

1 [General Plan Amendments - Rincon Hill Streetscape Master Plan]

2
3 **Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to**
4 **incorporate the Rincon Hill Streetscape Master Plan and make other technical**
5 **amendments; and making findings under the California Environmental Quality Act, and**
6 **findings of consistency with the General Plan, and the eight priority policies of**
7 **Planning Code, Section 101.1.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

16 Section 1. Findings.

17 (a) Section 4.105 of the San Francisco Charter provides that the Planning Commission
18 shall periodically recommend to the Board of Supervisors, for approval or rejection, proposed
19 amendments to the General Plan.

20 (b) On April 20, 2015, the Board of Supervisors received from the Planning
21 Department proposed General Plan amendments related to the Rincon Hill Streetscape
22 Master Plan, a component of the Rincon Hill Area Plan, which is a subsection of General Plan
23 (the "Rincon Hill Streetscape Amendments"). That letter and related documents are on file
24 with the Clerk of the Board in File No. 150401.

25 (c) The Rincon Hill Plan was the culmination of extensive public planning that began in
2003, with more than 30 workshops, hearings and walking tours, input of the existing

1 residents and business, advocates and other public agencies, and resulted in a plan that
2 balances Rincon Hill's potential to provide much-needed housing with the design
3 requirements of a livable neighborhood.

4 (d) Policy 7.4 of the Rincon Hill Plan Area Plan calls on the City to "[p]ursue the
5 adoption of the Rincon Hill Streetscape Plan by all necessary agencies and the board of
6 Supervisors..."

7 (e) The Planning Department in partnership with the San Francisco Municipal
8 Transportation Agency (MTA) and the Department of Public Works led a robust public process
9 engaging numerous community stakeholders to develop the Rincon Hill Streetscape Plan
10 from 2012 to 2014.

11 (f) The Rincon Hill Streetscape Master Plan is in compliance with various established
12 San Francisco policies related to the design of streets and the public realm, including the
13 Transit First Policy, the Better Streets Policy, the Complete Streets Policy, and the SFPUC
14 Stormwater Design Guidelines.

15 (g) On March 3, 2015, 2015 the MTA Board adopted the streetscape improvements
16 identified in the Rincon Hill Streetscape Master Plan in Resolution No. 15-035, a copy of
17 which is on file with the Clerk of the Board in File No. 150401.

18 (h) On May 5, 2005, after a duly noticed public meeting, the Planning Commission
19 certified the Final Environmental Impact Report (EIR) for the Rincon Hill Area Plan by Motion
20 No. 17007 and found that the Final EIR reflected the independent judgment and analysis of
21 the City and County of San Francisco, is adequate, accurate and objective, contains no
22 significant revisions to the Draft EIR, and the content of the report and the procedures through
23 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
24 California Environmental Quality Act (CEQA) (California Public Resources Code Sections
25 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Sections 15000 et seq.) and

1 Chapter 31 of the San Francisco Administrative Code. Copies of the Planning Commission
2 Motion and Final EIR are on file with the Clerk of the Board in File No. 050862 and are
3 incorporated herein by reference.

4 (i) The project evaluated in the Final EIR included amendments to the General Plan
5 related to the Rincon Hill Area Plan. This Project also included references to the Rincon Hill
6 Streetscape Master Plan that was not completed at the time the City adopted the Rincon Hill
7 Area Plan. The subject of this ordinance is adoption and implementation of the Rincon Hill
8 Streetscape Master Plan.

9 (j) At the same hearing during which the Planning Commission certified the Final EIR,
10 the Planning Commission adopted CEQA Findings with respect to the approval of the
11 proposed Rincon Hill Area Plan and other actions in Motion No. 17008.

