



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Adoption of General Plan Map Amendment

HEARING DATE: FEBRUARY 25<sup>TH</sup>, 2016

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*Project Name:* Adoption of General Plan Amendment for Map 5 of the  
Downtown Plan  
*Case Number:* 2016-000003GPA  
*Initiated by:* Planning Commission  
*Staff Contact:* Kimia Haddadan, Citywide  
[Kimia.haddadan@sfgov.org](mailto:Kimia.haddadan@sfgov.org), 415-575-9068  
*Reviewed by:* Joshua Switzky, Senior Planner  
Joshua.Switzky@sfgov.org, 415-575-6815  
*Recommendation:* **Adoption**

The Proposed Ordinance would amend the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed height and bulk districts on Assessor Block 3740, lots 027, 029, 030, 031, and 032 (collectively referred to in the Redevelopment Plan as "Transbay Block 1") and Assessor Block 3739, lot 004 (portion of Transbay Block 2) within the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan development controls. For the location of these parcels see two maps in Exhibit B.

### The Way It is Now

The maximum height limit of Transbay Block 1 is set as 300 feet in the Transbay Redevelopment Plan and Map 5 of the Transbay Development Controls. However, Map 5 of the Downtown Plan indicates the height of Block 1 as 200 feet, a height limit set prior to the adoption of the Transbay Redevelopment Plan in 2006. A notation was added to Map 5 of the Downtown Plan in 2006 to defer the zoning and height regulations of parcels within Zone 1 to the Transbay Redevelopment Plan. However, this notation inadvertently excluded six blocks, five of which comprise Transbay Block 1. The other lot is located within Transbay Block 2.

### The Way it Would Be

Map 5 of the Downtown Plan will be corrected and cleaned up. A new notation will be added to Map 5 to fulfil the intention of the original amendment to this Map in 2006 to defer the height and zoning designation of *all* parcels within Zone 1 to the Transbay Redevelopment Plan.

## Background

The Transbay Redevelopment Plan (“Plan”) adopted in 2005 and amended in 2006, later in 2015<sup>1</sup> laid out development controls for parts of Downtown adjacent to the Transbay Terminal within two major zones: Zone 1 and Zone 2 (See Exhibit A). The Plan changed the development controls, including height limits, on several parcels within Zone 1 of the Plan area (See Exhibit C & D). Zone 1 consists of primarily publicly-owned parcels along Folsom Street that formerly housed the now-demolished Embarcadero Freeway. Jurisdiction over entitlements for development activity on in Zone 1 is held by the Office of Community Investment and Infrastructure (“OCII”, the former Redevelopment Agency). Jurisdiction over Zone 2 remains with the Planning Department and is subject to the Planning Code and Zoning Maps.

The Ordinances adopting the Redevelopment Plan in 2006 included relevant General Plan Amendments that reflected the height and zoning changes. Map 5 of the Downtown Plan, which identified recommended height and bulk limits in the Downtown, was amended with a notation: *‘Remove 80-x label from freeway lands in Transbay and replace with notation that says “See Redevelopment Plan Development Controls.”* (See Exhibit E & F)

With this notation the General Plan defers the zoning and height designation for Zone 1 parcels to the Transbay Redevelopment Plan. The amendment to Map 5 intended to reflect height changes to all parcels within the Zone 1 of the Transbay Redevelopment Plan. Prior to the adoption of the Transbay Redevelopment Plan in 2006, the lots within the boundary of Zone 1 were mostly zoned for 80-x height limit, along with six lots that were in the 200-x height zone (See Exhibit F & G). However, the notation added to Map 5 in 2006 inadvertently excluded six lots that are within the original 200-x height zone. The excluded lots are: Transbay Block 1 (block 3740, lots 027, 029, 030, 031, and 032) and one lot in Transbay Block 2 (block 3739, lot 004). Exhibit C & D show the Zone 1 Plan Map in the Transbay Redevelopment Plan adopted in 2006. This map shows the maximum height limit for Transbay Block 1 as 300 feet. Comparing this map with the Map 5 of the Downtown Plan illustrates that the General Plan is currently out of synch with the adopted Redevelopment Plan.

The proposed amendment would correct and clean up Map 5 of the Downtown Plan by adding another notation to Map 5: *Remove the 200-S label from Assessor Block 3740, lots 027, 029, 030, 031, and 032 and Assessor Block 3739 Lot 004 and replace it with a notation that states “See Transbay Redevelopment Plan Development Controls.”*

This notation would fulfil the intention of the original amendment to Map in 2006 to defer the height and zoning designation of *all* parcels within Zone 1 to the Transbay Redevelopment Plan.

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<sup>1</sup> Ordinances No. 124-05 (June 21, 2005) and No. 99-06 (May 9, 2006), as amended by Ordinance No. 84-15, (June 18, 2015)

On January 14, 2016 the Planning Commission adopted Resolution No. 19549 to initiate the proposed General Plan Amendments.

### **Issues and Considerations:**

The Department identified the inconsistency between the existing height limits of these six parcels with the Map 5 of the Downtown Plan upon reviewing a recent General Plan Referral.

In September 2015, OCII filed a General Plan Referral (Case No. 2015.012730GPR) with the Planning Department for a Redevelopment Plan Amendment that would change the height of Transbay Block 1 from 300' to 400'. In review of the General Plan conformity for OCII's new proposed amendment, staff noticed the error in Downtown Plan's Map 5 and its inconsistency with the adopted heights per the Transbay Redevelopment Plan within Transbay Block 1.

On January 19, 2015 the OCII Commission adopted the proposed new amendments to the Transbay Redevelopment Plan to change the maximum height limits of Transbay Block 1 from 300 feet to 400 feet. The General Plan Referral for the amendment is also before the Planning Commission on February 25<sup>th</sup> (See Case No.2015.012730GPR)

In order to find General Plan conformity for the new amendments to Block 1, the Department believes that Map 5 of the Downtown Plan should be in synch with the City's existing height limits for Block 1 per the adopted Transbay Redevelopment Plan in 2006. The one lot in the Transbay Block 2 (Block 3739, lot 004) also is being included in the amendments to Map 5 of the Downtown Plan to clean up and fix this map for the entirety of Zone 1 so that it conforms with the intent of the original Transbay Redevelopment Plan actions from 2005 and 2006.

Therefore the General Plan Amendments to Map 5 of the Downtown Plan, while related and necessary to the General Plan Referral (Case No. 2015.012730GPR), would merely correct and clean up Map 5 to *fully* reflect adopted changes to Zone 1 in 2006.

### **Environmental Review**

The Final Environmental Impact Report for the Transbay Redevelopment Plan was certified by the Planning Commission Motion No. 16733 on April 22, 2004 and there have been subsequent addenda to address minor project modifications. This proposal to address the discrepancy between the current Map 5 of the Downtown Plan and original Transbay Redevelopment Plan actions from 2005 and 2006 is covered by the abovementioned environmental analysis.

### **PUBLIC COMMENT**

As of the date of this report, the Planning Department has received no written public comment about this Ordinance. Public comments were provided at the Initiation hearing at the Planning Commission on January 14<sup>th</sup>, 2016.

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**Attachments:**

- Exhibit A: Transbay Redevelopment Plan Zone 1 and Two
- Exhibit B: Six Parcels Subject to the General Plan Amendment
- Exhibit C: Zone 1 Plan Map from the Transbay Redevelopment Plan
- Exhibit D: Development Controls and Design Guidelines for Transbay Redevelopment Project
- Exhibit E: Existing Map 5 of the Downtown Plan
- Exhibit F: Map 5: Location of Parcels Subject to the Proposed General Plan Amendment
- Exhibit G: Amendments Made to the Map 5 of the Downtown Plan in 2006 Related to the  
Transbay Redevelopment Plan
- Exhibit H: Proposed Revisions to the Map 5 of the Downtown Plan
- Exhibit I: Draft Planning Commission Resolution
- Exhibit J: Draft Ordinance for the General Plan Amendment
- Exhibit K: Planning Commission Resolutions Nos. 16906, 16907 in 2006



