File No. 091476 Committee Item No. 6
Board Item No.

# COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

**Committee:** Land Use and Economic Development **Date** March 15, 2010

**Board of Supervisors Meeting** **Date**

| Cmte | Board | |
|---|---|---|
| ☐ | ☐ | **Motion** |
| ☐ | ☐ | **Resolution** |
| ☒ | ☐ | **Ordinance** |
| ☒ | ☐ | **Legislative Digest** |
| ☐ | ☐ | **Budget Analyst Report** |
| ☐ | ☐ | **Legislative Analyst Report** |
| ☐ | ☐ | **Youth Commission Report** |
| ☐ | ☐ | **Introduction Form (for hearings)** |
| ☒ | ☐ | **Department/Agency Cover Letter and/or Report** |
| ☐ | ☐ | **MOU** |
| ☐ | ☐ | **Grant Information Form** |
| ☐ | ☐ | **Grant Budget** |
| ☐ | ☐ | **Subcontract Budget** |
| ☐ | ☐ | **Contract/Agreement** |
| ☐ | ☐ | **Form 126 – Ethics Commission** |
| ☐ | ☐ | **Award Letter** |
| ☐ | ☐ | **Application** |
| ☐ | ☐ | **Public Correspondence** |

**OTHER** **(Use back side if additional space is needed)**

| | | |
|---|---|---|
| ☒ | ☐ | Planning Commission Motion No. 17407 |
| ☒ | ☐ | Planning Commission Resolution No. 17969 |
| ☒ | ☐ | Planning Commission Resolution No. 17970 |
| ☐ | ☐ | |
| ☐ | ☐ | |

**Completed by:** Alisa Somera **Date** March 11, 2010
**Completed by:** **Date**

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file and the online version.

[Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

**Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase the heights of certain parcels and retain the current heights on other parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.**

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings.

(a) Under Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 17970 recommending the approval of this Planning Code Amendment, and incorporates such reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 091476.

(b) Under Planning Code Section 101.1, the Board of Supervisors finds that this ordinance is consistent with the Priority Policies of Planning Code Section 101.1(b) of the Planning Code and with the General Plan as proposed to be amended in companion legislation and hereby adopts the findings of the Planning Commission, as set forth in

Planning Commission Resolution No. 17970, and incorporates said findings by this reference thereto.

(c) Environmental Findings. The Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code as follows:

(1) On April 5, 2007 the Planning Commission certified the Market and Octavia Area Plan Final Environmental Impact Report (FEIR), which was upheld on appeal by the Board of Supervisors. The FEIR is on file with the Clerk of the Board of Supervisors in File No. 071156 and is incorporated by reference herein. In accordance with prior actions related to adoption and implementation of the Market and Octavia Area Plan (the Project), this Board adopted Planning Commission Motion No. 17407, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) and adopted the Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 091476 and is incorporated by reference herein.

(2) On August 12, 2009 under CEQA Guidelines Section 15164 and Administrative Code Section 31.19(c)(1) the Planning Department prepared an Addendum to the FEIR (Addendum) analyzing proposed modifications to the Project including amendments to the Area Plan of the General Plan and Zoning Map to integrate the Market and Octavia Historic Resources Survey into the Area Plan, make clarifying and technical amendments to the Zoning Map and Area Plan, and making other modifications (modifications to the Project). A copy of the Addendum is on file with the Clerk of the Board of Supervisors in File No. 091476 and is incorporated by reference herein.

(3) The Board of Supervisors has reviewed the FEIR, the CEQA Findings, and the Addendum and, in light of the whole record, finds that the modifications to the Project, including the provisions of this ordinance, are consistent with and within the scope of the Project analyzed in the FEIR and the Addendum. The Board of Supervisors concurs with the Addendum and its conclusion that the modifications to the Project would not cause new significant impacts not previously identified in the FEIR nor would it substantially increase the severity of impacts previously identified in the FEIR and thus no additional environmental review is necessary.