12 (k) The Board of Supervisors in Ordinance No. 205-05 adopted the Rincon Hill Area
13 Plan and adopted CEQA Findings adopted by the Planning Commission with respect to the
14 approval of the Rincon Hill Area Plan, including a mitigation monitoring and reporting program
15 and a statement of overriding considerations. This ordinance and related materials are in the
16 Clerk of the Board in File No. 050862. These and any and all other documents referenced in
17 this ordinance have been made available to the Board of Supervisors and may be found in
18 either the files of the Planning Department, as the custodian of records, at 1650 Mission
19 Street in San Francisco, or with the Clerk of the Board in File Nos. 050862 and 150401, which
20 are located at 1 Dr. Carlton B. Goodlett Place, San Francisco, and are incorporated herein by
21 reference.

22 (l) For purposes of this ordinance, the Board of Supervisors has reviewed and
23 considered the Final EIR and the environmental documents on file referred to herein. The
24 Board of Supervisors also has reviewed and considered the CEQA Findings adopted by the
25 Planning Commission in support of the approval of the Rincon Hill Streetscape Master Plan

1 (the "CEQA Findings for the Rincon Hill Streetscape"), including the mitigation monitoring and
2 reporting program, and hereby adopts as its own and incorporates the CEQA Findings for the
3 Rincon Hill Streetscape contained in Planning Commission Motion No. 17008 by reference as
4 though such findings were fully set forth in this Ordinance.

5 (m) The Board of Supervisors endorses the implementation of the mitigation measures
6 identified in the CEQA Findings for the Rincon Hill Streetscape including those for
7 implementation by other City Departments and recommends for adoption those mitigation
8 measures that are enforceable by agencies other than City agencies, all as set forth in the
9 CEQA Findings for the Rincon Hill Streetscape, including the mitigation monitoring and
10 reporting program contained in the referenced Findings.

11 (n) The Board of Supervisors finds that no substantial changes have occurred in the
12 Rincon Hill Area Plan as proposed for amendment under this ordinance that will require
13 revisions in the Final EIR due to the involvement of new significant environmental effects or a
14 substantial increase in the severity of previously identified significant effects, no substantial
15 changes have occurred with respect to the circumstances under which the Rincon Hill Area
16 Plan are undertaken which will require major revisions to the Final EIR due to the involvement
17 of new environmental effects or a substantial increase in the severity of effects identified in the
18 Final EIR and no new information of substantial importance to the Rincon Hill Area Plan as
19 proposed for amendment has become available which indicates that (1) the Rincon Hill Area
20 Plan will have significant effects not discussed in the Final EIR, (2) significant environmental
21 effects will be substantially more severe, (3) mitigation measure or alternatives found not
22 feasible which would reduce one or more significant effects have become feasible or (4)
23 mitigation measures or alternatives which are considerably different from those in the Final
24 EIR would substantially reduce one or more significant effects on the environment.

1 (o) Section 4.105 of the City Charter further provides that if the Board of Supervisors
2 fails to act within 90 days of receipt of the proposed General Plan amendments, then the
3 proposed amendments shall be deemed approved.

4 (p) San Francisco Planning Code Section 340 provides that the Planning Commission
5 may initiate an amendment to the General Plan by a resolution of intention, which refers to,
6 and incorporates by reference, the proposed General Plan amendments. Section 340 further
7 provides that Planning Commission shall adopt the proposed General Plan amendments after
8 a public hearing if it finds from the facts presented that the public necessity, convenience, and
9 general welfare require the proposed amendment or any part thereof. If adopted by the
10 Commission in whole or in part, the proposed amendments shall be presented to the Board of
11 Supervisors, which may approve or reject the amendments by a majority vote.

12 (q) After a duly noticed public hearing on March 5, 2015, in Resolution No. 19330, the
13 Planning Commission initiated amendments to the General Plan in regard to the Rincon Hill
14 Streetscape Master Plan. Said Resolution is on file with the Clerk of the Board in File No.
15 150401.

