the Generalized Residential Land Use Plan and the Residential Density
19 Plan of the 1990 Residence Element, the 2004 Housing Element and the Land Use
20 Index.

21 (c) On December 13, 2007, the Planning Commission adopted, in Motion No.
22 17520, a resolution of intent to initiate amendments to the City's General Plan to allow
23 the establishment of the SUD.

24 (d) The Planning Department published Environmental Impact Report Case No.
25 2004.0773E. The Planning Commission in Motion Nos. 17532 and 17533 made
findings and adopted the Final Environmental Impact Report as required by law. The

1 Board of Supervisors adopts the findings and conclusion of the Planning Commission in
2 Motion Nos. 17532 and 17533, copies of which are on file with the Clerk of the Board of
3 Supervisors in File No. 080319 and those Motions are incorporated by reference
4 herein. In addition, the Board of Supervisors adopts additional findings under the
5 California Environmental Quality Act, found as Exhibit F "California Environmental
6 Quality Act Findings," on file with the Clerk of the Board of Supervisors in File 080319
7 and which are incorporated herein by reference.

8 (e) On January 17, 2008, the Planning Commission held a duly noticed public
9 hearing and approved and recommended for adoption by the Board of Supervisors (1)
10 amendments to the Market and Octavia Area Plan of the San Francisco General Plan,
11 upon the date it becomes effective, to reclassify the Use District on Block 857 from
12 Public to Moderate Density Residential and reclassify the Use District on Block 870,
13 Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density
14 Neighborhood Commercial; (2) amendments to the Market and Octavia Area Plan of the
15 San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from
16 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots 1 and 2 from
17 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amendments to the
18 Generalized Residential Land Use Map of the 1990 Residence Element, the 2004
19 Housing Element, and of the Land Use Index to reclassify the generalized land use of
20 Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open
21 Space to Mixed Use, predominantly Commercial/Industrial; and (4) amendments to the
22 Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element,
23 and of the Land Use Index to reclassify the residential density of Blocks 857 and 870
24 from Public and Heavy Industrial Areas to Moderately High Density. Planning
25 Commission Resolution No. 17534, a copy of which is on file with the Clerk of the Board

1 of Supervisors in File No. 080319, is incorporated by reference herein.

2 (f) On January 17, 2008, the Planning Commission held a duly noticed public
3 hearing and, in Resolution Nos. 17534, the Planning Commission approved and
4 recommended for adoption by the Board of Supervisors the rezoning, height and bulk
5 district reclassification, and the SUD. The SUD would eliminate parking minimums and
6 impose parking maximums for off-street parking located anywhere in the SUD, impose
7 parking standards, density and unit mix standards, and provide for the in kind provision
8 of community infrastructure. Planning Commission Resolution Nos. 17534, a copy of
9 which is on file with the Clerk of the Board of Supervisors in File No. 080319, is
10 incorporated herein by reference.

11 (g) Pursuant to Planning Code Section 340, this Board of Supervisors finds that
12 this General Plan Amendment will serve the public necessity, convenience and welfare
13 for the reasons set forth in Planning Commission Motion No. 17534 recommending the
14 approval of these General Plan Amendments, and incorporates such reasons by this
15 reference thereto. A copy of said Motion is on file with the Clerk of the Board of
16 Supervisors in File No. 080319.

17 (h) Pursuant to Planning Code Section 101.1, the Board of Supervisors finds
18 that this ordinance is consistent with the Priority Policies of Planning Code Section
19 101.1(b) of the Planning Code and the General Plan, subject to the Conditions of
20 Approval in Planning Commission Motion No.17537 and subject to the following
21 additional provisions:

22 1) that the project will meet the criteria for and apply to be certified as a LEED
23 ND (Leadership in Energy and Environmental Design-Neighborhood Development)
24 project:

25 2) that any senior dwelling units be affordable to households earning no more
than 50% of San Francisco median income, and that not less than 15% of the non-
senior dwelling units, or, if state tax exempt bond financing is allocated to the project,

1 not less than 20% of the non-senior dwelling units shall be affordable units under
2 Planning Code Section 315 et seq.:

3 3) that the design of any new buildings located within the SUD as approved by
4 the Planning Commission in its Motion No. 17537 be compatible with the existing
5 historic and landmark structures;

6 4) that the Project Sponsor and Planning Director shall consult with the
7 Landmarks Preservation Advisory Board to ensure the compatibility of the seven newly
8 constructed buildings with the three existing landmark buildings (Woods Hall, Woods
9 Hall Annex and portions of Richardson Hall not to be demolished), and the Landmarks
10 Preservation Advisory Board shall adopt a motion setting forth its recommendation on
11 the compatibility of the new buildings prior to issuance of a building, site or demolition
12 permit or a Certificate of Appropriateness.