(4) The Board of Supervisors finds that no substantial changes have occurred to the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

(5) The Board of Supervisors adopts the CEQA Findings contained in Planning Commission Motion No. 17407 and incorporates those findings herein by reference. The

Board adopts the MMRP, on file with the Clerk of the Board in File No. 071156 and incorporates the MMRP herein by reference.

Section 2. Under Sections 106 and 302(c) of the Planning Code, the following zoning amendments to the Zoning Map, duly approved by resolution of the Planning Commission, are hereby adopted as an amendment to Zoning Map Sheets 7 and 7H as follows

| Block and Lot | To Be Superseded | Hereby Approved | Sheet |
|---|---|---|---|
| 3542039 | 50/55' | 60/65' | 7 |
| 3543010 | 50/55' | 60/65' | 7 |
| 3543003B | 50/55' | 60/65' | 7 |
| 3559001 | 50/55' | 60/65' | 7 |
| 3560001 | 50/55' | 60/65' | 7 |
| 3543011 | 50/55' | 60/65' | 7 |
| 3558137 | 50/55' | 60/65' | 7 |
| 3558138 | 50/55' | 60/65' | 7 |
| 3558139 | 50/55' | 60/65' | 7 |
| 3558140 | 50/55' | 60/65' | 7 |
| 3558141 | 50/55' | 60/65' | 7 |
| 3558142 | 50/55' | 60/65' | 7 |
| 3558143 | 50/55' | 60/65' | 7 |
| 3558144 | 50/55' | 60/65' | 7 |
| 3558145 | 50/55' | 60/65' | 7 |

| | | | |
|---|---|---|---|
| 3558146 | 50/55' | 60/65' | 7 |
| 3558147 | 50/55' | 60/65' | 7 |
| 3558148 | 50/55' | 60/65' | 7 |
| 3558149 | 50/55' | 60/65' | 7 |
| 3558150 | 50/55' | 60/65' | 7 |
| 3558151 | 50/55' | 60/65' | 7 |
| 3558152 | 50/55' | 60/65' | 7 |
| 3544071 | 80/85 | 50/55 | 7 |
| 3544070 | 80/85 | 50/55 | 7 |
| 3544067 | 80/85 | 50/55 | 7 |
| 3544065 | 80/85 | 50/55 | 7 |
| 3543001 | 80/85 | 50/55 | 7 |
| 3542041 | 80/85 | 60/65 | 7 |
| 3501004 | 80/85 | 60/65 | 7 |
| 3501003 | 80/85 | 60/65 | 7 |

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

By: 
Susan Cleveland-Knowles
Deputy City Attorney

FILE NO. 091476

# LEGISLATIVE DIGEST

[Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration.]

**Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase the heights of certain parcels and retain the current heights on other parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.**

## Existing Law

In October 2007, the Board of Supervisors adopted the Market and Octavia Plan (the "Plan"), an area plan of the General Plan. During the Plan adoption proceedings, the Planning Commission and Board of Supervisors elected to defer changes to the heights on Market Street west of Church Street until the Market and Octavia Area Plan Level Historic Survey ("Survey") was adopted. Although the Plan originally proposed heights of 60/65 feet on these parcels along Market Street, heights of 50/55 feet were maintained pending the results of the Survey.

The original zoning map amendment related to the Plan also instituted a pattern of rezoning blocks adjacent to Market Street such that heights were generally 60/65 or 80/85 feet on blocks facing Market Street in order to maintain a strong urban street wall. The backsides of those blocks (facing away from Market) had lower heights in order to step down on the residential side of the block. While this type of zoning change occurred consistently along Market Street between Church and Dolores, it did not occur on the block bounded by Market Street, Guerrero Street, and Duboce Avenue.

## Amendments to Current Law

The proposed amendments propose 50/55 foot controls on most parcels west of Church Street and increasing heights to 60/65 foot controls on corner parcels that do not have buildings which contribute to the identified Upper Market Historic District.

The proposed amendments also propose to alter heights at the corner of Guerrero and Duboce Streets to be consistent with the original zoning map amendment. The proposed amendments propose to decrease the heights on the two most southeastern parcels of the block from 85 to 65 feet.