16 (r) After a duly noticed public hearing on March 26, 2015, in Resolution No. 19342, the
17 Planning Commission recommended that the Board of Supervisors approve the Rincon Hill
18 Streetscape Amendments. In this Resolution, the Planning Commission found, pursuant to
19 Planning Code Section 340, that the Rincon Hill Streetscape Amendments will serve the
20 public necessity, convenience, and general welfare. Said Resolution is on file with the Clerk
21 of the Board in File No.150401 and incorporated herein by reference. The Board hereby
22 adopts the Planning Code Section 340 findings set forth in Planning Commission Resolution
23 No. 19342 as its own.

24 (s) The Board of Supervisors finds that the Rincon Hill Streetscape Amendments are,
25 on balance, in conformity with the General Plan, as it is proposed for amendment by this

1 ordinance, and the eight priority policies of Planning Code Section 101.1 for the reasons set
2 forth in Planning Commission Resolution No. 19342. The Board hereby adopts these findings
3 as its own.
4

5 Section 2. The Board of Supervisors hereby approves the Rincon Hill Streetscape
6 Amendments set forth below as an amendment to the Rincon Hill Area Plan portion of the
7 General Plan and directs the Planning Department, if necessary, to update the General Plan's
8 Land Use Index to reflect these Amendments. In addition, the Planning Department shall
9 update Map 9 (Rincon Hill Streetscape) of the Rincon Hill Area Plan to reflect the map
10 included in Planning Commission Resolution No. 19343 and on file with the Clerk of the Board
11 in File No. 150401 The Rincon Hill Streetscape Amendments are as follows:

12 **Policy 5.1**

13 Implement the Rincon Hill Streetscape Plan.

14 ~~*A comprehensive streetscape plan is proposed for Rincon Hill. This plan*~~ *The Rincon Hill*
15 *Streetscape Master Plan* calls for extensive sidewalk widenings, tree plantings, street
16 furniture, and the creation of new public spaces along streets throughout the district.
17 The plan ~~*will*~~ describes specific curb and sidewalk changes and roadway lane
18 configurations. New development ~~*will*~~ *in the plan area is* required to implement portions
19 of the streetscape plan as a condition of approval, and to pay into a community
20 facilities district that will enable the City to implement and maintain those portions of the
21 Streetscape Plan not put in place by new projects. ~~*The proposed Streetscape Plan will be*~~
22 ~~*separately approved by the Municipal Transportation Authority, the Department of Public*~~
23 ~~*Works, the Planning Commission, and the Board of Supervisors.*~~

24 * * * * *

1 **Policy 7.4**

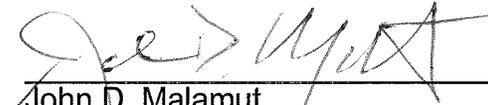
2 ~~*Pursue the adoption of the Rincon Hill Streetscape Plan by all necessary agencies and the*~~
3 ~~*Board of Supervisors consistent with this plan.*~~

4 *The Rincon Hill Streetscape Master Plan serves as the guiding framework for the design of*
5 *streets within the Rincon Hill Plan Area. The City shall seek to implement the plan to the*
6 *maximum extent feasible, both through its oversight and permitting of privately sponsored street*
7 *improvements as well as City-sponsored improvements.*

8
9 Section 3. 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.

13
14 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the General
17 Plan that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: 
24 John D. Malamut
25 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 150401

Date Passed: July 14, 2015

Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to incorporate the Rincon Hill Streetscape Master Plan and make other technical amendments; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

June 22, 2015 Land Use and Transportation Committee - RECOMMENDED

July 07, 2015 Board of Supervisors - PASSED, ON FIRST READING

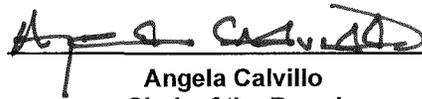
Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

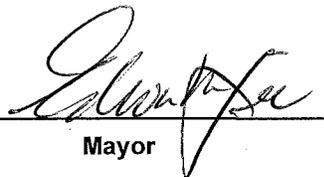
July 14, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150401

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/14/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved