

Exhibit II-2A Proposed General Plan Amendments Resolution

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. _____

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

The San Francisco Planning Department is seeking to implement the four Eastern Neighborhoods Area Plans, comprised of the East South of Market, the Mission, the Central Waterfront and the Showplace Square/Potrero Hill Area Plans, which seek to reduce land use conflicts between industry and other competing uses, such as office and housing in areas designated as Production, Distribution and Repair (PDR); retain existing jobs in the area; and encourage diverse and affordable housing, mixed-used areas, and complete neighborhoods.

On February 12th 2004, the Planning Commission established by Resolution 16727 interim policies and procedures (hereinafter "Interim Policies") for development proposals in sections of the Eastern Neighborhoods; which replaced the interim policies established by Resolution 16202 in August 2001 where there was overlap. The approval of the Eastern Neighborhoods General Plan and Planning Code Amendments would supersede both Resolutions by establishing permanent policies and controls for the Eastern Neighborhoods Areas, excluding the area now called "West SoMa," which is undergoing a separate process.

The Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods are places where much of the City's industrially-zoned land is found. For the last 10 to 15 years, these neighborhoods have been changing and have seen growing land use conflicts, where residential and office development has begun to compete with industrial uses. Resolving these difficult questions – with an emphasis on *balance* -- is at the heart of the Eastern Neighborhoods Program.

The Eastern Neighborhoods community planning process began in 2001 with the goal of developing new zoning controls for the industrial portions of these neighborhoods. A series of workshops were conducted in each area where stakeholders articulated goals for their neighborhood, considered how new zoning might

promote these goals, and created several rezoning options representing variations on the amount of industrial land to retain for employment and business activity. These proposed zoning alternatives were presented to the Planning Commission on March 3, 2003 in the report titled *Community Planning in the Eastern Neighborhoods: Rezoning Options Workbook*.

In February 2004, the Planning Commission established interim policies patterned after Option B for East SoMa, the Mission, and Showplace Square/Potrero (Resolution 16727).

Starting in 2005, the community planning process expanded to address other issues critical to these communities including affordable housing, transportation, parks and open space, urban design, and community facilities. The Planning Department began working with the neighborhood stakeholders to create Area Plans for each neighborhood to articulate a vision for the future.

The planning process resulted in four Area Plans, as listed above, which contain policies and proposals, including those for land use, urban design, housing, economic development, transportation, community facilities and historic preservation.

Work products from this process have included, but are not limited to: *Profiles of Community Planning Areas: San Francisco's Eastern Neighborhoods* (January 2002), *Industrial Land in San Francisco: Understanding Production, Distribution, and Repair* (July 2002), *Community Planning in the Eastern Neighborhoods: Rezoning Options Workbook* (February 2003), *Supply/Demand Study for Production, Distribution, and Repair (PDR) in San Francisco's Eastern Neighborhoods (EPS)* (April 2005), *Eastern Neighborhoods Proposed Permanent Zoning Controls: An Overview* (October 2005) and *San Francisco's Eastern Neighborhoods Rezoning Socioeconomic Impacts Assessment Report* (2007).

While these studies have been ongoing, the Planning Commission has adopted several Resolutions establishing interim policies and controls to preserve land for industrial uses, including Resolution 14861 (June 1999) that established Industrial Protection Zones in various locations in the City's Eastern Neighborhoods, and Resolution 16202 that carried forth the intent and objectives of these controls and policies (August 2001). Furthermore, by Resolution No. 20-07, the Board of Supervisors established City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Area Plans, which overall calls for the Area Plans to be consistent with the General Plan; to facilitate affordable housing production; to protect and provide open space, transit, mixed-use neighborhood commercial retail; to protect Production, Distribution and Repair (PDR) businesses, building and space; to protect and promote arts venues spaces; to protect landmarks; and to provide an array of public benefits to mitigate the impact of new development.

The Draft Area Plans, together with the General Plan Revisions, provide a comprehensive set of policies and implementation programming to realize the vision for the four Eastern Neighborhoods, including an overall land use plan, which balances the land use goals of permitting housing development in industrially zoned areas while protecting an adequate supply of land for PDR, a strategy for encouraging housing affordable to range of city residents, an overall heights plan together with a strategy for specific urban design standards and for preservation of historic resources, an economic development strategy for local jobs and local business assistance, a framework to guide the implementation of street and transportation improvements, as well as for open space amenities and community facilities.

Overall, policies envisioned for the four Eastern Neighborhoods Area Plans would be consistent with the General Plan. However, a number of amendments to the General Plan, **attached in an Ordinance hereto as Exhibit II-3A** including the addition of the East South of Market, Mission, Central Waterfront and Showplace Square/Potrero Hill Area Plans and revisions to other Elements, Area Plans and the Land Use Index of the General Plan are required to achieve the vision and goals for the Eastern Neighborhoods. The City Attorney's Office has reviewed the draft ordinance (II-3) and approved it as to form.

On April 17, 2008, pursuant to Planning Code Section 340(c), the Planning Commission approved Resolution No. 17585, a Resolution of intention to initiate amendments to the General Plan. Subsequent to adopting Res. No. 17585, the Planning Commission authorized the Department to provide appropriate notice for a series of public hearings on the proposed amendment. The Commission held a series of public hearings to consider the proposed amendment and to receive public comment, including hearings on May 15, 2008, May 22, 2008, June 5, 2008, June 12, 2008, June 19, 2008, June 26, 2008, July 3, 2008 July 10, 2008, July 24, 2008, July 31, 2008 and August 7, 2008.

In response to the public and the Planning Commission during the approval hearings the staff has prepared and incorporated changes to the proposed General Plan amendments and the Area Plans as contained in the staff report attached hereto and incorporated herein by reference. The Planning Commission hereby directs staff to work in consultation with the City Attorney's office to make these changes and any additional changes that the Commission specifically identifies as part of its approval action, to be forwarded to the Board of Supervisors.

Staff recommends adoption of the draft resolution adopting amendments to the General Plan, which includes adding four new Area Plans - the Mission, East SoMa, Central Waterfront and Showplace Square/Potero Hill Area Plans, and making related amendments to the Commerce and Industry and the Recreation and Open Space Elements, the South of Market Area Plan, the Northeastern Waterfront Area Plan, the Central Waterfront Area Plan and the Land Use Index.

Each of the Area Plans articulates a holistic vision for the neighborhood. The Plans encourage the development of new housing, in particular housing affordable to a range of City residents, while protecting an adequate supply of land and buildings for PDR employment and businesses. The Plans will ensure that new development is directed to the appropriate places and will help resolve land use conflict in these areas.

The Area Plans support the General Plan's vision of building where transit and services can accommodate growth; encouraging public transit use over trips by private automobile; expanding housing opportunities along neighborhood commercial, mixed-use, transit and existing residential areas; strengthening neighborhood-serving commercial areas; maintaining our diverse economic base by protecting our industrial and service sectors from displacement as well as by providing adequate space for different economic activities; preserving landmarks and historic buildings as well as integrating good urban design standards for new development; and providing and improving open space, community facilities and streets and transportation in the neighborhoods.

The Plans lay the policy foundation for additional changes that are detailed in the Planning Code, Zoning Map and other implementation measures. The following Key Principles inform all the objectives and policies contained in the Plans:

People and Neighborhoods:

- 1) Encourage new housing at appropriate locations and make it as affordable as possible to a range of City residents
- 2) Plan for transportation, open space, community facilities and other critical elements of complete neighborhoods

The Economy and Jobs:

- 3) Reserve sufficient space for production, distribution and repair activities, in order to support the City's economy and provide good jobs for residents
- 4) Take steps to provide space for new industries that bring innovation and flexibility to the City's economy

In addition, a detailed implementation program that leverages funding for public improvements from new private development, existing funding streams, and innovative community strategies will accompany the Area Plans.

