

**EASTERN NEIGHBORHOODS PROGRAM ADOPTED BY THE PLANNING COMMISSION  
FOR TRANSMITTAL TO BOARD OF SUPERVISORS**

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**Exhibit V-2A Planning Commission Resolution on Interim Controls and Integration of  
Surveys for the Eastern Neighborhoods Area Plans**

SAN FRANCISCO

PLANNING COMMISSION

MOTION NO. 17665

**WHEREAS**, The Planning Commission (Commission) may consider adopting the four Eastern Neighborhoods Area Plans (Plans) on or after August 7, 2008, which will include amending the General Plan, adding four new Area Plans - the Mission, Central Waterfront, East SoMa and Showplace Square / Potrero Hill Area Plans- amending the Planning Code, and amending the Zoning Map; and

At that time, the Planning Department will not yet have completed all of its ongoing historic resource surveys for these areas, with the exception of the Central Waterfront survey which is completed and therefore does not require interim controls. During the interim period, the Commission may adopt interim procedures for scrutiny of any development proposal which may affect potential historic and cultural resources until such time as the surveys are completed.

The Plans contain policies promoting the identification of historic districts, their subsequent preservation, and require that proposed new development be designed to be contextually consistent with existing buildings. The Plans also call for the application of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* for proposed projects that could affect individual or groupings of historic or cultural properties in the four planning areas to assure compatibility with the character of the districts. To further support the identification of historic resources, the Plans call for the preparation of comprehensive historic surveys of these areas.

The Planning Department has engaged the services of a consultant to assist in performing comprehensive historic resource surveys that cover each of the planning areas to increase the knowledge of historic and cultural resources in the areas, known as the Cultural and Historic Resource Surveys (Surveys). The Surveys are expected to be completed during (or shortly after) the summer of 2008, after the expected adoption of the Plans by the Board of Supervisors. Prior to their conclusion, the Department expects the surveying effort to yield some preliminary information, including the possible identification of particularly sensitive areas to be investigated as potential historic districts.

The Plans call for the integration of the Surveys' results and revisions into the Plans as needed once the surveys are completed. The Plans also encourage the establishment of new historic districts in the area, should any eligible new district areas be identified in the Surveys or subsequent to completion of the Surveys.

The Plans state that until the Surveys are completed, the Department should apply a high degree of scrutiny in its review of any project proposals in the planning areas, and that particularly sensitive areas identified in the Plans should be treated as potential historic districts while the comprehensive Surveys are underway.

The adoption of interim procedures and policies related to historic preservation at the time of Plan Adoption will ensure that:

- (1) adoption of the Plans not be unduly delayed;
- (2) a clear mechanism be established and put in place to consider revisions to the Plans, if necessary, following completion of the Surveys;
- (3) interim procedures be put in place until such time as the Surveys are complete and their results integrated into the Plans; and
- (4) if any eligible historic districts are identified through the Surveys, that they be recognized and such historic districts be officially established.

It is the expressed desire of this Commission and the Department to provide heightened protection for historic resources citywide and in the Eastern Neighborhoods, and reasonable clarity and certainty of process during the transition period when the Surveys are being completed and results incorporated into the Plans permanently.

Prior to considering relevant amendments to the General Plan, Planning Code and Zoning Map on August 7 2008, the Planning Commission adopted Motion No.17659. In that action, the Commission certified the Eastern Neighborhoods Environmental Impact Report. The Planning Commission also adopted Motion No.17661, adopting California Environmental Quality Act Findings related to the Eastern Neighborhoods Area Plans project.

The Planning Commission finds that the Eastern Neighborhoods Zoning Map Amendments are, on balance, in conformity with the General Plan and the eight Priority Policies of Planning Code Section 101.1 and with the General Plan as proposed to be amended for the reasons set forth in Planning Commission Resolution No. 17662 which accompanies this Resolution, and incorporates said findings herein by reference.

**NOW, THEREFORE BE IT RESOLVED**, that upon adoption by this Commission of the Eastern Neighborhoods Area Plans and related General Plan amendments, including this Resolution, the Department shall implement interim procedures as described in **Exhibit V-3A**, in order to review any project applications that might affect potential historic resources in the Planning Areas prior to conclusion of the Surveys;

**AND BE IT FURTHER RESOLVED**, that until the Commission endorses the results of the Surveys and adopts the associated amendments to the Plans and their implementing controls, if any, and the Board of Supervisors approves them, and the Commission subsequently incorporates them into the General Plan, the Eastern Neighborhoods Area Plans, and the Planning Code, any project in the Eastern Neighborhoods areas that is above 55 feet or 10 feet taller than adjacent buildings, as described in **Exhibit V-3A**, will be forwarded to the Landmarks Preservation Advisory Board for review and comment.

**AND BE IT FURTHER RESOLVED**, that the Planning Department shall propose to the Planning Commission and the Board of Supervisors integration of the results of the Surveys, when endorsed by the Planning Commission, into the each of the four Eastern Neighborhoods Area Plans, the General Plan and related Planning Code provisions, according to the process described in **Exhibit V-3A** and further described below,

**AND BE IT FURTHER RESOLVED**, That within 90 days of receipt of the consultant's final work products from the Surveys, the Department shall present any proposed, identified, eligible districts DPR 523D, District Records, and 523A, individual building inventory forms, to the Landmarks Preservation Advisory Board (Landmarks Board) for its consideration to: (1) initiate formal listing as outlined in Planning Code Section 1004 et seq. and (2) nominate all California or National Register-eligible districts with the California Office of Historic Preservation (OHP), as outlined in: Office of Historic Preservation Technical Assistance Series #7;

**AND BE IT FURTHER RESOLVED**, that once the results of the Surveys have been endorsed by this Commission, the Department shall within 90 days make a recommendation, called the "Post-Survey Report" as to appropriate changes to the Plans and their implementing controls, if any, and 120 days from endorsement of the Surveys' results hold a public hearing on changes to the Plans or lack thereof before the Commission. These recommendations may include amendments to General Plan policies, design principles and/or design guidelines as well as related Planning Code provisions such as land use controls and height districts.

**AND BE IT FURTHER RESOLVED**, that in response to the survey results the Planning Commission will act to act make necessary amendments to the four Eastern Neighborhoods Area Plans, comprised of the Mission, Central Waterfront, East South of Market and Showplace Square / Potrero Hill Area Plans, and associated controls by January 1, 2010 or after the surveys are complete, whichever first occurs;

**AND BE IT FURTHER RESOLVED**, that the Planning Commission directs the staff to work with the City Attorney's Office to codify the Historic Preservation Interim Policies into the Planning Code Amendments for the Eastern Neighborhoods Area Plans comprised of the Mission, East SoMa and Showplace Square/Potrero Hill Area Plans.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on August 7, 2008

Linda Avery  
Commission Secretary

AYES: Borden, Lee, Moore, Olague, Sugaya

NOES: None

EXCUSED: Antonini, Miguel

ADOPTED: August 7, 2008

## **EXHIBIT V-3A INTERIM PROCEDURES FOR PERMIT REVIEW WITHIN THE PLANNING AREAS**

Below is a set of proposed interim building permit review policies developed to provide additional protection for potential historic resources within the Eastern Neighborhoods Planning Areas while the historic resources surveys are being completed, with the exception of the Central Waterfront which already has a completed survey. Once the historic resources surveys are endorsed and the Plans amended to incorporate the results these policies described below will expire and the Preservation Policies in the Area Plans will take effect.

The policies below are intended to outline how the Neighborhood Planning Unit of the Planning Department will review building permit applications and other permit applications reviewed by the Planning Department and/or Commission for projects within the Planning Areas during this interim period.

- A. All proposed new construction within the entire areas covered by the Plans over 55 feet, or 10 feet taller than adjacent buildings, built before 1963 shall be forwarded to the Landmarks Preservation Advisory Board for review and comment.**

This applies to all construction that will result in an increased building envelope with a height that is equal to or exceeds 50 feet or an increased building envelope with a height 10 feet taller than adjacent age-eligible buildings as measured by the Planning Code. The Landmarks Board will review proposals at their regularly scheduled public hearings occurring on the first and third Wednesday of every month. The Board's comments will be forwarded to Planning Department for incorporation into the project's final submittal and in advance of any required final hearing before the Planning Commission.

- B. All cases that require CEQA review for properties constructed prior to 1963 that propose demolition or major alteration within the Areas covered by the Plans shall be forwarded to the Landmarks Board.**

When a proposed building permit application may affect a potential or known historic resource, the Department requires the applicant to file an Environmental Evaluation Application or an Environmental Exemption Evaluation. The purpose of said evaluation is to comply with the California Environmental Quality Act (CEQA). For the purpose of implementing this provision, a "major alteration" is defined as one for which the Department requires the applicant to file either an Environmental Exemption Evaluation or an Environmental Evaluation Application. A summary of the process is found in the Planning Department's Preservation Bulletin 16.

When an application is filed with the Major Environmental Analysis Unit of the Planning Department (MEA), the supporting Historic Resource Evaluation (HRE) prepared by a qualified professional consultant is forwarded to a Preservation Technical Specialist within the Neighborhood Planning Unit for review. At that

time copies of the application and HRE will be forwarded to the members of the Landmarks Board for comment. The Board's comments will be forwarded to Planning Department for incorporation into the project's final environmental evaluation document.

**C. A report regarding all permit applications that propose exterior modifications to the street facade(s) of historic resources (as defined in Preservation Bulletin #16) within the Areas covered by the Plans will be presented to the Landmarks Preservation Advisory Board.**

All building permit applications for exterior modifications to historic resources (exclusive of maintenance or repair permits as defined in Planning Code Section 1005(e)(3), meaning: "any work, the sole purpose and effect of which is to correct deterioration, decay or damage, including repair of damage caused by fire or other disaster"), such as re-roofing, or replacement front stairs) within the Plan Area will be reviewed by a Preservation Technical Specialist, or will be reviewed and approved under their supervision. Depending on the amount of the proposed change some permits might be able to be approved at the Planning Information Center (PIC) by a Preservation Technical Specialist. Commercial storefront alterations are included in this requirement.

A list of these permit applications shall be compiled and presented to the Landmarks Board at their regularly scheduled hearing. The report will provide the following information: Address, APN, Assessor's Date of Construction, Any Historic Ratings or Designations, and Short Description of the Work. At the time of the hearing the Landmarks Board may schedule a formal presentation or ask for more information regarding any of the listed projects for a future hearing.

**D. A Preservation Technical Specialist shall review or be consulted on all applications for proposed alterations to buildings constructed before 1963 within the Areas covered by the Plans.**

In cases where major alterations are proposed for age-eligible structures within the Planning Areas, review by a Preservation Technical Specialist will be required. Review will take into consideration policies of the Area Plans, as well as the preservation of significant architectural features, significant trees, as well as other code-mandated regulations.

**E. Neighborhood Association Block Book Notations (BBN) for all building permit activities reviewed by Planning Department.**

The Planning Department will register all of the neighborhood associations affected by the Area Plan for Block Book Notations (BBN). Each association will be asked to select the block(s) of their interest within the plan area, and the Department will notify them by mail or phone when a permit application is submitted to the Department for review. The Department will hold the building permit application for a period of 10 days for review by all interested parties.