LAND USE ZONES

Zone One: Transbay  
Downtown Residential

Zone Two: Transbay C-3

Project Boundary



**Exhibit A: Transbay Redevelopment Project Area:  
Zone One & Zone Two**

0 95 190 380 Feet

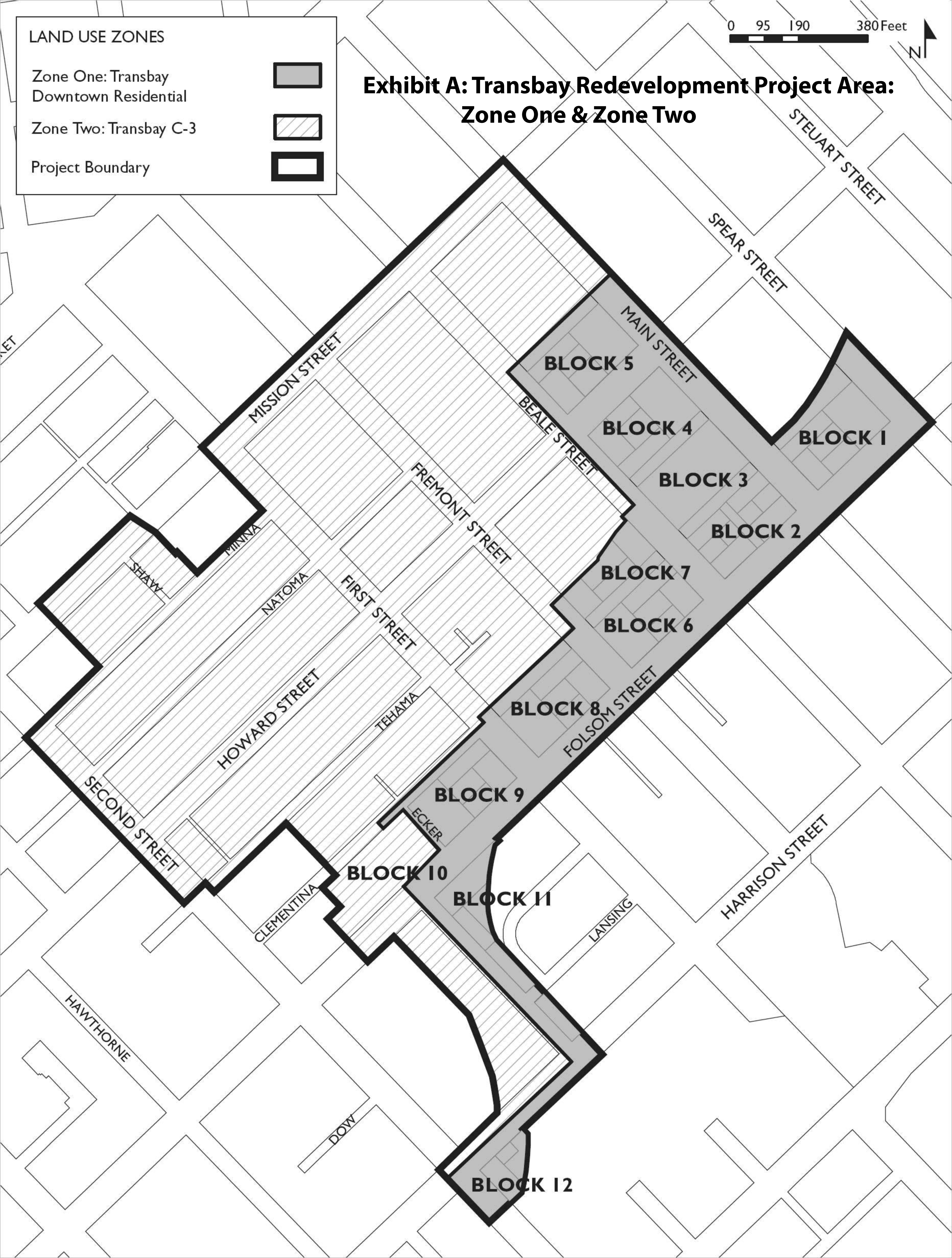
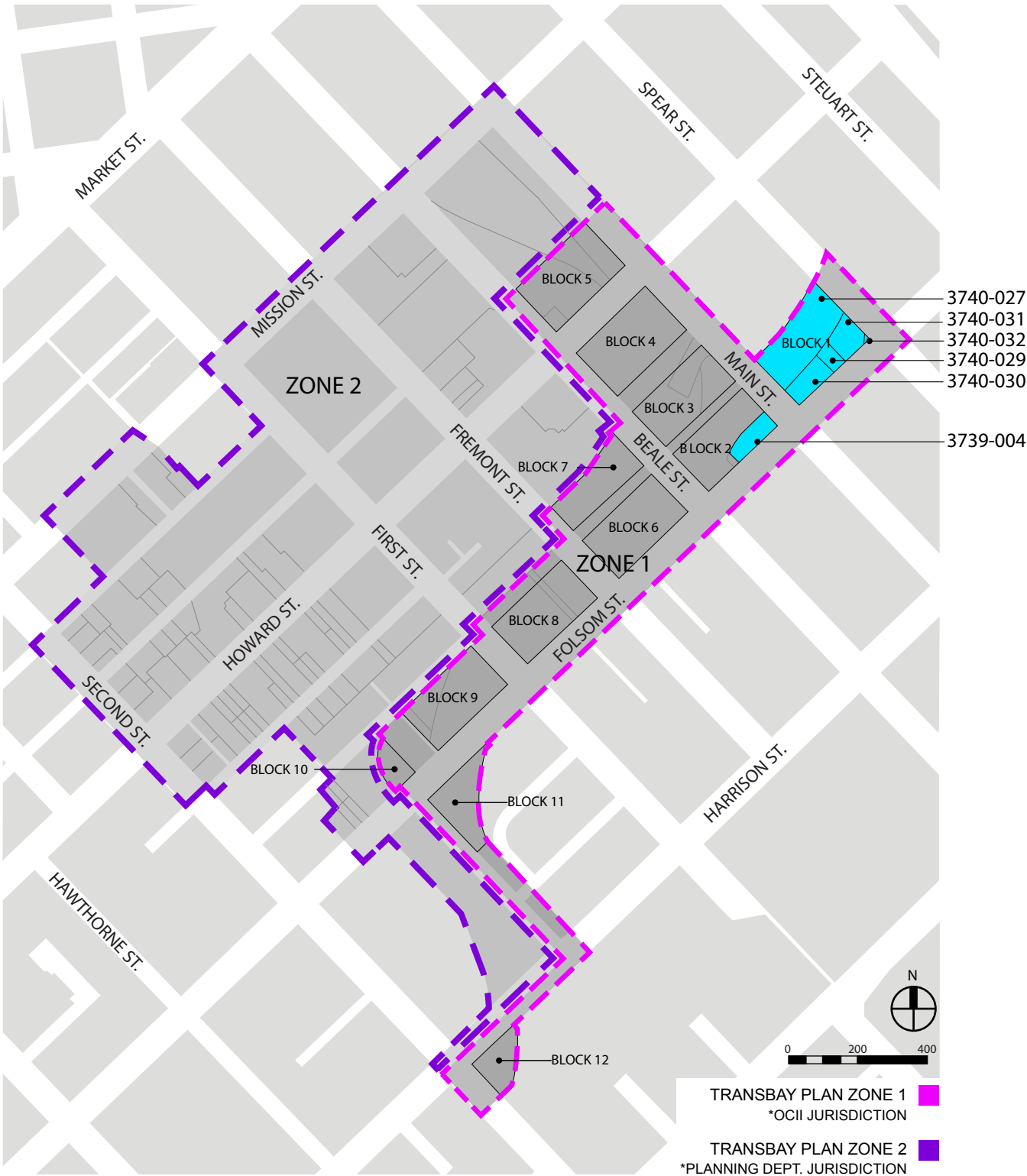
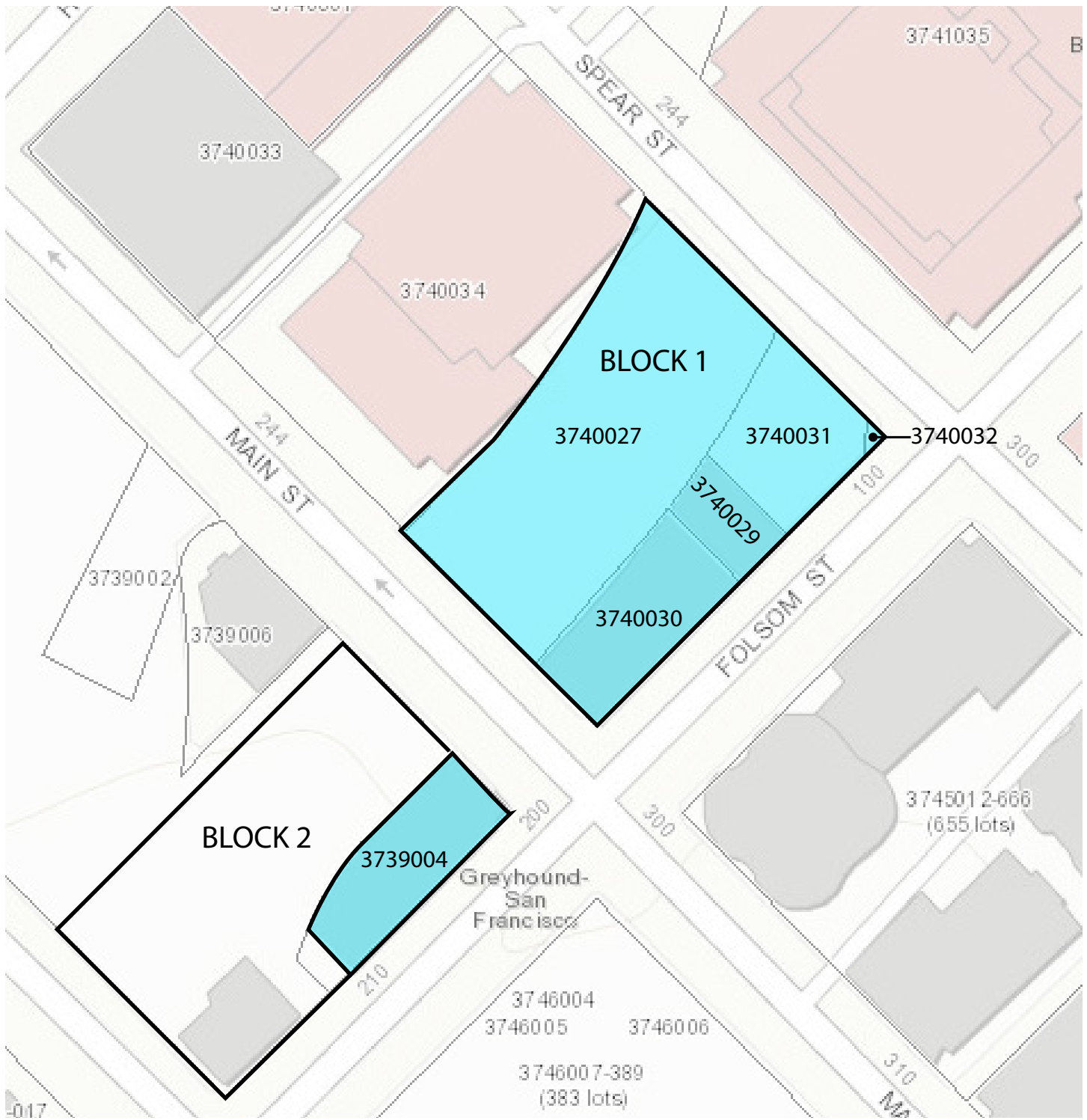




Exhibit B: Six Parcels Subject to the General Plan Amendment



GENERAL PLAN AMENDMENT SUBJECT PARCELS



## Exhibit C- Zone One Plan Map from the Transbay Redevelopment Plan

The existing adopted maximum height limit for Block 1 parcels is 300 feet in the Transbay Redevelopment Plan.