## Background Information

The Market and Octavia Plan is the product of 8 years of community planning. Integration of the Area Plan level Historic Preservation Survey was required by the Planning Commission and Board of Supervisors at the time the Market and Octavia Plan was adopted. The amendments in the proposed Zoning Map amendment were heard by both the Historic Preservation Commission and the Planning Commission. The proposed amendments before the Board of Supervisors fully incorporate the comments from both Commissions.

April 5, 2007
File No: 2003.0347E
Market & Octavia Area Plan

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 17407

**ADOPTING ENVIRONMENTAL FINDINGS (AND A STATEMENT OF OVERRIDING CONSIDERATIONS) UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH THE ADOPTION OF THE MARKET AND OCTAVIA AREA PLAN AND RELATED ACTIONS NECESSARY TO IMPLEMENT SUCH PLAN. THE PLAN AREA IS GENERALLY LOCATED TO THE WEST OF THE CITY'S DOWNTOWN AREA AND INCLUDES PORTIONS OF CIVIC CENTER, HAYES VALLEY, WESTERN ADDITION, SOUTH OF MARKET, INNER MISSION, THE CASTRO, DUBOCE TRIANGLE, EUREKA VALLEY, AND UPPER MARKET NEIGHBORHOODS OF SAN FRANCISCO.**

Whereas, the Planning Department has undertaken a planning and environmental review process for the proposed Market and Octavia Area Plan and provided for appropriate public hearings before the Planning Commission.

Whereas, the Planning Department is seeking to encourage the protection of existing neighborhood character and ensure a mix of housing opportunities, including mid-rise and high-rise residential development at certain intersections, with clear standards and land use controls that together will ensure a safe and attractive neighborhood environment, promote use of a variety of travel modes and develop a system of public improvements in the Market and Octavia Plan Area.

Whereas, the Planning Department facilitated a public planning process, which refined a series of proposals for land use, height, bulk, building design, parking and loading, open space, rear yards, public improvements, and other controls for the Market and Octavia Area. The resulting Market and Octavia Area Plan is a comprehensive proposal for the area, including new Planning Code controls and public improvements funding.

Whereas, the Market and Octavia Area Plan proposes three new zoning districts in the area of San Francisco generally located to the West of the City's Downtown Area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. While residential areas stay residential under the new Residential Transit Oriented (RTO) designation, and neighborhood shopping streets remain under the designation of Neighborhood Commercial Transit (NCT) Districts, a new

residential neighborhood is created under a new special use district called the Van Ness and Market Downtown Residential Special Use District.

Whereas, the actions listed in Attachment A hereto ("Actions") are part of a series of considerations in connection with the adoption of the Market and Octavia Area Plan and various implementation actions ("Project"), as more particularly described in Attachment A hereto.

Whereas, the Planning Department determined that an Environmental Impact Report ("EIR") was required for the proposed Market and Octavia Area Plan, and provided public notice of that determination by publication in a newspaper of general circulation on January 23, 2004.

Whereas, the Planning Department on June 25, 2005, published the Draft Environmental Impact Report ("DEIR"). The DEIR was circulated for public review in accordance with the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.* ("CEQA"), the State CEQA Guidelines, 14 California Code of Regulations, Section 15000 *et seq.*, ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Planning Commission held a public hearing on the DEIR on July 28, 2005.

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on September 26, 2006, which together with the DEIR and additional information that became available, constitute the Final Environmental Impact Report ("FEIR")

Whereas, the Planning Commission, on April 5, 2007, by Motion No. 17406, reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

Whereas, the Planning Commission by Motion No. 17406, found that the FEIR was adequate, accurate, and objective, reflected the independent judgment of the Planning Commission and that the Comments and Responses document contains no significant revisions to the DEIR, and adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

Whereas, the Planning Department prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, including all of the actions listed in Attachment A hereto, and a proposed mitigation monitoring and reporting program, attached as Exhibit 1 to Attachment A, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration and actions.