Planning Code Section 101.1(b) establishes eight priority policies and is a basis by which differences between competing policies in the General Plan are resolved. The project is consistent with the eight priority policies in that:

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

The Area Plans will preserve and enhance neighborhood serving retail uses. The Plans support existing and new retail commerce by encouraging ground floor retail in commercial areas and through a number of proposed improvements to the pedestrian realm. New development, enabled by the Eastern Neighborhoods Plans, will enhance the neighborhood commercial districts along Mission Street and Valencia Street in the Mission, 6th Street in the East SoMa, and in the mixed-used areas of the neighborhoods providing potential employment and ownership opportunities for San Francisco residents. The proposed amendments will support the creation of new housing units in mixed-used areas, provide a market for increased retail uses along these corridors and allow expansion of the customer base for neighborhood serving businesses.

In addition, the Plans direct the Planning Department to work closely with the Mayor's Office of Economic and Workforce Development and other relevant City agencies to ensure economic development programs and policies are in place to protect and promote small, existing business and to support and provide employment and skills training for residents.

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

The Plans protect and enhance the existing neighborhood character by applying appropriate height and bulk limits, protecting landmark and other historic buildings, reinforcing neighborhood commercial districts, preserving and enhancing cultural and community institutions, and detailing key design principles. The proposed height and bulk controls emphasize consistency with current development patterns and focus on protecting sunlight access for streets and alleyways.

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

The Plans will have a positive effect on the City's affordable housing stock. They will enable the creation of new housing units in all four of the neighborhoods; positively affecting the City's housing supply. The Eastern Neighborhoods proposals would result in about 7,500 to 10,000 new housing units over the next 20 years. Projections estimate that approximately 30% of these units will be below market rate and affordable to a range of incomes, including units provided for very low and low income households, moderate income households, and middle-income households. The Plans reflect a variety of strategies to ensure that a substantial portion of new housing is affordable to individuals or families with a range of incomes. These strategies include: 1) effective use of existing tools and funding streams to dedicate revenue for affordable housing towards the Plans' Areas; 2) identifying new funding sources for affordable housing within the Plans' Areas such as an impact fee, tax increment, and new sources of dedicated City revenue; and 3) establishing new zoning districts in formerly industrial areas that require a deeper level of affordability in housing development.

In areas where there will be no upzoning, projects with over five units will still be subject to produce 15 to 20 percent of these units as permanently affordable pursuant to the City's existing inclusionary housing requirement.

Additional mechanisms to ensure permanent housing affordability include preservation of existing housing stock, unbundling parking from housing, and flexibility in density controls.

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

The Plans would not result in commuter traffic impeding Muni transit service or overburdening the streets or neighborhood parking. To mitigate the impacts of traffic that new residents and employees create, the Plans support improvements to an already strong existing public transit infrastructure. The Plans support the design and implementation of transit service improvements to increase Muni's speed, reliability and ridership. New parking requirements are designed to discourage private automobile trips in areas highly accessible by public transit. In addition, the Plans contain policies and recommendations aimed at reducing congestion by promoting walking, bicycling, car-sharing and transportation demand management programs.

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.

On balance, the Plans would not inappropriately affect the industrial sector or service sectors. In the Plans, these sectors are referred to as production, distribution, and repair (PDR) businesses and services. Compared to existing zoning, the Plans would protect PDR businesses and activities by restricting competing uses and creating clearer land use controls throughout the non-residential districts of the Plans' Areas. Specifically, as compared to existing code requirements, new provisions limiting office development in industrial and mixed-use areas will help curtail displacement due to commercial office development.

The Plans direct the Planning Department to work with the Mayor's Office of Economic and Workforce Development to develop and strengthen programs to attract appropriate businesses in these sectors and train workers for employment in them.

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

The Plans would not adversely affect preparedness against injury and loss of life in an earthquake and would comply with applicable safety standards. New residential buildings would be subject to the City's Building Code, Fire Code and other applicable safety standards.

7. That landmarks and historic buildings be preserved.

The Plans would not adversely affect on the preservation of landmarks and historic buildings. The four Eastern Neighborhoods Area Plans call for the protection of existing landmarks and historic buildings and establish interim policies for their preservation, while full historic surveys of the plan areas are completed to ensure that no historic resources are in conflict with the Plans. The plans strengthen protection for historic resources and potential historic districts.

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

The Plans would have a positive effect on parks and open space, and would not adversely affect existing open spaces or their access to sunlight and vistas. The Plans include recommendations for a series of open space improvements: a new neighborhood park in each of the four neighborhoods, as well as the addition of open space amenities to

sidewalks, streets and alleys. Additionally, the controls have a focus on protecting sunlight access for streets and alleyways and increasing open space requirements where they are currently deficient.

The Eastern Neighborhoods planning process built on existing General Plan policies. Analysis of applicable General Plan Objectives and Policies has determined that the proposed action is, on balance, consistent with the General Plan as it is proposed to be amended. The proposed actions offer a compelling articulation and implementation of many of the concepts outlined in the General Plan, especially the Residence, Housing, Air Quality, Urban Design, Commerce and Industry, Transportation, Recreation and Open Space, and Arts Elements. New Area Plans' policies and zoning controls formulate these directive policies with specific consideration for the neighborhood conditions of the Eastern Neighborhoods. Below are specific policies and objectives that support the proposed actions.

NOTE: General Plan Elements are in **CAPITAL, BOLDED ITALICS**
General Plan Objectives are in CAPITAL LETTERS
General Plan Policies are in Arial standard font
Key Policies and Objectives are **Bolded**
Staff comments are in *italics*

1990 RESIDENCE ELEMENT

The Area Plans contain policies and call for land use controls that would encourage new, well-designed housing development that conserves neighborhood character; retain and enhance existing housing; provide opportunities for higher density housing near transit; and reduce the cost of building housing through various strategies such as unbundling parking requirements from housing. The Plans also would encourage below-market rate housing throughout the Planning Areas, affordable to a range of incomes.

In addition, the proposed controls and policies would increase the housing supply without overcrowding or adversely affecting the prevailing character of the existing neighborhoods. The removal of density limits in some areas is replaced by bedroom unit-mix requirements as well as clear set-backs and open space requirements.

OBJECTIVE 1 TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT GROWTH

POLICY 1.1 Promote development of permanently affordable housing on surplus, underused and vacant public lands.

POLICY 1.2 Facilitate the conversion of underused industrial and commercial areas to residential use, giving preference to permanently affordable housing uses.

POLICY 1.4 Locate infill housing on appropriate sites in established neighborhoods.

POLICY 1.5 Allow new secondary units in areas where their effects can be dealt with and there is neighborhood support, especially if that housing is made permanently affordable to lower income households.

POLICY 1.6 Discourage development of new housing in areas unsuitable for residential occupancy, or on sites containing existing housing worthy of retention.

POLICY 1.8 Encourage construction of new single room occupancy residential hotels.

POLICY 2.2 Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are permanently affordable to lower income households.

POLICY 2.3 Allow flexibility in the number and size of units within permitted volumes of larger multi unit structures, especially if the flexibility results in creation of a significant number of dwelling units that are permanently affordable to lower income households.

OBJECTIVE 3 TO RETAIN THE EXISTING SUPPLY OF HOUSING.

POLICY 3.1 Discourage the demolition of sound existing housing.

POLICY 3.2 Control the merger of residential units.

POLICY 3.3 Consider legalization of existing illegal secondary units where there is neighborhood support and the units can conform to minimum Code standards of safety and livability and the permanent affordability of the units is assured.

POLICY 3.4 Restrict the conversion of rental housing to condominiums or other forms of tenure or occupancy.

POLICY 3.7 Preserve the existing stock of residential hotels.

OBJECTIVE 5 TO MAINTAIN AND IMPROVE THE PHYSICAL CONDITION OF HOUSING WHILE MAINTAINING EXISTING AFFORDABILITY LEVELS.

POLICY 5.5 Preserve landmark and historic residential buildings.

OBJECTIVE 6 TO IMPROVE THE CITYWIDE AFFORDABLE HOUSING DELIVERY SYSTEM.

POLICY 6.1 Reorganize and coordinate governmental activity related to affordable housing

POLICY 6.4 Create greater public awareness of the affordable housing problem and support for affordable housing.

OBJECTIVE 7 TO INCREASE LAND AND IMPROVE BUILDING RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING.

POLICY 7.1 Create more housing opportunity sites for permanently affordable housing.

POLICY 7.2 Include affordable units in larger housing projects.

POLICY 7.4 Promote more economical housing construction to achieve affordable housing.

POLICY 7.5 Encourage energy efficiency in new residential development and weatherization in existing housing to reduce overall housing costs.

POLICY 7.7 Allow construction of unconventional housing types that reduce cost, if quality can be maintained.

OBJECTIVE 8 TO EXPAND FINANCIAL RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING

POLICY 8.1 Enhance existing revenue sources for permanently affordable housing.

POLICY 8.2 Create new sources of revenue for permanently affordable housing.

POLICY 8.3 Provide new mechanisms to assure long-term financing for permanently affordable housing.

POLICY 8.4 Develop greater investment in and support for affordable housing programs by corporations, churches, unions and financial institutions.

OBJECTIVE 9 TO IMPROVE THE FOCUS OF AFFORDABLE HOUSING PROGRAMS

POLICY 9.2 Make affordable housing permanently affordable.

OBJECTIVE 10 TO PROTECT THE EXISTING AFFORDABILITY OF HOUSING.

POLICY 10.1 Preserve affordability of existing affordable units.

POLICY 10.2 Protect existing buildings at risk of losing their subsidies or being converted to market rate housing.

OBJECTIVE 11 TO ACHIEVE AFFORDABILITY THROUGH VARIOUS FORMS OF OWNERSHIP.

POLICY 11.2 Support new affordable ownership programs.

OBJECTIVE 12 TO PROVIDE A QUALITY LIVING ENVIRONMENT.

POLICY 12.1 Assure housing is provided with adequate public improvements, services and amenities.

POLICY 12.2 Allow appropriate neighborhood-serving commercial activities in residential areas.

POLICY 12.4 Promote construction of well designed housing that conserves existing neighborhood character.

POLICY 12.5 Relate land use controls to the appropriate scale for new and existing residential areas.

OBJECTIVE 13 TO PROVIDE MAXIMUM HOUSING CHOICE.

POLICY 13.3 Increase the availability of units suitable for special user groups with special housing needs including large families, the elderly, and the homeless.

POLICY 13.5 Encourage economic integration in housing by ensuring that new permanently affordable housing is located in all of the City's neighborhoods, and by requiring that all new large market rate residential developments include affordable units.

POLICY 13.7 Expand opportunities for home ownership without significantly diminishing the supply of rental housing.

2004 HOUSING ELEMENT

The Area Plans contain policies and call for land use controls that would encourage new, well-designed housing development; retain and enhance existing housing; provide opportunities for higher density housing near transit; and reduce the cost of building housing through various strategies such as unbundling parking requirements from housing. The Plans also would encourage below-market rate housing throughout the Planning Areas, affordable to a range of incomes.

OBJECTIVE 1 TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

POLICY 1.1 Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects,

especially if the higher density provides a significant number of units that are affordable to lower income households. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhood support.

POLICY 1.2 Encourage housing development, particularly affordable housing, in neighborhood commercial areas without displacing existing jobs, particularly blue-collar jobs or discouraging new employment opportunities.

POLICY 1.3 Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

POLICY 1.4 Locate in-fill housing on appropriate sites in established residential neighborhoods.

POLICY 1.5 Support development of affordable housing on surplus public lands.

POLICY 1.6 Create incentives for the inclusion of housing, including permanently affordable housing, in new commercial development projects.

POLICY 1.8 Allow new secondary units in areas where their effects can be dealt with and there is neighborhood support, especially if that housing is made permanently affordable to lower income households

OBJECTIVE 2 RETAIN THE EXISTING SUPPLY OF HOUSING.

POLICY 2.1 Discourage the demolition of sound existing housing.

POLICY 2.2 Control the merger of residential units to retain existing housing.

POLICY 2.3 Restrict the conversion of rental housing to other forms of tenure or occupancy.

POLICY 2.4 Retain sound existing housing in commercial and industrial areas.

POLICY 2.5 Preserve the existing stock of residential hotels.

POLICY 2.6 Consider legalization of existing illegal secondary units where there is neighborhood support and the units can conform to minimum Code standards of safety and livability and the permanent affordability of the units is assured.

OBJECTIVE 3 ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

POLICY 3.1 Ensure that existing housing is maintained in a decent, safe, and sanitary condition, without increasing rents or displacing low-income households.

POLICY 3.6 Preserve landmark and historic residential buildings.

OBJECTIVE 4 SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

POLICY 4.1 Actively identify and pursue opportunity sites for permanently affordable housing.

POLICY 4.2 Include affordable units in larger housing projects.

POLICY 4.3 Encourage the construction of affordable units for single households in residential hotels and “efficiency” units.

POLICY 4.5 Allow greater flexibility in the number and size of units within established building envelopes, potentially increasing the number of affordable units in multi-family structures.

POLICY 4.6 Support a greater range of housing types and building techniques to promote more economical housing construction and achieve greater affordable housing production.

OBJECTIVE 5 INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THE CITY’S AFFORDABLE HOUSING PRODUCTION SYSTEM.

POLICY 5.3 Create greater public awareness about the quality and character of affordable housing projects and generate community-wide support for new affordable housing.

POLICY 5.4 Coordinate governmental activities related to affordable housing.

OBJECTIVE 6 PROTECT THE AFFORDABILITY OF EXISTING HOUSING.

POLICY 6.1 Protect the affordability of units in existing buildings at risk of losing their subsidies or being converted to market rate housing.

POLICY 6.2 Ensure that affordable housing is kept affordable.

POLICY 6.4 Achieve permanent affordability through non-profit and limited equity housing ownership and management.

POLICY 6.5 Monitor and enforce the affordability of units provided as a condition of approval of housing projects.

OBJECTIVE 7 EXPAND THE FINANCIAL RESOURCES AVAILABLE FOR PERMANENTLY AFFORDABLE HOUSING.

POLICY 7.1 Enhance existing revenue sources for permanently affordable housing.

POLICY 7.2 Create new sources of revenue for permanently affordable housing, including dedicated long-term financing for housing programs.

POLICY 7.3 Develop greater investments in and support for affordable housing programs by corporations, churches, unions, foundations, and financial institutions.

OBJECTIVE 8 ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

POLICY 8.1 Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable units wherever possible.

POLICY 8.2 Employ uniform definitions of affordability that accurately reflect the demographics and housing needs of San Franciscans.

POLICY 8.4 Encourage greater economic integration within housing projects and throughout San Francisco.

POLICY 8.5 Prevent housing discrimination.

POLICY 8.10 Encourage the provision of new home ownership opportunities through new construction so that increased owner occupancy does not diminish the supply of rental housing.

OBJECTIVE 9

AVOID OR MITIGATE HARDSHIPS IMPOSED BY DISPLACEMENT

POLICY 9.2 Offer displaced households the right of first refusal to occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

OBJECTIVE 11 IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO CONTINUE SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

POLICY 11.2 Ensure housing is provided with adequate public improvements, services, and amenities.

POLICY 11.3 Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.

POLICY 11.10 Include energy efficient features in new residential development and encourage weatherization in existing housing to reduce overall housing costs and the long-range cost of maintenance.

URBAN DESIGN ELEMENT

The Area Plans would emphasize and reinforce the existing scale and character of the neighborhoods through implementation of design standards, alley controls and architectural guidelines. The Area Plans include policies and guidelines to preserve historic and potentially historic resources. The Plans also encourage a number of

proposed improvements to the pedestrian realm. Proposed height and bulk controls emphasize consistency with current development patterns and focus on protecting sunlight access for streets and alleyways.

OBJECTIVE 1: EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3 Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

POLICY 1.6 Make centers of activity more prominent through design of street features and by other means.

POLICY 1.8 Increase the visibility of major destination areas and other points for orientation.

POLICY 2.4 Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.6 Respect the character of older development nearby in the design of new buildings.

POLICY 3.1 Promote harmony in the visual relationships and transitions between new and older buildings.

OBJECTIVE 4: IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.10 Encourage or require the provision of recreation space in private development.

POLICY 4.11 Make use of street space and other unused public areas for recreation, particularly in dense neighborhoods, such as those close to downtown, where land for traditional open spaces is more difficult to assemble.

POLICY 4.13 Improve pedestrian areas by providing human scale and interest.

TRANSPORTATION ELEMENT

A key strategy of the Area Plans is to capitalize on the availability of transit and improve non-auto modes of travel in the neighborhoods. The Plans support improvements to the existing transit infrastructure and encourage a number of proposed improvements to the pedestrian realm. The plans also contain policies and recommendations aimed at reducing congestion by promoting walking, bicycling, car-sharing and transportation demand management programs.

POLICY 1.1 Involve citizens in planning and developing transportation facilities and services, and in further defining objectives and policies as they relate to district plans and specific projects.

POLICY 1.2 Ensure the safety and comfort of pedestrians throughout the city.

POLICY 1.3 Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

POLICY 1.6 Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

OBJECTIVE 2: USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.5 Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 3: MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS A REGIONAL DESTINATION WITHOUT INDUCING A GREATER VOLUME OF THROUGH AUTOMOBILE TRAFFIC.

OBJECTIVE 4: MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS THE HUB OF A REGIONAL, CITY-CENTERED TRANSIT SYSTEM.

OBJECTIVE 11: ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

POLICY 11.2 Continue to favor investment in transit infrastructure and services over investment in highway development and other facilities that accommodate the automobile.

POLICY 12.1 Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

OBJECTIVE 14: DEVELOP AND IMPLEMENT A PLAN FOR OPERATIONAL CHANGES AND LAND USE POLICIES THAT WILL MAINTAIN MOBILITY AND SAFETY DESPITE A RISE IN

TRAVEL DEMAND THAT COULD OTHERWISE RESULT IN SYSTEM CAPACITY
DEFICIENCIES.

POLICY 14.2 Ensure that traffic signals are timed and phased to emphasize transit, pedestrian, and bicycle traffic as part of a balanced multi-modal transportation system.

POLICY 14.3 Improve transit operations by implementing strategies that facilitate and prioritize transit vehicle movement and loading.

POLICY 14.4 Reduce congestion by encouraging alternatives to the single occupant auto through the reservation of right-of-way and enhancement of other facilities dedicated to multiple modes of transportation.

POLICY 14.7 Encourage the use of transit and other alternatives modes of travel to the private automobile through the positioning of building entrances and the convenient location of support facilities that prioritizes access from these modes.

OBJECTIVE 15: ENCOURAGE ALTERNATIVES TO THE AUTOMOBILE AND REDUCED TRAFFIC LEVELS ON RESIDENTIAL STREETS THAT SUFFER FROM EXCESSIVE TRAFFIC THROUGH THE MANAGEMENT OF TRANSPORTATION SYSTEMS AND FACILITIES.

POLICY 15.2 Consider partial closure of certain residential streets to automobile traffic where the nature and level of automobile traffic impairs livability and safety, provided that there is an abundance of alternative routes such that the closure will not create undue congestion on parallel streets.

POLICY 20.2 Reduce, relocate or prohibit automobile facility features on transit preferential streets, such as driveways and loading docks, to avoid traffic conflicts and automobile congestion.

OBJECTIVE 23: IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.
OBJECTIVE 24: IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 24.4
Preserve pedestrian-oriented building frontages.

OBJECTIVE 26: CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.

POLICY 26.1
Retain streets and alleys not required for traffic, or portions thereof, for through pedestrian circulation and open space use.

POLICY 26.3
Encourage pedestrian serving uses on the sidewalk.

OBJECTIVE 30: ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

COMMERCE AND INDUSTRY ELEMENT

The Area Plans propose development densities, design guidelines, and pedestrian improvements that encourage and increase active ground floor-retail and neighborhood commercial uses within walking distance of residences and other major uses. The Area Plans also support and encourage existing and new retail commerce by encouraging ground floor retail in commercial areas. The proposed amendments will support the creation of new housing units in mixed-used areas, providing a market for increased retail uses along these corridors and allowing expansion of the customer base for neighborhood serving businesses.

The Area Plans also would encourage maintaining a diverse economic base by protecting industrial businesses and activities through the limitation of competing uses and the creation of clearer land use controls in areas designated as production, distribution and repair (PDR). Specifically, the Plans contain provisions to limit office and housing development in industrial areas and mixed-use areas to limit displacement of the City's industrial and service sectors, while seeking to balance this by providing sufficient space to accommodate emerging new economic activities.

POLICY 1.1 Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

POLICY 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 2 MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

POLICY 2.1 Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

OBJECTIVE 3 PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

POLICY 3.1 Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

POLICY 3.3 Emphasize job training and retraining programs that will impart skills necessary for participation in the San Francisco labor market.

POLICY 3.4 Assist newly emerging economic activities.

OBJECTIVE 4 IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

POLICY 4.2 Promote and attract those economic activities with potential benefit to the City.

POLICY 4.3 Carefully consider public actions that displace existing viable industrial firms.

POLICY 4.4 When displacement does occur, attempt to relocate desired firms within the city.

POLICY 4.5 Control encroachment of incompatible land uses on viable industrial activity.

POLICY 4.11 Maintain an adequate supply of space appropriate to the needs of incubator industries.

OBJECTIVE 6: MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.1 Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

POLICY 6.2 Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

POLICY 6.3 Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

POLICY 6.6 Adopt specific zoning districts which conform to a generalized neighborhood commercial land use and density plan.

POLICY 6.7 Promote high quality urban design on commercial streets.

RECREATION AND OPEN SPACE ELEMENT

The new Area Plans provide for new publicly accessible open space, improved open space requirements, joint open space requirements, as well as improved access to open space and recreation. The Plans recommend a new neighborhood park in each of the four areas as well as the addition of open space amenities to sidewalks, streets and alleys.

POLICY 2.1 Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.

POLICY 2.3 Preserve sunlight in public open spaces.

POLICY 2.7 Acquire additional open space for public use.

POLICY 2.9 Maintain and expand the urban forest.

POLICY 2.12 Expand community garden opportunities throughout the City.

OBJECTIVE 4 PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

POLICY 4.1 Make better use of existing facilities.

POLICY 4.4 Acquire and develop new public open space in existing residential neighborhoods, giving priority to areas which are most deficient in open space.

POLICY 4.5 Require private usable outdoor open space in new residential development.

POLICY 4.6 Assure the provision of adequate public open space to serve new residential development.

COMMUNITY FACILITIES ELEMENT

The Area Plans encourage the support and maintenance of existing community facilities, and provision of new facilities in the neighborhoods to meet the needs of projected growing populations and to address the impact of new development. The Plans call for the appropriate location of facilities. They encourage that child care be located in schools or near transit; the consideration of school spaces in some neighborhoods to meet projected growth; the funding of other community improvements such as library materials, maintenance of public health facilities and new spaces for non-profits that serve the neighborhoods. The Plans also support efforts to preserve and enhance social and cultural institutions to can help create a strong sense of community and identity and contribute to creating vibrant neighborhoods.

OBJECTIVE 3 ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

POLICY 3.1 Provide neighborhood centers in areas lacking adequate community facilities.

POLICY 3.4 Locate neighborhood centers so they are easily accessible and near the natural center of activity.

POLICY 3.6 Base priority for the development of neighborhood centers on relative need.

OBJECTIVE 4 PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.

OBJECTIVE 8 ASSURE THAT PUBLIC SCHOOL FACILITIES ARE DISTRIBUTED AND LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

AIR QUALITY ELEMENT

The Area Plans contain a number of policies that would lower negative impacts on air quality by encouraging the use of transit, improving the quality of open space, encouraging "green" development and proposing transit improvements. The Plans encourage new development in areas that are well served by transit, do not require residential parking and encourage more density along the transit corridors. The Area Plans' goals to enhance non-auto travel would reduce emissions from automobiles.

OBJECTIVE 2: REDUCE MOBILE SOURCES OF AIR POLLUTION THROUGH IMPLEMENTATION OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN.

The transportation element of the general plan calls for the following:

- reducing congestion on roadways;
- giving priority to public transit, as mandated by the "Transit First" POLICY;
- encouraging the use of modes of travel other than single occupant vehicles such as transit, carpooling, walking, and bicycling;
- promoting coordination between land use and transportation to improve air quality; and

OBJECTIVE 3: DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

POLICY 3.1 Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.

POLICY 3.2 Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development.

POLICY 3.4 Continue past efforts and existing policies to promote new residential development in and close to the downtown area and other centers of employment, to reduce the number of auto commute trips to the city and to improve the housing/job balance within the city.

POLICY 3.5 Continue existing growth management policies in the city and give consideration to the overall air quality impacts of new development including its impact on the local and regional transportation system in the permit review process. Ensure that growth will not outpace improvements to transit or the circulation system.

POLICY 3.6 Link land use decision making policies to the availability of transit and consider the impacts of these policies on the local and regional transportation system.

POLICY 3.9 Encourage and require planting of trees in conjunction with new development to enhance pedestrian environment and select species of trees that optimize achievement of air quality goals.

ARTS ELEMENT

The Plans require high design standards and the implementation of architectural guidelines. The Plans also encourage support of existing cultural venues and creating space for new cultural and social institutions as well as creating a system to demarcate important cultural and social resources in the neighborhoods.

POLICY I.3.3 Strive for the highest standards of design of public buildings and grounds and structures placed in the public right of way.

POLICY II.2.3 Continue to increase City support for organizations and developing institutions which reflect the diverse cultural traditions of the San Francisco population.

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

NOW THEREFORE BE IT RESOLVED, the Commission adopts and incorporates by reference the CEQA findings in Commission Resolution No.____;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 340(d), the Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the General Plan;

AND BE IT FURTHER RESOLVED, that the Commission adopts, as amendments to the General Plan, the four proposed Eastern Neighborhoods Area Plans as attached hereto and incorporated herein by reference.

AND BE IT FURTHER RESOLVED, that the Planning Commission specifically authorizes the following additional changes to the General Plan Amendments legislation and directs staff to work with the City Attorney's Office to prepare a new version of the General Plan Amendment legislation to reflect these changes and submit the new version to the Board of Supervisors for its consideration: 1) add technical changes to address typographical errors, insert Area Plan language adopted prior to approval, and similar technical changes; 2) revise the General Plan maps identified and approved for amendments to reflect the Commission's action on the Eastern Neighborhoods; 3) incorporate any additional changes to the Eastern Neighborhoods Area Plans or the General Plan that the Planning Commission specifically identifies as part of its approval action on August 7, 2008;

AND BE IT FURTHER RESOLVED, that the Planning Commission adopts a Resolution approving amendments to the General Plan of the City and County of San Francisco, in order to implement the proposed four Eastern Neighborhoods Plans – Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill Area Plans, as contained in a draft ordinance approved as to form by the City attorney and contained in Exhibit II-3A, as though fully set forth herein;

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

Linda Avery
Commission Secretary

Exhibit III-2A Planning Code Amendments Resolution

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. _____

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco provides to the Planning Commission the opportunity to periodically recommend amendments to the Planning Code to the Board of Supervisors; and

As a means to implement both the goals of the General Plan that are specific to the Eastern Neighborhoods Area Plans, and the citywide effort to encourage new housing at appropriate locations affordable to a range of city residents while preserving sufficient land for necessary production, distribution and repair (PDR) businesses and activities, the Department is proposing Planning Code amendments that would apply new districts and standards and district revisions.

The Planning Code governs permitted land uses and planning standards in the area. Thus, conforming amendments to the Planning Code are required in order to implement the Eastern Neighborhoods Area Plans and in order for development to proceed in the areas consistent with the Plans.

On April 17, 2008, pursuant to Planning Code Section 302(b) and 306.3, the Planning Commission held a public hearing approved Resolution No. 17586, a Resolution of intention to initiate amendments to the Planning Code. Subsequent to adopting Res. No. 17586, the Planning Commission authorized the Department to provide appropriate notice for a series of public hearings on the proposed amendments. The Commission held a series of public hearings to consider the proposed amendments and to receive public comment, including hearings on May 15, 2008, May 22, 2008, June 5, 2008, June 12, 2008, June 19, 2008, June 26, 2008, July 3, 2008, July 10, 2008, July 24, 2008, July 31, 2008 and August 7, 2008.

On June 17, 1999, the Planning Commission established by Resolution 14844 an interim policy for automatic Discretionary Review for project and permit applications received after June 17, 1999 which do not conform to the most restrictive of both the current zoning controls in the area designated as the Ballpark Special Use District, and the proposed permanent controls for the area initiated by Planning Commission Resolution 14843. The approval of the Eastern Neighborhoods General Plan, Planning Code and Zoning Map Amendments would supersede both Resolutions by establishing permanent policies and permanent controls which incorporate the proposed controls in

Resolution 14834 into the East SoMa Area Plan and the Eastern Neighborhoods
Planning Code Amendments.

In response to the public and the Planning Commission during the approval hearings the staff has prepared and incorporated changes to the proposed Planning Code amendments, as contained in a draft ordinance approved as to form by the City Attorney and attached hereto in Exhibit III-3A and incorporated herein by reference. The Planning Commission hereby directs staff to work in consultation with the City Attorney's office to make those changes that the Commission specifically identifies as part of its approval action, to be forwarded to the Board of Supervisors. In addition, Planning staff has proposed further Planning Code amendments in response to public input, these changes are contained in Exhibit III-3B and are incorporated herein by reference.

The proposed Planning Code amendments contain proposals for changes to standards from those currently established by the Planning Code; including but not limited to those for land use, height and bulk, building design, density, open space, and parking. Proposed Planning Code text and map amendments will: a) establish 17 new zoning districts; b) amend the South Park District, RTO District, NCT Districts, Downtown Residential Districts, and PDR Districts; c) update height and bulk districts; and d) make related revisions to the Planning Code necessary to implement the General Plan as proposed to be amended and make related Planning Code Amendments pursuant to the Eastern Neighborhoods Area Plans.

The proposed new districts would include:

1. PDR-1-General (PDR-1-G)
2. PDR-1-Design (PDR-1-D)
3. Mission Street Neighborhood Commercial Transit District (Mission Street NCT)
4. Valencia Street Neighborhood Commercial Transit District (Valencia Street NCT)
5. Small Scale Neighborhood Commercial Transit District (NCT-2)
6. SoMa Neighborhood Commercial Transit District (SoMa NCT)
7. 24th Street - Neighborhood Commercial Transit District (24th Street-Mission NCT)
8. South Beach Downtown Residential (SB-DTR)
9. Mixed Use-General (MUG)
10. Mixed Use-Residential (MUR)
11. Mixed Use-Office (MUO)
12. Urban Mixed Use (UMU)
13. Residential Transit Oriented - Mission (RTO-M)
14. Life Science and Medical Special Use District
15. Innovative Industries Incubator Special Use District
16. Transit Oriented Retail Special Use District

The draft ordinance, attached hereto as Exhibit III-3A has been drafted in order to revise the Planning Code necessary to implement the Eastern Neighborhoods Area

Plans, including adding Sections 102.29, 102.30, 145.4, 145.5, 157.1, 175.6, 206.5, 207.8, 210.9, 210.10, 210.12, 219.1, 222.1, 249.36, 249.37, 249.38, 263.21, 270.1, 270.2, 309.2, 319, 319.1., 319.2, 319.3, 319.4, 327, 327.1, 327.2, 327.3, 327.4, 327.5, 327.6, 327.7, 734.1, 735.1, 736.1, 802.3, 802.4, 802.5, 802.6, 803.8, 803.9, 829, 840, 841, 842, 843, 890.52, 890.53, Appendix I to Article 10, and Appendix L to Article 10 and by amending Planning Code Sections 102.5, 102.9, 121.1, 121.2, 121.5, 121.8, 121.9, 124, 132, 134, 135, 135.3, 136, 136.1, 136.2, 140, 141, 142, 143, 144, 145.1, 145.4, 147, 150, 151.1, 152, 152.1, 153, 154, 155, 161, 163, 166, 175.6, 181, 182, 201, 202, 204, 204.4, 205, 205.1, 205.3, 206, 207.1, 207.4, 207.5, 207.6, 208, 209.1, 209.2, 209.3, 209.4, 209.5, 209.6, 209.7, 209.8, 209.9, 210, 210.8, 210.11, 215, 216, 217, 218, 218.1, 219, 220, 221, 222, 223, 224, 225, 226, 227, 231, 233, 234.2, 260, 261.1, 263.19, 270, 271, 304, 305, 306.2, 307, 309.1, 311, 312, 315.4, 316, 603, 607, 607.1, 607.2, 608.1, 702.1, 703.2, 726.1, 727.1, 801.1, 802.1, 803, 803.3, 803.4, 803.5, 803.6, 809, 813, 814, 815, 816, 817, 818, 820, 822, 825, 825.1, 827, 890.54, 890.70, 890.88, and 890.111 to implement the Eastern Neighborhoods Area. The City Attorney's Office has reviewed the draft ordinance and approved it as to form;

In related actions, the Commission is making amendments to the Zoning Map and to the General Plan, which include adding four new area plans, the East South of Market, Central Waterfront, Mission and Showplace Square / Potrero Hill Area Plans, and making related amendments to the Commerce and Industry, Recreation and Open Space, the South of Market Area Plan, the Northeastern Waterfront Area Plan, the Central Waterfront Area Plan and the Land Use Index to implement the four Eastern Neighborhoods Plans.

The Commission intends to provide for the legitimization of certain uses in the Eastern Neighborhoods currently operating as office as a part of the proposed rezoning of the Eastern Neighborhoods and to allow for the creation of new uses called "Integrated PDR" and "Small Enterprise Workspace.". The Commission furthermore intends to assess fees to mitigate the increased impact that the operation of such uses will have on City infrastructure in the area, according to the studies which demonstrate and calculate the impact of such demands, including the Jobs Housing Linkage Nexus Analysis, performed by Keyser Marston Associates Inc. dated July 1997; the Transit Impact Development Fee (TIDF) Analysis– Final Report performed by Nelson/Nygaard dated May 2001; and the Eastern Neighborhoods Needs Assessment performed by Seifel Consulting dated May 2008. All studies are incorporated herein by reference. However, it should be noted that the establishment of fees to address this increased demand may have a negative impact on existing and new businesses that the City wishes to support, and that measures to mitigate the impact of such fees would have positively effect the City's ability to expand job growth in the Eastern Neighborhoods. Therefore, the Commission hereby expresses its intent to establish appropriate fees to mitigate the increased demand that results from net new development of hybrid office uses, as well as for conversion of formerly industrial uses to hybrid office, office or other workplace uses, based on the findings of the above referenced studies.

The Planning Commission finds that the Eastern Neighborhoods Planning Code 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. 17585 of Intention to Initiate Amendments to the General Plan, which accompanies this Motion, and incorporates said findings herein by reference.

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

NOW, THEREFORE BE IT RESOLVED, that the Commission considered the draft Planning Code amendment ordinance and the issues raised by the Planning staff in oral presentations and written memos on April 17, May 15, May 22, June 5, June 12, June 19, June 26, July 3, July 10, July 24, July 31 and August 7, in particular the issues set forth in the Planning staff memos dated July 3, July 10, July 24, and July 31, 2008 and incorporates said draft ordinance, presentations and memos herein by reference;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 302 (c), the Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the approval of the proposed Planning Code amendments;

AND BE IT FURTHER RESOLVED, that upon final and effective date of the Eastern Neighborhoods Amendments Planning Commission Resolutions 14844 and 14843 regarding the Ballpark Vicinity District Special Use District shall be rescinded;

AND BE IT FURTHER RESOLVED, that the Planning Commission wishes to adopt amendments to the Planning Code, making changes to standards from those currently established by the Planning Code; including but not limited to those related to land use, height and bulk, density, building design, residential demolition and parking. Proposed Planning Code text and map amendments are contained in the draft ordinance approved as to form by the City Attorney in Exhibit III-3A. The Commission also recommends this legislation to the Board of Supervisors;

AND BE IT FURTHER RESOLVED that the Planning Commission supports the establishment of appropriate fees, based on the staff analysis attached as Exhibit A, for net new development of Integrated PDR and Small Enterprise Workplace uses. The Planning

Commission also supports the establishment of appropriate fees for conversion of formerly industrial uses to office, Integrated PDR or Small Enterprise Workspace uses, based on the staff analysis attached as Exhibit A, such fees representing the difference in impacts between new and old uses.

AND BE IT FURTHER RESOLVED, that the Commission directs staff to work further on the development of such fees, and on mechanisms to make payment of such fees less burdensome, including , 1) exploration of a discount of 25-50% on fees paid by net new development of integrated PDR uses, in return for meeting specified hiring goals related to the Enterprise Zone within five years of receiving certificate of occupancy, and 2) an installment payment plan of approximately three to seven years for fees due upon conversion or legitimization of formerly industrial uses to office or Integrated PDR, should up-front payment of such a fee prove overly burdensome to existing businesses.

AND BE IT FURTHER RESOLVED, that the Planning Commission specifically authorizes the following additional changes to the Planning Code amendment legislation and directs staff to work with the City Attorney's Office to prepare a new version of the Planning Code amendment legislation to reflect these changes and submit the new version to the Board of Supervisors for its consideration: 1) add technical changes to address typographical errors, internal references, section titles, insert Planning Code language adopted prior to approval, and similar technical changes; 2) incorporate the additional code changes that the Planning Commission specifically identified on August 7, 2008; and 3) codify the Eastern Neighborhoods Historic Resources Interim Procedures, which are part of the Commission Initiation packet as Exhibit V-3A and incorporated herein by reference, as Planning Code amendments.

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

Linda Avery
Commission Secretary

Exhibit IV-2A Zoning Map Amendments Resolution

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. _____

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Commission shall periodically recommend to the Board of Supervisors proposed amendments to the Zoning Maps; and

The San Francisco Planning Department is seeking to implement the four Eastern Neighborhoods Area Plans, comprised of the East South of Market, Mission, Central Waterfront and Showplace Square/Potrero Hill Area Plans, which seek to reduce land use conflicts between industry and other competing uses such as office and housing in areas designated as Production, Distribution and Repair (PDR), retain existing jobs in the area, and encourage diverse and affordable housing, mixed-used areas, and complete neighborhoods.

As a means to implement both the goals of the General Plan that are specific to the Eastern Neighborhoods Area Plans and the citywide effort to encourage new housing at appropriate locations affordable to a range of city residents while preserving sufficient land for necessary production, distribution and repair (PDR) businesses and activities, the Department is proposing Zoning Maps amendments that would apply new districts and district revisions as outlined in the proposed Mission, Showplace Square/Potrero Hill, Central Waterfront and East SoMa Area Plans, and related proposed Planning Code Amendments. These changes correspond to a number of conforming amendments to Sectional Sectional Maps ZN01, ZN07 and ZN08; maps HT01, HT07, and HT08; and Map SU08 of the Zoning Maps of the City and County of San Francisco. The amendments would include changes to permitted land use and height and bulk controls, reclassifying properties into newly created districts throughout the Planning Areas.

The Zoning Map governs land use and height and bulk permitted in the areas and a number of changes are proposed. Thus, conforming amendments to the Zoning Map would be required in order for development to proceed in the area consistent with the Eastern Neighborhoods Area Plans of the General Plan.

On April 17, 2008, pursuant to Planning Code Section 302(b), the Planning Commission held a public hearing and approved Resolution No. 17587, a Resolution of intention to initiate amendments to the Zoning Maps. Subsequent to adopting Resolution No, 17587, the Planning Commission authorized the Department to provide appropriate notice for a series of public hearings on the proposed amendments. The Commission held a series of public hearings to consider the proposed amendments and to receive public comment, including hearings on May

15, 2008, May 22, 2008, June 5, 2008, June 12, 2008, June 19, 2008, June 26, 2008, July 3, 2008, July 10, 2008, July 24, 2008, July 31, 2008 and August 7, 2008.

In response to the public and the Planning Commission during the approval hearings the staff has prepared and incorporated some changes to the proposed Zoning Map Amendments as contained in the staff report attached hereto and incorporated herein by reference. The Planning Commission hereby directs staff to work in consultation with the City Attorney's office to make those changes that the Commission specifically identifies as part of its approval action, to be forwarded to the Board of Supervisors.

The Zoning Maps amendments specify the application of Planning Code amendments to specific parcels. These amendments contain changes to standards from those currently established by the Planning Code, including but not limited to those for land use, height and bulk, building design, open space, density, residential demolition and parking.

The Proposed Zoning Map Amendments include:

- Changes to the height and bulk sectional maps.
- 16 new zoning districts as listed below
 1. PDR-1-General (PDR-1-G)
 2. PDR-1-Design (PDR-1-D)
 3. Mission Street Neighborhood Commercial Transit District (Mission Street NCT)
 4. Valencia Street Neighborhood Commercial Transit District (Valencia Street NCT)
 5. Small Scale Neighborhood Commercial Transit District (NCT-2)
 6. SoMa Neighborhood Commercial Transit District (SoMa NCT)
 7. 24th Street - Neighborhood Commercial Transit District (24th Street-Mission NCT)
 8. South Beach Downtown Residential (SB-DTR)
 9. Mixed Use-General (MUG)
 10. Mixed Use-Residential (MUR)
 11. Mixed Use-Office (MUO)
 12. Urban Mixed Use (UMU)
 13. Residential Transit Oriented - Mission (RTO-M)
 14. Life Science and Medical Special Use District
 15. Innovative Industries Incubator Special Use District
 16. Transit Oriented Retail Special Use District

The proposed zoning map changes to land use and height and bulk districts are included in a draft Ordinance, attached hereto as **Exhibit IV-3A**. The City Attorney's Office has reviewed the draft ordinance and approved it as to form.

In related actions, the Planning Commission is making amendments to the Planning Code and to the General Plan, which include adding four new area plans, the East South of Market, Central Waterfront, Mission and Showplace Square / Potrero Hill Area Plans, and making related amendments to the Commerce and Industry, Recreation and Open Space, the South of Market

Area Plan, the Northeastern Waterfront Area Plan, the Central Waterfront Area Plan and the Land Use Index to implement the four Eastern Neighborhoods Plans.

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. _____ which accompanies this Resolution, and incorporates said findings herein by reference.

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

NOW, THEREFORE BE IT RESOLVED, that pursuant to Planning Code Section 302 (c), the Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the approval of the proposed Zoning Map amendments;

NOW THEREFORE BE IT RESOLVED, the Commission adopts and incorporates by reference the CEQA findings in Commission Resolution No. _____;

AND BE IT FURTHER RESOLVED, that the Planning Commission specifically authorizes the following additional changes to the Zoning Map amendment legislation and directs staff to work with the City Attorney's Office to prepare, as needed, a new version of the Zoning Map amendment legislation to reflect these changes and submit the new version to the Board of Supervisors for its consideration: 1) add technical changes to address typographical errors, insert Zoning Map changes adopted prior to approval, and similar technical changes; and 2) incorporate additional Map changes that the Planning Commission specifically identified on August 7, 2008;

AND BE IT FURTHER RESOLVED, that the Planning Commission Adopts a Resolution recommending amendments the Zoning Map of the City and County of San Francisco, including amendments to Sectional Maps ZN01, ZN07 and ZN08; maps HT01, HT07, and HT08; and Map SU08, in furtherance of the Eastern Neighborhoods Area Plans.

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

Linda Avery
Commission Secretary

**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. _____

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.____. In that action, the Commission certified the Eastern Neighborhoods Environmental Impact Report. The Planning Commission also adopted Motion No.____, 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. _____ 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,

Case No. 2004.0160EMTZU
Resolution to Adopt Interim
Procedures and Integration of Surveys
for the Eastern Neighborhoods Area Plans

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

Exhibit VI-2A

**Planning Commission Resolution on
Monitoring and Review
of the Eastern Neighborhoods Area Plans Implementation**

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. _____

WHEREAS, The Planning Commission has adopted the Eastern Neighborhoods Area Plans as part of the General Plan of the City and County of San Francisco; and

The Area Plans outline specific goals that cumulatively frame the community's vision for the management of growth and development in the Eastern Neighborhoods. The Eastern Neighborhoods Area Plans introduce innovative policies and land use controls to achieve the plan goals. Successful realization of the plan's goals requires a coordinated implementation of land use controls, community and public service delivery, key policies, and community infrastructure improvements; and

Prior to considering relevant amendments to the General Plan, Planning Code and Zoning Map on August 7th 2008, the Planning Commission adopted Motion No. _____. In that action, the Commission certified the Eastern Neighborhoods Environmental Impact Report. The Planning Commission also adopted Motion No. ____, adopting California Environmental Quality Act Findings related to the Eastern Neighborhoods Area Plans project. These motions are incorporated herein by reference.

It is the expressed desire of this Commission and the Planning Department to provide rigorous monitoring and review of the effectiveness of the Eastern Neighborhoods Area Plans, to ensure rational growth in these neighborhoods, and to ensure implementation of improvements to accompany this growth.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission hereby supports changes to the Administrative Code, including the addition of Section 10E.5 which shall implement monitoring and review procedures, in order to review development activity and progress towards the Eastern Neighborhoods Area Plan goals, as set out in the Eastern Neighborhoods Implementation Matrix.

AND BE IT FURTHER RESOLVED, that the Planning Commission recommends this Ordinance to the Board of Supervisors.

AND BE IT FURTHER RESOLVED, that the Planning Commission specifically authorizes the following additional changes to the Monitoring and Review amendment legislation and directs staff to work with the City Attorney's Office to prepare, as needed, a new version of the Monitoring and Review amendment legislation to reflect these changes and submit the new version to the Board of Supervisors for its consideration: 1) add technical changes to address typographical errors, insert changes adopted prior to approval, and similar technical changes; and 2) incorporate additional changes that the Planning Commission specifically identified on August 7, 2008;

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on _____.

Linda Avery
Commission Secretary

Interim Policies Governing “Pipeline” Projects in the Eastern Neighborhoods

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. _____

WHEREAS,

As part of the Eastern Neighborhoods Area Plans Process, the Planning Commission has taken various actions and recommended to the Board of Supervisors a series of rules governing the treatment of proposed “pipeline” development projects located within the boundaries of the Eastern Neighborhoods Area Plans. Such “pipeline” projects have filed an application with either the Planning Department or the Department of Building Inspection but will likely not be approved until after the date that the Eastern Neighborhoods Area Plans and Zoning Amendments become final and effective.

A portion of these pipeline projects may seek approval prior to the date that the Eastern Neighborhoods Area Plans and Zoning Amendments become final and effective. Because these pipeline projects would otherwise be subject to existing zoning and policies rather than the approved new Eastern Neighborhoods zoning, it is prudent for the Planning Commission to establish interim Policies governing treatment of those “pipeline” projects.

NOW, THEREFORE BE IT RESOLVED, that the policy of the Planning Commission shall be to apply the proposed Planning Code provisions contained in Section 175.6 as recommended for adoption by the Planning Commission on this date (attached hereto as Appendix A)

AND BE IT FURTHER RESOLVED, that this policy shall be implemented through discretionary review of all pipeline projects that do not comply with the provisions of Section 175.6 as described above and which involve (1) the construction of a new building, (2) the demolition of an existing building, or (3) alterations which involve a change in the number of dwelling units or an increase in the gross square footage of a structure by at least 25 percent.

AND BE IT FURTHER RESOLVED, that staff shall recommend disapproval of all projects that do not comply with the provisions of Section 175.6 as described above, excepting Section 175.6(e)(1)(A) which relates to the physical requirements of amended

Planning Code Articles 1, 1.5 and 2.5. Those provisions are hereby adopted as a statement of Commission preference.

AND BE IT FURTHER RESOLVED, that those Planning Commission Resolutions relating to the Eastern Neighborhoods Area Plan process, including, but not limited to Resolutions 16202, 16727 and 17481 are hereby superseded, only to the extent they apply to the Eastern Neighborhoods Plan Area process.

AND BE IT FURTHER RESOLVED, that notwithstanding any other provisions of this policy, for pipeline projects filed with the Planning Department of Department of Building Inspection after April 17, 2008, using its discretionary review powers, the Commission shall apply all provisions of Eastern Neighborhoods Zoning, Map and General Plan amendments.

AND BE IT FURTHER RESOLVED, that this interim policy shall automatically terminate on the final effective date of the Area Plans and Zoning

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

Linda Avery
Commission Secretary

Appendix 1:

SEC. 175.6. EFFECTIVE DATE OF THE EASTERN NEIGHBORHOODS ZONING CONTROLS

(a) Intent. *It is the intent of this Section to provide for an orderly transition from prior zoning and planning requirements to the requirements imposed in implementing the Eastern Neighborhoods Controls, without impairing the validity of prior actions by the City, or frustrating completion of actions authorized prior to the effective date of those Controls.*

(b) Applicability. *This Section applies only to the specific types of development projects identified herein and that are subject to changed regulations or procedures as a result of the Eastern Neighborhoods Controls and are located in an Eastern Neighborhoods Mixed Use District, an SLI District, or any PDR, R, or NC District located within the boundaries of the Eastern Neighborhoods Project Area pursuant to Section 327.2(l). This Section shall not apply to any other project.*

(c) Definitions. *The following definitions shall apply to this Section:*

(1) 'Eastern Neighborhoods Controls' *shall mean all Ordinances adopted in furtherance of the Eastern Neighborhoods Area Plan Process, including but not limited to Ordinance Numbers _____, and associated amendments to the Planning Code, Zoning Map, and Administrative Code.*

(2) 'Development Application' *shall mean any application for a building permit, site permit, environmental review, Conditional Use or Variance.*

(3) 'Project Approval' *shall mean any required approval or determination on a Development Application that the Planning Commission, Planning Department, or Zoning Administrator issues.*

(4) 'Code Conforming Application' *shall mean a Development Application, excepting an environmental review application, for which a Project Approval could have been issued or authorized in accordance with the provisions of the Planning Code in effect when such application was filed with the Planning Department.*

(5) 'Entitled Project' *shall mean any project for which a Project Approval was granted prior to the effective date of the Eastern Neighborhoods Controls and:*

(A) *that is not, and has not been, in violation of any time limits imposed pursuant to the Building Code or as a condition of approval of the project; and*

(B) *for which no certificate of occupancy or completion of any type has ever been issued.*

(d) Effect of Amendments on Approved Projects. A Development Application that would modify an Entitled Project shall be governed by the more recent of:

(1) the Planning Code in effect prior to the effective date of the Eastern Neighborhoods Controls; and

(2) all current provisions of the Planning Code exclusive of the Eastern Neighborhood Controls.

(e) Effect of Amendments on Projects for Which No Project Approval Has Occurred. A Code Conforming Application for a project which was filed with the Planning Department during either of the time periods identified in this Subsection and that did not obtain Project Approval prior to the effective date of the Eastern Neighborhoods Controls shall be governed by Subsection (d), above, except as specifically modified below:

(1) For projects that filed a Development Application with the Planning Department prior to January 19, 2007:

(A) Articles 1, 1.5, and 2.5 of the Planning Code as amended by the Eastern Neighborhood Controls shall apply; and

(B) The Planning Director may grant an increase beyond the otherwise-superseded height limits of no more than 8 feet when an equal or greater increase would be allowed under the Eastern Neighborhoods Controls and when such increase is necessary to comply with Subsection (A), above.

(C) If compliance with Subsection (e)(1)(A) would require a substantial re-design of the project or a significant change to the type or size of uses originally proposed, the applicant may seek complete or partial relief from that requirement through the Conditional Use authorization process as set forth in Section 303.

(2) For projects that filed a Development Application with the Planning Department between January 19, 2007 and April 17, 2008:

(A) Subsection (e)(1), above, shall apply;

(B) The impact fees set forth in Section 327 of the Eastern Neighborhoods Controls shall apply; and

(C) The housing requirements for residential projects as set forth in Section 319 of the Eastern Neighborhoods Controls shall apply.