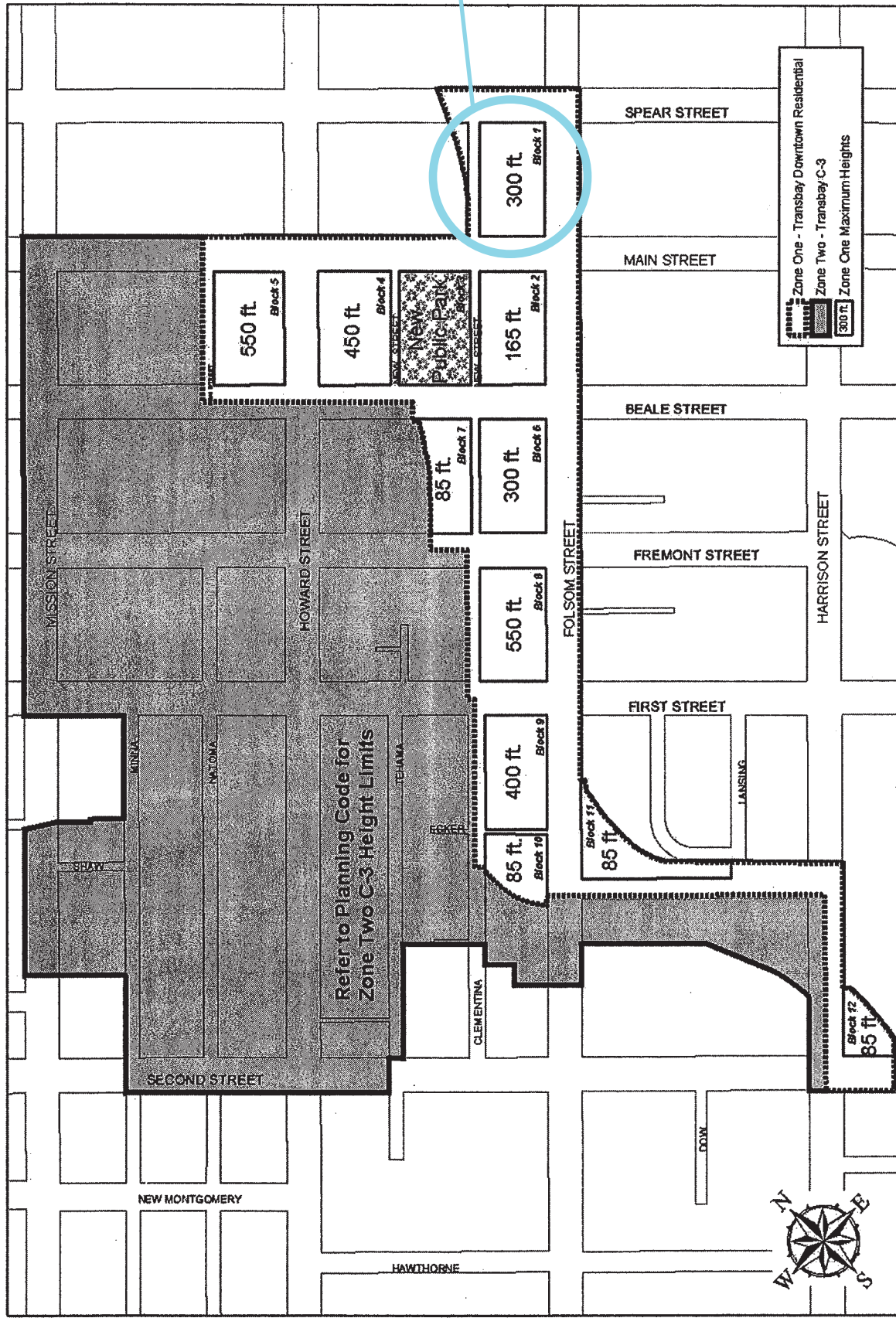




Exhibit D- Developmnet Controls and Design Guidelines for Transbay Redevelopment Project

The Transbay Development Contorls shows the maximum allowed height for Block 1 Parcels as 300 feet for the tower parcel within Block 1 .

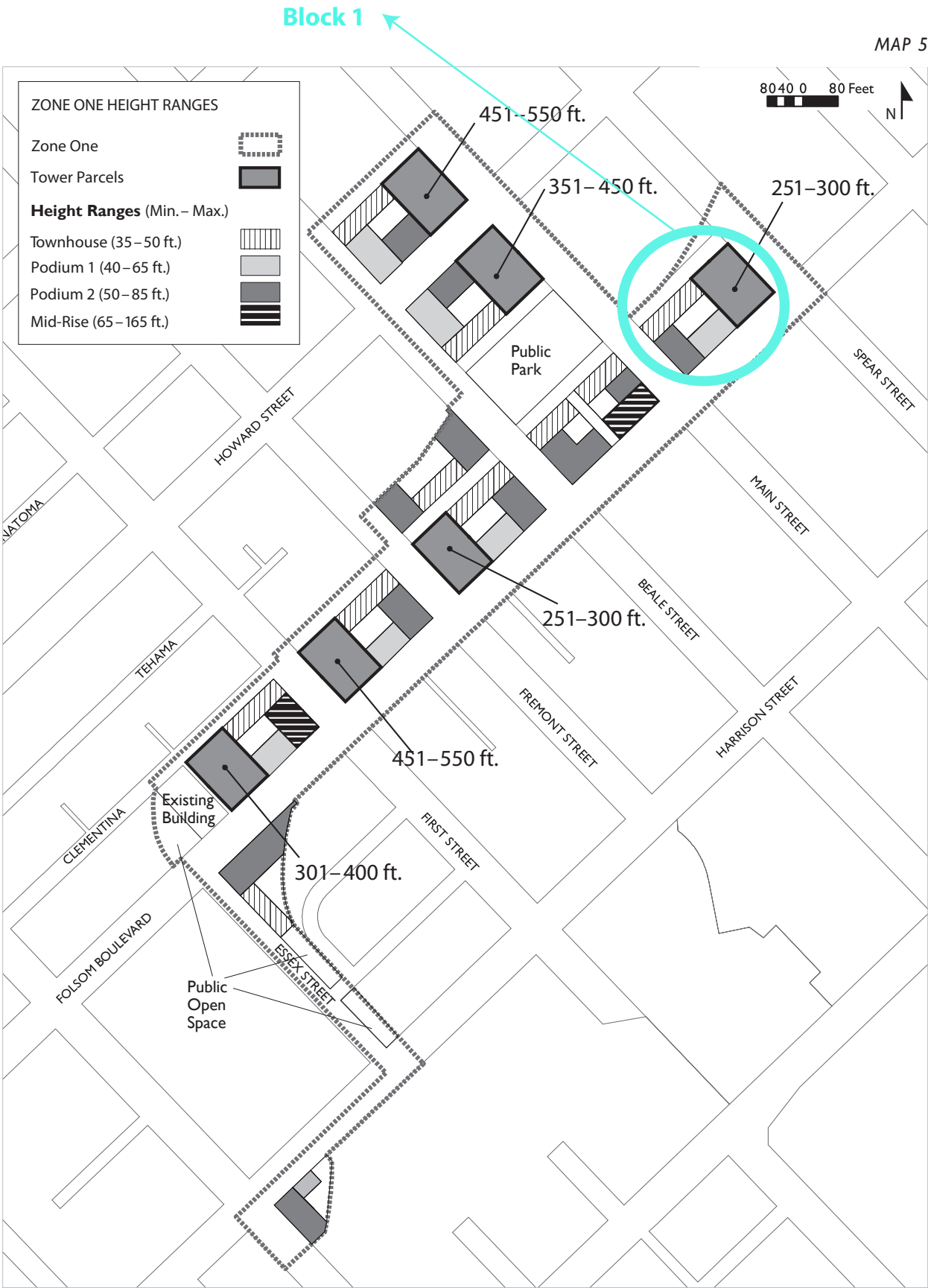
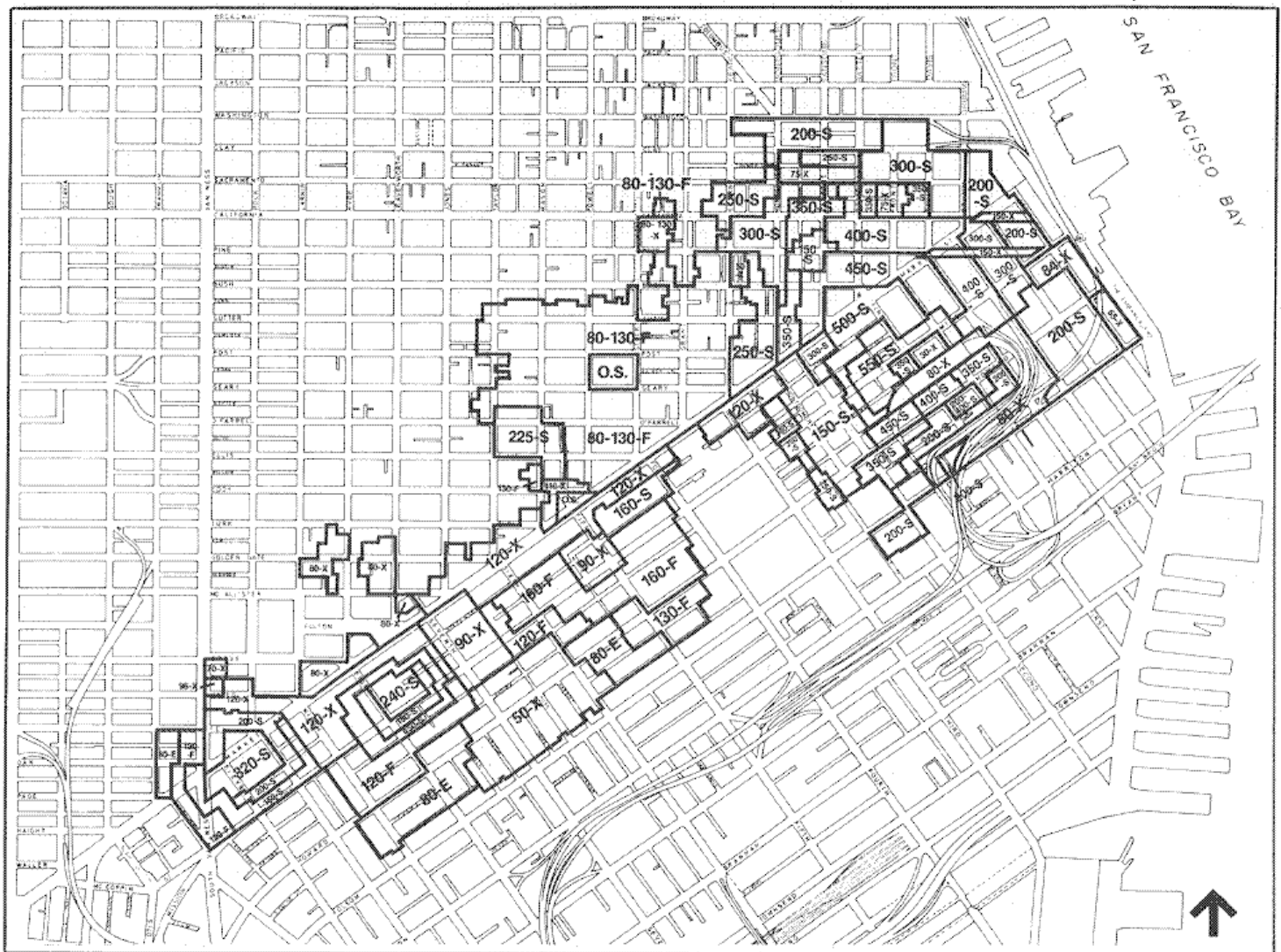




EXHIBIT E  
EXISTING MAP 5 OF THE DOWNTOWN PLAN



## PROPOSED HEIGHT AND BULK DISTRICTS

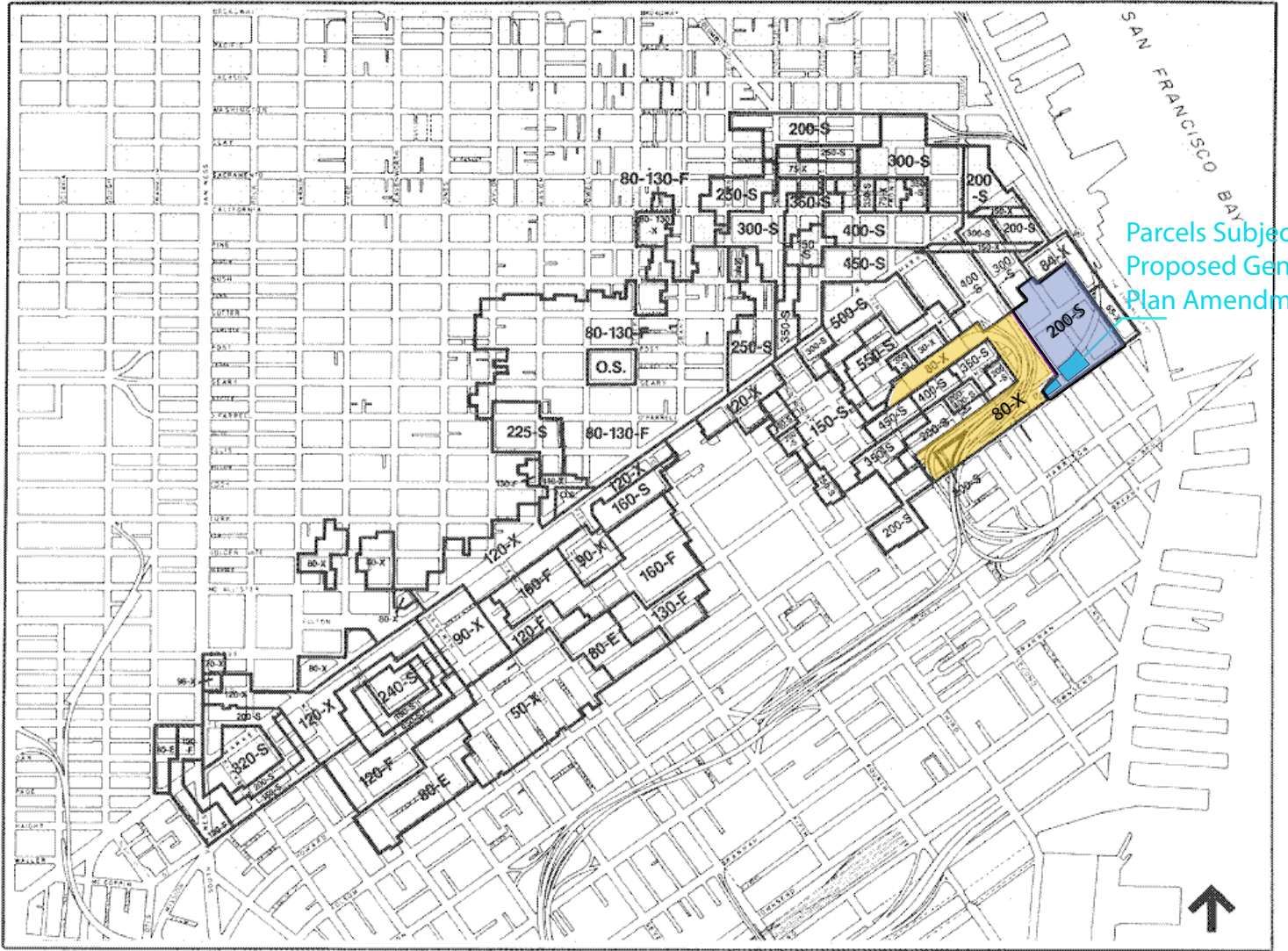
  
  
0 400FT  
**Map 5**

## MAP TO BE EDITED

- Remove 80-X label from freeway lands in Transbay and replace with notation that says “See Transbay Redevelopment Plan Development Controls”
- Reclassify height and bulk limits of Lot 063 in Assessor’s Block 3701 from 120-X to 200-S.
- Reclassify height and bulk limits of Lot 006 in Assessor’s Block 031, currently zoned C-3-O at the corner of Market Street Kearny Street and Geary Avenue (690 Market St) to 285-S.
- Reclassify height and bulk limits of Lots 039, 051, 052 and 053 in Assessor’s Block 3702, as well as a portion of the former Jesse Street, from 120-X, 150-S and 240-S to 160-X, 180-X and 240-S. (2006.1343)
- Reclassify height and bulk limits of Lot 047 in Assessor’s Block 3735 from 150-S to 250-S. (2004.0852)
- Reclassify height and bulk limits of Lot 003 in Assessor’s Block 0312 from 80-130-F to 150-X. (2004.0165)
- Reclassify height and bulk limits of Lot 066 in Assessor’s Block 3724 from 160-F to 320-S. (2000.790)
- Reclassify height and bulk limits of the west corner of Lot 063 in Assessor’s Block 3735 from 150-S to 350-S, consistent with the rest of the Lot.

**NOTE:** The notations shown in *italics* represent recent amendments to the General Plan. This map is intended only as a temporary placeholder; and will be replaced by final maps illustrating these amendments in graphic form.

EXHIBIT F: MAP 5 LOCATION OF PARCELS SUBJECT TO PROPOSED GENERAL PLAN AMENDMENT  
 Parcels proposed for General Plan Amendment are within the 200-S height zone in Map 5. This is inconsistent with the adopted height for these parcels in the Transbay Redevelopment Plan (Exhibit C & D)



PROPOSED HEIGHT AND BULK DISTRICTS

0 400FT  
 Map 5

MAP TO BE EDITED

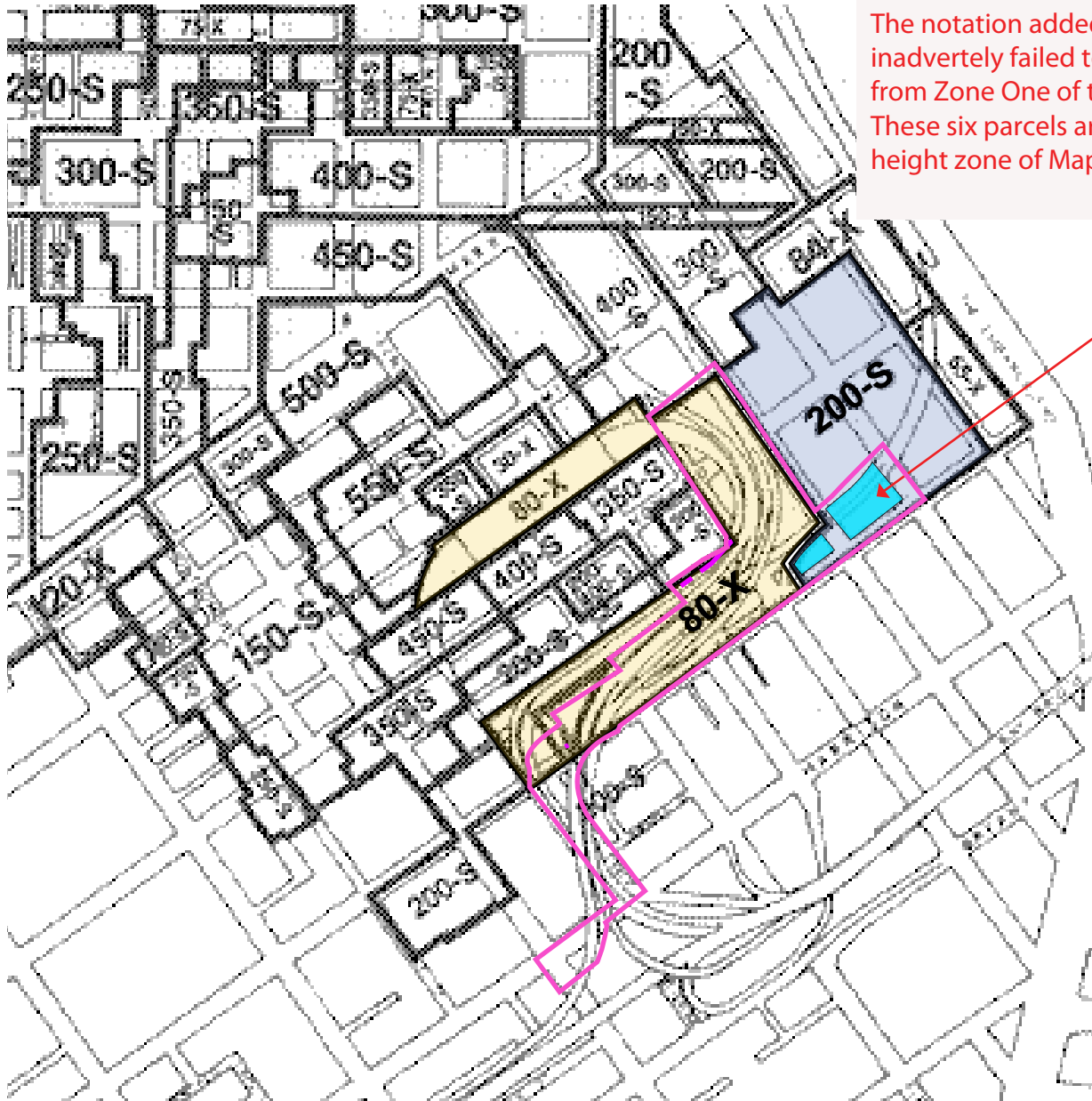
- Remove 80-X label from freeway lands in Transbay and replace with notation that says "See Transbay Redevelopment Plan Development Controls"
- Reclassify height and bulk limits of Lot 063 in Assessor's Block 3701 from 120-X to 200-S.
- Reclassify height and bulk limits of Lot 006 in Assessor's Block 031, currently zoned C-3-O at the corner of Market Street Kearny Street and Geary Avenue (690 Market St) to 285-S.
- Reclassify height and bulk limits of Lots 039, 051, 052 and 053 in Assessor's Block 3702, as well as a portion of the former Jesse Street, from 120-X, 150-S and 240-S to 160-X, 180-X and 240-S. (2006.1343)
- Reclassify height and bulk limits of Lot 047 in Assessor's Block 3735 from 150-S to 250-S. (2004.0852)
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- Reclassify height and bulk limits of the west corner of Lot 063 in Assessor's Block 3735 from 150-S to 350-S, consistent with the rest of the Lot.

- 200-s Height Zone in Map 5
- 80-x Height Zone in Map 5

NOTE: The notations shown in italics represent recent amendments to the General Plan. This map is intended only as a temporary placeholder; and will be replaced by final maps illustrating these amendments in graphic form.



# Exhibit G: Amendments Made to the Map 5 of the Downtown Plan in 2006 Related to the Transbay Redevelopment Plan



The notation added in 2006 (see below) inadvertently failed to include six parcels from Zone One of the Transbay Plan. These six parcels are in the 200-S height zone of Map 5.

NOTATION ADDED IN 2006 AS PART OF THE 2006 TRANSBAY REDEVELOPMENT PLAN AMENDMENT

## MAP TO BE EDITED

- Remove 80-X label from freeway lands in Transbay and replace with notation that says "See Transbay Redevelopment Plan Development Controls"
- Reclassify height and bulk limits of Lot 063 in Assessor's Block 3701 from 120-X to 200-S.
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- Reclassify height and bulk limits of the west corner of Lot 063 in Assessor's Block 3735 from 150-S to 350-S, consistent with the rest of the Lot.

0 400FT

- Transbay Zone One Boundary
- 200-s Height Zone in Map 5
- 80-x Height Zone in Map 5

**NOTE:** The notations shown in italics represent recent amendments to the General Plan. This map is intended only as a temporary placeholder; and will be replaced by final maps illustrating these amendments in graphic form.



# PROPOSED REVISION TO MAP 5 OF THE DOWNTOWN AREA PLAN



## PROPOSED HEIGHT AND BULK DISTRICTS

- Remove the 200-S label from Assessor's Block 3740, Lots 027, 029, 030, 031, 032 and Assessor's Block 3739, Lot 004 and replace it with a notation that states "See Transbay Redevelopment Plan Development Controls"

- Remove 80-X label from freeway lands in Transbay and replace with notation that says “See Transbay Redevelopment Plan Development Controls”
- Reclassify height and bulk limits of Lot 063 in Assessor’s Block 3701 from 120-X to 200-S.
- Reclassify height and bulk limits of Lot 006 in Assessor’s Block 031, currently zoned C-3-O at the corner of Market Street Kearny Street and Geary Avenue (690 Market St) to 285-S.
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# SAN FRANCISCO PLANNING DEPARTMENT

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## Draft Planning Commission Resolution

HEARING DATE: FEBRUARY 25, 2016

*Project Name:* General Plan Amendment for Map 5 of the Downtown Plan  
*Case Number:* 2016-000003GPA  
*Initiated by:* Planning Commission  
*Staff Contact:* Kimia Haddadan, Citywide  
[Kimia.haddadan@sfgov.org](mailto:Kimia.haddadan@sfgov.org), 415-575-9068  
*Reviewed by:* Joshua Switzky, Senior Planner  
[Joshua.Switzky@sfgov.org](mailto:Joshua.Switzky@sfgov.org), 415-575-6815  
*Recommendation:* Recommend Approval

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**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE AMENDING THE GENERAL PLAN BY REVISING MAP 5 OF THE DOWNTOWN AREA PLAN TO INCLUDE A NOTE STATING THAT THE PROPOSED HEIGHT AND BULK DISTRICTS ON ASSESSOR'S BLOCK 5 3740, LOTS 027, 029, 030, 031, AND 032 (TRANSBAY BLOCK 1) AND ASSESSOR'S BLOCK 3739, LOT 004 WITHIN THE TRANSBAY REDEVELOPMENT PROJECT AREA SHALL BE CONSISTENT WITH THOSE PROVIDED IN THE TRANSBAY REDEVELOPMENT PLAN DEVELOPMENT CONTROLS; AND MAKING FINDINGS, INCLUDING 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.**

### PREAMBLE

WHEREAS, The Transbay Redevelopment Plan ("Plan") adopted in 2005 and amended in 2006 laid out development controls for parts of downtown adjacent to the Transbay Terminal within two major zones: Zone 1 and Zone 2. The Plan changed the development controls, including height limits, on several parcels within Zone 1 of the Plan area. Zone 1 consists of primarily publicly-owned parcels along Folsom Street that formerly housed the now-demolished Embarcadero Freeway; and

WHEREAS, The Final Environmental Impact Report for the Transbay Redevelopment Plan was certified by the Planning Commission Motion No. 16733 on April 22, 2004.

WHEREAS, On June 15, 2004, the Board of Supervisors approved Motion No. M04-67 affirming the Planning Commission's certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project ("FEIR") in compliance with the California Environmental Quality Act ("CEQA") (California Public Resources Code sections 21000 et seq.) A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 040629 and is incorporated herein by reference;

WHEREAS, The Board of Supervisors in Resolution No. 612-04, adopted environmental findings in relation to the Transbay Terminal, Caltrain Downtown Extension, and Transbay Redevelopment Plan. Copies of said Resolution and supporting materials are in the Clerk of the Board of Supervisors File No. 041079. The Board of Supervisors in Ordinance No. 124-05, as part of its adoption of the Transbay Redevelopment Plan, adopted additional environmental findings. Copies of said Ordinance and supporting materials are in the Clerk of the Board of Supervisors File No. 050184. The FEIR analyzed development on Transbay Redevelopment Project Area Block 1 of a project extending up to 300 feet in height. Said Resolution and Ordinance and supporting materials are incorporated herein by reference;

WHEREAS, On January 14, 2016, in response to a proposed height increase from 300 to 400 feet on Block 1, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure, ("Successor Agency" or "OCII") in conjunction with the Planning Department prepared an Addendum to the FEIR in accordance with CEQA Guidelines Section 15164 (the "Addendum");

WHEREAS, On January 19, 2016, after a duly noticed public hearing, the Community Investment and Infrastructure Commission ("CCII") in Resolution No 2-2016, approved development actions for Block 1 and adopted the Addendum along with other environmental review findings pursuant to CEQA. A copy of the Addendum and CCII Resolution are on file with the Secretary of the Planning Commission and are incorporated herein by reference;

WHEREAS, Based on this Commission's review of the FEIR and the Addendum, the Commission concurs that the analysis conducted and the conclusions reached in the FEIR remain valid and the proposed Block 1 height amendment will not cause new significant impacts not identified in the FEIR, and no new mitigation measures will be necessary to reduce significant impacts. Further, other than as described in the Addendum, no Block 1 changes have occurred, and no changes have occurred with respect to circumstances surrounding Block 1 that will cause significant environmental impact to which the height amendment will contribute considerably; and no new information has become available that shows the height amendment will cause significant environmental impacts not previously discussed in the FEIR, that significant effects previously examined will be substantially more severe than shown in the FEIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the FEIR would substantially reduce significant impacts. Therefore, the Commission finds that no environmental review is required under CEQA other than the Addendum and hereby adopts CCII's environmental findings as its own.

WHEREAS, The Ordinances adopting the Redevelopment Plan in 2006 included relevant General Plan Amendments that reflected the height and zoning changes. Map 5 of the Downtown Plan, which identified recommended height and bulk limits in the Downtown, was amended with a notation: *'Remove 80-x label from freeway lands in Transbay and replace with notation that says "See Redevelopment Plan Development Controls.'* With this notation the General Plan defers the zoning and height designation for Zone 11 parcels to the Transbay Redevelopment Plan. The amendment to Map 5 intended to reflect height changes to all parcels within the Zone 1 of the Transbay Redevelopment Plan. Prior to the adoption of the Transbay Redevelopment Plan in 2006, the lots within the boundary of Zone 1 were mostly zoned for 80-X height zone, along with six lots that were in the 200-X height zone (See Exhibit F & G). However, the notation added to Map 5 in 2006 inadvertently excluded six lots in Zone 1 that are within the original 200-X height zone and for which the Redevelopment Plan included different height limits. The excluded lots are: Transbay Block 1 (Assessor Block 3740, lots 027, 029, 030, 031, and 032) and one lot in Transbay Block

2 (Assessor Block 3739, lot 004). Exhibits C & D shows the Zone 1 Plan Map in the Transbay Redevelopment Plan adopted in 2006. This map shows the maximum height limit for Transbay Block 1 as 300 feet. Comparing this map with the Map 5 of the Downtown Plan illustrates that the General Plan is currently out of synch with the adopted Redevelopment Plan currently in effect.

WHEREAS, The proposed amendment would correct and clean up Map 5 of the Downtown Plan by adding another notation to Map 5: *Remove the 200-S label from Assessor Block 3740, lots 027, 029, 030, 031, and 032 and Assessor Block 3739 Lot 004 and replace it with a notation that states "See Transbay Redevelopment Plan Development Controls."* This notation would complete the intention of the original amendment to the subject General Plan Map in 2006 to defer the height and zoning designation of all parcels within Zone 1 to the Transbay Redevelopment Plan.

WHEREAS, On January 14, 2016 the Commission adopted a Motion of Intent to Initiate the proposed amendments to the Map 5 of the Downtown Plan (Resolution No. 19549);

**MOVED**, that the Commission hereby *adopts* this Resolution to recommend approval of the draft Ordinance to the Board of Supervisors; and

## FINDINGS

The proposed General Plan Amendment would correct and clean up Map 5 of the Downtown Plan to reflect the existing adopted heights for Transbay Block 1 (Block 3740, lots 027, 029, 030, 031, and 032) and one lot in Transbay Block 2 (Block 3739, lot 004). For original Planning Code Section 101 Findings of the Transbay Redevelopment Plan in 2006 See Exhibit xx, Resolution No. 16906 for the General Plan Amendments related to the Transbay Redevelopment Plan and 16907 for General Plan Consistency of the Transbay Redevelopment Project. These Resolutions are incorporated herein by reference (See Exhibit K). In addition, the proposal is consistent with the General Plan and Planning Code Section 101.1 for the following reasons.

### Planning Code Section 101 Findings.

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

- 1 That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect neighborhood-serving retail uses.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the existing housing and neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;



*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the existing housing and neighborhood character.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the diverse economic base of the city.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the City's preparedness for earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect parks and open space.*

**General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

**Planning Code Section 340 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 340.

I hereby certify that the foregoing RESOLUTION was ADOPTED by the San Francisco Planning Commission on February 25, 2016.

Draft Resolution No.  
Hearing Date: February 25th, 2016

2016-000003GPA  
General Plan Amendment for Map 5 of the Downtown Plan

Jonas Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

[General Plan Amendment – Downtown Area Plan Map 5 Related to Portions of Transbay Redevelopment Plan Blocks 1 and 2]

**Ordinance amending the General Plan by Revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on a portion of Block 1 (Assessor's Block 3740, Lots 027, 029, 030, 031, and 032) and Block 2 (Assessor's Block 3739, Lot 004) of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including 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.**

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

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

Section 1. Findings.

(a) The Ordinances adopting the Transbay Redevelopment Plan in 2006 included General Plan Amendments that reflected the height and zoning changes. Map 5 of the Downtown Plan, which identified recommended height and bulk limits in the City's Downtown, was amended with a notation: "Remove 80-x label from freeway lands in Transbay and replace with notation that says "See Redevelopment Plan Development Controls." This amendment appears to have inadvertently excluded Transbay Redevelopment Plan Zone 1 blocks that are within the 200 foot Height District and "S" Bulk District in Map 5 (Assessor

1 Block 3740/029-31 and Assessor Block 3739/004), leaving the General Plan out of synch with  
2 the adopted Transbay Redevelopment Plan. While the Redevelopment Plan changed the  
3 allowable height and bulk of the aforementioned Assessor's Blocks to a 300' Height District  
4 and a "TB" Bulk District, the added notation in Map 5 of the Downtown Plan did not reference  
5 the Redevelopment Plan. The proposed General Plan Amendment that is the subject of this  
6 legislation would correct Map 5 of the Downtown Plan to reflect that the aforementioned  
7 Assessor's Blocks are subject to the controls of the Transbay Redevelopment Plan. In doing  
8 so, the General Plan Amendment also would accommodate and provide consistency for a  
9 height increase at a development project proposed for Assessor Block 3740, Lots 027, 029,  
10 030, 031, and 032 of the Transbay Redevelopment Project Area ("Block 1") from 300 to 400  
11 feet.

12 (b) Pursuant to Charter Section 4.105 and Planning Code Section 340, the Planning  
13 Commission shall first consider any amendments to the General Plan and thereafter  
14 recommend such amendments for Board of Supervisors approval or rejection. On January  
15 14, 2016, after a duly noticed public hearing, the Planning Commission, by Motion No. 19549,  
16 initiated General Plan amendments that are the subject of this legislation. On  
17 \_\_\_\_\_, 2016, after a duly noticed public hearing, the Planning Commission, by  
18 Resolution No. \_\_\_\_\_, adopted environmental findings; found that the General Plan  
19 amendments were, on balance, consistent with the General Plan as proposed for amendment;  
20 the public necessity, convenience and general welfare required the General Plan Amendment;  
21 the proposed amendments were in conformity with the eight priority policies of Section 101.1;  
22 and recommended the amendments for Board of Supervisors approval. A copy of Planning  
23 Commission Motion No. 19549 and Resolution No. \_\_\_\_\_ are on file with the Clerk  
24 of the Board of Supervisors in File No. \_\_\_\_\_ and are incorporated herein by  
25 reference.



1 (c) The Board finds that this Ordinance is, on balance, consistent with the General  
2 Plan as it is proposed for amendment herein and in conformity with the eight priority policies  
3 of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution  
4 No. \_\_\_\_\_. The Board hereby adopts these findings as its own.

5 (d) On June 15, 2004, this Board approved Motion No. M04-67 affirming the Planning  
6 Commission's certification of the final environmental impact report for the Transbay  
7 Terminal/Caltrain Downtown Extension/Redevelopment Project ("FEIR") in compliance with  
8 the California Environmental Quality Act ("CEQA") (California Public Resources Code sections  
9 21000 et seq.) A copy of said Motion is on file with the Clerk of the Board of Supervisors in  
10 File No. 040629 and is incorporated herein by reference.

11 (e) The Board of Supervisors in Resolution No. 612-04, adopted environmental  
12 findings in relation to the Transbay Terminal, Caltrain Downtown Extension, and Transbay  
13 Redevelopment Plan. Copies of said Resolution and supporting materials are in the Clerk of  
14 the Board of Supervisors File No. 041079. The Board of Supervisors in Ordinance No. 124-  
15 05, as part of its adoption of the Transbay Redevelopment Plan, adopted additional  
16 environmental findings. Copies of said Ordinance and supporting materials are in the Clerk of  
17 the Board of Supervisors File No. 050184. The FEIR analyzed development on Transbay  
18 Redevelopment Project Area Block 1 of a project extending up to 300 feet in height. Said  
19 Resolution and Ordinance and supporting materials are incorporated herein by reference.

20 (f) On January 14, 2016, in response to a proposed height increase from 300 to 400  
21 feet on Block 1, the Successor Agency to the Redevelopment Agency of the City and County  
22 of San Francisco, commonly known as the Office of Community Investment and  
23 Infrastructure, ("Successor Agency" or "OCII") in conjunction with the Planning Department  
24 prepared an Addendum to the FEIR in accordance with CEQA Guidelines Section 15164 (the  
25 "Addendum").

1 (g) On January 19, 2016, after a duly noticed public hearing, the Community  
2 Investment and Infrastructure Commission ("CCII") in Resolution No. 2-2016 approved  
3 development actions for Block 1 and adopted the Addendum along with other environmental  
4 review findings pursuant to CEQA. A copy of the Addendum and CCII Resolution are on file  
5 with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and are incorporated  
6 herein by reference.