13 5) that alterations to Woods Hall, Woods Hall Annex and Richardson Hall be in
14 conformance with Certificates of Appropriateness to be considered for approval
15 pursuant to Article 10 of the Planning Code, and the Planning Commission shall also
16 review the compatibility of the seven new buildings together with its consideration of
17 Certificates of Appropriateness for the three landmark buildings prior to issuance of a
18 building, site or demolition permit or a Certificate of Appropriateness.

19 (i) The Board and hereby adopts the findings of the Planning Commission except
20 as modified above, as set forth in Planning Commission Motion No 17537, and
21 incorporates said findings by this reference thereto. A copy of said Motion is on file with
22 the Clerk of the Board of Supervisors in File No. 080319.

23 Section 2. The following amendments to reclassify the land use designations in
24 the Land Use and Urban Form Chapter of the Market and Octavia Area Plan, upon the
25 date it becomes effective, are hereby adopted as follows:

The Land Use Districts map, entitled Map 1 of the Market and Octavia Area Plan,
is hereby amended, upon the date it becomes effective, to designate the land uses of

1 the blocks bounded by Haight, Laguna, Buchanan and Hermann Streets, more fully
 2 described as Assessor's Block 857, Lot 001 and Lot 001A and Assessor's Block 870,
 3 Lot 001, Lot 002, and the northern portion of Lot 003, to the following land use
 4 designations.

BLOCK/LOT	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation
870/001	P	NC-3
870/002	P	NC-3
870/003 (northern portion)	P	NC-3
857/001	P	RM-3
857/001A	P	RM-3

13 Section 3. The following amendments to reclassify the height designations in the
 14 Land Use and Urban Form Chapter of the Market and Octavia Area Plan, upon the date
 15 it becomes effective, are hereby adopted as follows:

16 The Height Districts map, entitled Map 3 of the Market and Octavia Area Plan, is
 17 hereby amended to redesignate the heights for most of the blocks bounded by Haight,
 18 Laguna, Buchanan and Hermann Streets, more fully described as Assessor's Block 857
 19 Lot 001A and Assessor's Block 870, Lot 001, Lot 002, and Lot 003, to the following
 20 height designations.

BLOCK/LOT	Existing General Plan Height Designation	Proposed General Plan Height Designation
870/001	80'	85'
870/002	80'	85'
870/003	40'	50'

857/001A	40'	50'
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Section 4. The following amendments to reclassify the generalized residential land use designations in the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element and the Land Use Index are hereby adopted as follows:

The Generalized Residential Land Use Plan is hereby amended to redesignate the generalized residential land uses of the blocks bounded by Haight, Laguna, Buchanan and Hermann Streets, more fully described as Assessor's Block 857, Lot 001 and Lot 001A and Assessor's Block 870, Lot 001, Lot 002, and the northern portion of Lot 003, to the following land use designations.

BLOCK	Existing Generalized Residential Land Use Plan Designation	Proposed Generalized Residential Land Use Plan Designation
870	Public/Open Space	Mixed Use, predominantly Commercial/Industrial
857	Public/Open Space	Residential

Section 5. The following amendments to reclassify the residential density designations in the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element and the Land Use Index are hereby adopted as follows:

The Residential Density Plan is hereby amended to redesignate the residential density of the blocks bounded by Haight, Laguna, Buchanan and Hermann Streets, more fully described as Assessor's Block 857, Lot 001 and Lot 001A and Assessor's

1 Block 870, Lot 001, Lot 002, and the northern portion of Lot 003, to the following land
2 use designations.

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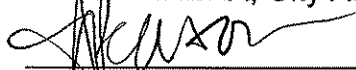
BLOCK	Existing Residential Density Plan Designation	Proposed Residential Density Plan Designation
870	Public and Heavy Industrial Areas	Moderately High Density
857	Public and Heavy Industrial Areas	Moderately High Density

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13 APPROVED AS TO FORM:

14 DENNIS J. HERRERA, City Attorney

15 By:



16 Audrey Williams Pearson
17 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: 080319

Date Passed:

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

April 8, 2008 Board of Supervisors — PASSED ON FIRST READING

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

Excused: 1 - Dufty

April 15, 2008 Board of Supervisors — FINALLY PASSED

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

Excused: 1 - Dufty

File No. 080319

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on April 15, 2008 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Piccoli

for Angela Calvillo
Clerk of the Board

4.17.08

Date Approved

Mayor Gavin Newsom