7 (h) Based on this Board's review of the FEIR and the Addendum, the Board concurs  
8 that the analysis conducted and the conclusions reached in the FEIR remain valid and the  
9 proposed Block 1 height amendment will not cause new significant impacts not identified in  
10 the FEIR, and no new mitigation measures will be necessary to reduce significant impacts.  
11 Further, other than as described in the Addendum, no Block 1 changes have occurred, and no  
12 changes have occurred with respect to circumstances surrounding Block 1 that will cause  
13 significant environmental impact to which the height amendment will contribute considerably;  
14 and no new information has become available that shows the height amendment will cause  
15 significant environmental impacts not previously discussed in the FEIR, that significant effects  
16 previously examined will be substantially more severe than shown in the FEIR, or that  
17 mitigation measures or alternatives previously found infeasible are feasible, or that new  
18 mitigation measures or alternatives considerably different from those in the FEIR would  
19 substantially reduce significant impacts. Therefore, the Board finds that no environmental  
20 review is required under CEQA other than the Addendum and hereby adopts CCII's and the  
21 Planning Commission's environmental findings as its own.  
22

23 Section 2. The San Francisco General Plan is hereby amended by revising Map 5 of  
24 the Downtown Area Plan as follows:  
25

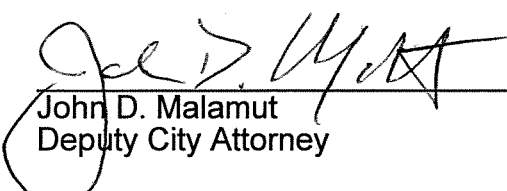
1 Remove the 200-S label from Assessor's Block 3740, Lots 027, 029, 030, 031, and 032  
2 and Assessor's Block 3739, Lot 004 and replace it with a notation that states "See Transbay  
3 Redevelopment Plan Development Controls."  
4

5 Section 3. Effective Date. This ordinance shall become effective 30 days after  
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
8 of Supervisors overrides the Mayor's veto of the ordinance.  
9

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

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

19 By:

20   
21 John D. Malamut  
22 Deputy City Attorney  
23  
24  
25

**Exhibit K:**

- **Resolution 16906: General Plan Amendments related to the Transbay Redevelopment Plan in 2006**
- **Resolution 16907: General Plan Consistency for the Transbay Redevelopment Plan, the Development Controls and Design Guidelines in 2006**



**SAN FRANCISCO  
PLANNING COMMISSION**

**RESOLUTION NO. 16906**

**WHEREAS**, on December 5, 1994, by Resolution No. 1022-94, the San Francisco Board of Supervisors designated the Transbay Area as a Redevelopment Survey Area pursuant to California Health and Safety Code Section 33310.

In 1996, the Redevelopment Agency, the Planning Department, and consultants engaged in a public workshop process to develop the Transbay 20/20 Concept Plan for the Transbay Area with the proposed new Transbay Terminal located south of Howard Street between Main and Beale Streets. In 2001, the Metropolitan Transportation Commission published the Transbay Terminal Improvement Plan, and a regional consensus was achieved on locating the proposed new Transbay Terminal on the site of the existing terminal and extending Peninsula Corridor (Caltrain) commuter rail service to a new station underneath the terminal.

Later in 2003, the Redevelopment Agency, the Planning Department, and consultants engaged in a series of public workshops to develop the Transbay Design for Development, a concept plan which established frameworks for land use, urban form, and public spaces within the proposed Transbay Redevelopment Project Area. Also in 2003, the Redevelopment Agency and the Planning Department developed the Transbay Development Controls and Design Guidelines, a detailed set of land use regulations and urban design standards based on the Transbay Design for Development. On December 11, 2003, the Transbay Citizens Advisory Committee endorsed the Transbay Development Controls and Design Guidelines. Further, an Amended Preliminary Plan for the Transbay Redevelopment Project Area was prepared in accordance with the above statutory provisions and was adopted by the Planning Commission at its April 22, 2004 hearing in Resolution No. 16774.

The existing San Francisco General Plan, particularly the Downtown Plan, the Rincon Hill Area Plan and the South of Market Area Plan, contains certain policies applicable to the Transbay area. Overall, the existing San Francisco General Plan policies generally call for a concentration of commercial and residential uses at high densities, as well as a transit terminal and high levels of local and regional transit service within the Transbay Redevelopment Plan area.

Although the proposed Redevelopment Plan is generally consistent with the overall goals and policies of the San Francisco General Plan, a vision of a compact downtown core, well served by transit with development built at scales consistent with the adjacent downtown zoning, staff has identified a number of amendments to the General Plan that are required for consistency between the Redevelopment Plan and the San Francisco General Plan; and

Pursuant to Section 33346 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan must be submitted to the Planning Commission for its report and recommendation concerning the redevelopment plan and its conformity with the General Plan.

An ordinance amending the Transportation and Urban Design Elements, and Downtown, South of Market, and Rincon Hill Area Plans of the General Plan has been drafted to accomplish consistency with the proposed Redevelopment Plans and which is attached hereto **Exhibit A**.

The City Attorney's Office has reviewed this ordinance and approved them as to form.

Planning Code Section 101.1 (b) establishes eight priority planning policies and shall be the basis for which inconsistencies in the Master Plan are resolved;

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The amendments in support of the Transbay Redevelopment Plan would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses. As currently proposed the Redevelopment Plan would increase the amount of neighborhood serving retail for future residents in its project area.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The amendments in support of the Redevelopment Plan would have no adverse effect on existing housing and neighborhood character. While the neighborhood character would change from the proposed redevelopment plan, the plan would take an underutilized, blighted area and add substantial housing, including affordable, and neighborhood amenities and open space. There is little to no existing housing in most of the Project Area.*

3. That the City's supply of affordable housing be preserved and enhanced.

*The proposed amendments would have no adverse effect on the City's supply of affordable housing. As currently proposed, the Transbay Redevelopment Plan would add to the City's supply of affordable housing through adherence to the Community Redevelopment Law that requires at least 15% of all new and substantially rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency to be available at affordable housing cost to, and occupied by, persons and families of very low-, low- or moderate income, as defined by the California Health and Safety Code. The Redevelopment Agency has set a target of 30% of the overall number of housing units built in the project area to be affordable.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The proposed amendments would not adversely impede MUNI transit service or overburden city streets and neighborhood parking. The Redevelopment Plan encourages the use of public transit by providing for the construction of an enhanced and enlarged Transbay Terminal and Caltrain extension to the downtown area, as well as providing for a large amount of transit-oriented housing adjacent to these facilities. The proximity of this development to downtown will also encourage people to walk to employment and shopping in the area. The inclusion of neighborhood-serving retail on Folsom Street would also encourage people to walk for daily needs, rather than drive. The Plan also supports transit-only lanes on streets in the area to facilitate transit movement.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The proposed amendments would not adversely affect the maintaining of a diverse economic base, specifically the industrial or service sectors. By improving the provision of regional transit service to the downtown, the proposed Transbay Redevelopment Plan helps maintain a diverse economic base through improving the accessibility of the city's core business district for employees from around the region. The Plan creates housing opportunity for potential employees of all income levels adjacent to the employment center.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The proposed amendments would not adversely affect City preparedness against injury or loss of life in an earthquake. All future buildings will be built up to current seismic code.*

7. That landmarks and historic buildings be preserved.

*The proposed amendments would adversely affect landmarks and historic buildings. The Caltrain extension proposed as part of the Redevelopment Plan might unavoidably require the removal of designated historic resources in the New Montgomery-Second Street Conservation District. Consideration of this adverse impact should take into account the completion of a major public project described in the General Plan. Aside from this, the Redevelopment Plan supports the rehabilitation of historic resources in the area.*

8. That our parks and open space and their access to sunlight and vistas be protected from development.

*The proposed amendments would not adversely affect parks and open space and their access to sunlight and vistas. As proposed, the Transbay Redevelopment Plan calls for increasing open space in the project area and siting new development so as not to shade existing public spaces or block key public views.*

**PLANNING COMMISSION**

Case No. 2004.0055M

General Plan Amendments necessary to find in conformity the Transbay Redevelopment Plan and its companion documents, the Development Controls and Design Guidelines and the Design for Development for the Transbay Redevelopment Area

- 4 -

The Planning Commission, at a duly advertised public hearing on January 22, 2004 pursuant to Planning Code Sections 302(b) and 340, determined by Resolution No. 16716 that it is appropriate to initiate those amendments to the General Plan in order to facilitate the policies, location, design, and layout of the proposed Transbay Redevelopment Plan.

On April 22, 2004 by Motion No. 16773 the Commission certified the Final subsequent Environmental Impact Report and Environmental Impact Survey as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA").

WHEREAS, As part of the actions contemplated herein, the Planning Commission adopted on December 9, 2004, Motion No. 16905 , which set forth specific findings in accordance with the California Environmental Quality Act and Administrative Code Chapter 31. Said Motion is incorporated herein by reference.

The Planning Commission, at a duly advertised public hearing on December 9 2004 pursuant to Planning Code Sections 302(b) and 340, having considered oral and written testimony and reports, determined that it is appropriate to amend the Transportation, Recreation and Open Space, and Urban Design Elements, and Downtown, South of Market, and Rincon Hill Area Plans of the General Plan in order to facilitate the policies, location, design, and layout of the proposed Transbay Redevelopment Plan and believes it is appropriate to adopt the attached amendments to the General Plan.

The Commission finds that the public necessity, convenience and general welfare require the proposed amendments to the General Plan as is proposed to be amended.

**NOW, THEREFORE BE IT RESOLVED,** That the Planning Commission does hereby adopt amendments to the General Plan as included within the draft ordinance attached hereto as **Exhibit A** and recommends approval of these amendments to the Board of Supervisors.

I hereby certify that the Planning Commission adopted the foregoing Resolution on December 9, 2004.

Dean L. Macris  
Director of Planning

AYES: Commissioners Alexander, Antonini, Bradford-Bell, Hughes, Sue Lee, William Lee, Olague

NOES: None

EXCUSED: None

ADOPTED: December 9, 2004

**PLANNING COMMISSION**

Case No. 2004.0055M

General Plan Amendments necessary to find  
in conformity the Transbay Redevelopment  
Plan and its companion documents, the  
Development Controls and Design  
Guidelines and the Design for Development  
for the Transbay Redevelopment Area

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**SAN FRANCISCO  
PLANNING COMMISSION**

**MOTION NO. 16907**

**WHEREAS**, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Department shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan.

The San Francisco Redevelopment Agency is seeking to assist in the redevelopment of the Transbay Redevelopment Project Area. On December 5, 1994, by Resolution No. 1022-94, the San Francisco Board of Supervisors designated the Transbay Area as a Redevelopment Survey Area pursuant to California Health and Safety Code Section 33310.

The Redevelopment Plan (the “Plan”) for the Transbay Redevelopment Project (the “Project”) was prepared in accordance with the California Community Redevelopment Law. During preparation of the Plan, the San Francisco redevelopment Agency consulted with the Mayor’s Transbay Citizens Advisory Committee (“CAC”), the City Planning Commission, with other Departments of the City and County of San Francisco, and with affected State Agencies.

The Planning process began in 1996. The Redevelopment Agency, the Planning Department, and consultants engaged in a public workshop process to develop the Transbay 20/20 Concept Plan for the Transbay Area with the proposed new Transbay Terminal located south of Howard Street between Main and Beale Streets. The decision to site a new Transbay Terminal on the existing Transbay Terminal site was codified in San Francisco Administrative Code Appendix 46 with the adoption of the City’s Proposition H (Downtown Caltrain Station) on November 2, 1999. In 2001, the Metropolitan Transportation Commission published the Transbay Terminal Improvement Plan, and a regional consensus was achieved on locating the proposed new Transbay Terminal on the site of the existing terminal and extending Peninsula Corridor (Caltrain) commuter rail service to a new station underneath the terminal. Two years later in 2003, the Redevelopment Agency, the Planning Department, and consultants engaged in a series of public workshops to develop the Transbay Design for Development, a concept plan which established frameworks for land use, urban form, and public spaces within the proposed Transbay Redevelopment Project Area

In 2003, the Redevelopment Agency and the Planning Department developed the Transbay Development Controls and Design Guidelines, a detailed set of land use regulations and urban design standards based on the Transbay Design for Development. Later that year in December 11, 2003, the Transbay Citizens Advisory Committee endorsed the Transbay Development Controls and Design Guidelines.

An amended Preliminary Plan for the Transbay Redevelopment Project Area was prepared in accordance with the above statutory provisions and was adopted by the Planning Commission at its April 22, 2004 hearing in Resolution No. 16774. On April 22, 2004 by Motion No. 16773 the Commission certified the Final subsequent Environmental Impact Report Environmental Impact Survey as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA").

As part of the actions contemplated herein, the Planning Commission adopted on December 9, 2004, Motion No. 16905 which set forth specific findings in accordance with the California Environmental Quality Act and Administrative Code Chapter 31. Said Motion is incorporated herein by reference.

Pursuant to Section 33346 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan must be submitted to the Planning Commission for its report and recommendation concerning the Redevelopment Plan and its conformity with the General Plan and Section 101.1 of the Planning Code. To facilitate adoption of the Transbay Redevelopment Plan on December 9, 2004 by Resolution No. 16906 the Planning Commission adopted amendments to the Transportation, Recreation and Open Space, and Urban Design Elements, and Downtown, South of Market, and Rincon Hill Area Plans of the General Plan and recommended to the Board of Supervisors approval of those amendments.

In analyzing the Transbay Redevelopment Plan to Planning Code Section 101.1 (b) that establishes eight priority planning policies and requires the review of projects for consistency with said policies, staff found the following;

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The Transbay Redevelopment Plan would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses. As currently proposed the Redevelopment Plan would increase the amount of neighborhood serving retail for future residents in its project area.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Redevelopment Plan would have no adverse effect on existing housing and neighborhood character. While the neighborhood character would change from the proposed redevelopment plan, the plan would take an underutilized, blighted area and add substantial housing, including affordable, and neighborhood amenities and open space. There is little to no existing housing in most of the Project Area.*

3. That the City's supply of affordable housing be preserved and enhanced.

*The Redevelopment Plan would have no adverse effect on the City's supply of affordable housing. As currently proposed, the Transbay Redevelopment Plan would add to the City's supply of*

*affordable housing through adherence to the Community Redevelopment Law that requires at least 15% of all new and substantially rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency to be available at affordable housing cost to, and occupied by, persons and families of very low-, low- or moderate income, as defined by the California Health and Safety Code. California Public Resources Code Section 5027.1(b) imposes additional affordable housing requirements superficially on the Transbay Redevelopment Plan. This State law requires that within the Transbay Project area at least 25% of all dwelling units developed be affordable to families earning no more than 60% of the area median income and an additional 10% of all dwelling units be affordable to families earning no more than 120% of the area median income.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Transbay Redevelopment Plan would not adversely impede MUNI transit service or overburden city streets and neighborhood parking. The Plan encourages the use of public transit by providing for the construction of an enhanced and enlarged Transbay Terminal and Caltrain extension to the downtown area, as well as providing for a large amount of transit-oriented housing adjacent to these facilities. The proximity of this development to downtown will also encourage people to walk to employment and shopping in the area. The inclusion of neighborhood-serving retail on Folsom Street would also encourage people to walk for daily needs, rather than drive. The Plan also supports transit-only lanes on streets in the area to facilitate transit movement.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The Redevelopment Plan would not adversely affect the maintaining of a diverse economic base, specifically the industrial or service sectors. By improving the provision of regional transit service to the downtown, the proposed Transbay Redevelopment Plan helps maintain a diverse economic base through improving the accessibility of the city's core business district for employees from around the region. The Plan creates housing opportunity for potential employees of all income levels adjacent to the employment center.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Redevelopment Plan would not adversely affect City preparedness against injury or loss of life in an earthquake. All future buildings will be built up to current seismic code.*

7. That landmarks and historic buildings be preserved.

*The Transbay Redevelopment Plan would adversely affect landmarks and historic buildings. The Caltrain extension proposed as part of the Redevelopment Plan might unavoidably require the removal of designated historic resources in the New Montgomery-Second Street Conservation District as well as the Terminal itself. Consideration of this adverse impact should take into account the completion of a major public project described in the General Plan. In addition, as part of the project approval, the Transbay Joint Powers Authority selected the alternative track construction method most protective of historic structures south of Folsom Street. This alternative, which involves tunneling under historic structures rather than using the cut and cover construction method, results in the ability to retain 10 historic structures. Even in the area of the New Montgomery-Second Street Conservation District, the Transbay Joint Powers Authority may be able to preserve some of the historic structures currently identified for removal if tunneling is economically and technically viable in this area. However, the Transbay Project likely will result in adverse affects to some landmarks and historic buildings. Aside from this, the Redevelopment Plan supports the rehabilitation of historic resources in the area.*

8. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Redevelopment Plan would not adversely affect parks and open space and their access to sunlight and vistas. As proposed, the Transbay Redevelopment Plan calls for increasing open space in the project area and siting new development so as not to shade existing public spaces or block key public views.*

A delegation agreement for the Transbay Redevelopment Area that would set forth a framework for cooperation between the City and Redevelopment Agency in administering the process for control and approval of all applicable land-use, development, construction, improvement, infrastructure, occupancy and use requirements relating to the plan area is under consideration. Should such an agreement be finalized, the Planning staff would bring it to the Commission for its review and approval at a later date.

The Board of Supervisors may modify the General Plan amendment ordinance prior to final action. Further, The City Attorney's Office has reviewed this ordinance and approved them as to form. The Commission is not required to approve all of the Board Actions, but must consider whether the implementation of the Transbay Redevelopment Plan and companion documents, the Design for Development and the Development Controls and Design Guidelines for the Transbay Redevelopment Project, are consistent with the General Plan, as it is proposed to be amended, and to Planning Code Section 101.1.

The Commission has reviewed the analysis of the Redevelopment Plan's consistency to the General Plan, as amended, and to Section 101.1 of the Planning Code which has been prepared by Department Staff and is set forth in Exhibit A to this Resolution.

**NOW, THEREFORE BE IT RESOLVED,** That the Planning Commission finds the Redevelopment Plan, the Design for Development and the Development Controls and Design Guidelines for the Transbay



**PLANNING COMMISSION**

Case No. 2004.0055R  
Establishing Findings of Consistency  
With the General Plan and Section 101.1  
of the Planning Code for the Transbay  
Redevelopment Plan and its companion  
documents, the Development Controls and  
Design Guidelines and the Design for  
Development

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Redevelopment Project, is consistent with the General Plan of the City and County of San Francisco, as amended, including, but not limited to, the Housing Element of the General Plan, which substantially complies with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the California Government Code and other applicable requirements of law, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this resolution.

I hereby certify that the Planning Commission adopted the foregoing Resolution on December 9, 2004.

Dean L. Macris  
Director of Planning

AYES: Commissioners Alexander, Antonini, Bradford-Bell, Hughes, Sue Lee, William Lee,

NOES: Olague

EXCUSED: None

ADOPTED: December 9, 2004

**PLANNING COMMISSION**

Case No. 2004.0055R

Establishing Findings of Consistency  
With the General Plan and Section 101.1  
of the Planning Code for the Transbay  
Redevelopment Plan and its companion  
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Development

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