**THEREFORE BE IT RESOLVED,** that the Planning Commission certified the FEIR as adequate, accurate, and objective, and reflecting the independent judgment of the Planning Commission in Motion No. 17406.

**AND BE IT FURTHER RESOLVED,** that the Planning Commission has reviewed and considered the FEIR and hereby adopts the Project Findings attached hereto as Attachment A including a

statement of overriding considerations, and including as Exhibit 1 the Mitigation Monitoring and Reporting Program.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of April 5, 2007.

Linda Avery
Commission Secretary

AYES: Alexander, Antonini, Sue Lee, William Lee and Sugaya

NOES: Moore and Olague

ABSENT: none

ACTION: Approval of CEQA Findings

SAN FRANCISCO
**PLANNING DEPARTMENT**

# Memo to the Board of Supervisor

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| | |
|---|---|
| *Date:* | December 14, 2009 |
| *Case No.:* | **2009.0707MZ** |
| *Project:* | Market & Octavia Historic Area Plan Level Historic Survey Integration |
| *Staff Contact:* | Kearstin Dischinger – (415)558-6284; kearstin.dischinger@sfgov.org |
| *Reviewed by:* | John Billovits – (415)558-6390; john.billovits@sfgov.org |

## PROJECT DESCRIPTION

*Area Plan Level Historic Preservation Survey Integration*

The Market & Octavia Area Plan level Historic Survey was completed by Page and Turnbull and, with some modifications set forth in Resolution No. 17831 subsequently endorsed by the Landmarks Board and Planning Commission (the "Survey"). As required by the historic resource provisions of the Market and Octavia Area Plan ("Plan") and its implementing ordinances, the Planning Department proposes to integrate the Survey findings into the Plan and the Zoning Map as follows:

1. Incorporate updated Historic Preservation Policy Language into the Area Plan;

2. Add a new Design principle which addresses sidewalls; and

3. Finalize Upper Market Heights.



*Market and Octavia Clarifications and Technical Amendments*

Over the past year, the plan has begun its implementation phase which included reviewing projects. As a result of staff's use of the Area Plan documents a few technical corrections and clarifications have been identified. Accordingly a few minor clarifications and technical amendments are proposed for the Area Plan and Zoning Map. These amendments do not relate to the Survey. These changes, discussed in more detail below, include:

3. Rectify the Guerrero Street Heights; and

4. Correct and Clarify Area Plan

**Area Plan Level Historic Preservation Survey Integration**

*1. Incorporate updated Historic Preservation Policy Language into the Area Plan*

Objective 3.2 of the Market & Octavia Area Plan includes policies that relate to historic buildings and districts. Among other things, the policies call for the completion of the Survey, interim procedures, and integration of the Survey findings into the Area Plan. The Commission proposes 1) Removing of policies related to the interim period; 2) Adding new policies which integrate the Area Plan Level Survey findings and a district map; and 3) Maintaining the balance of policies about historic preservation (see

Exhibit A). The recommendation includes the addition of descriptions and a map of the following districts:

- **Duboce Park** as a National Register eligible district.
- **Duboce Triangle** as a California Register eligible district.
- **Elgin Park-Pearl Street Reconstruction** as a California Register eligible district.
- **Hayes Valley Commercial,** an eligible San Francisco landmark district.
- **Hayes Valley Residential** as a California Register district extension.
- **Jessie-McCoppin-Stevenson Streets Reconstruction** California Register district extension.
- **San Francisco State Teacher's College Vicinity Apartments** as an eligible San Francisco landmark district.
- **Upper Market Street** as a California Register eligible district.

Note, as additional survey work is completed it will be incorporated in the same manner, as appropriate, including surveys of the Mission Dolores Area, the Market and Octavia addendum survey, and future survey work in the Duboce Triangle area.

*2. Addition of a new Design principle which addresses sidewalls*

Based on Community comment, staff drafted and the Commission adopted one new design principle for the Market and Octavia Plan Area which addresses the treatment of sidewalls.

> **Highly-visible building facades along interior property lines, particularly adjacent to significantly shorter buildings, should incorporate a combination of articulations, setbacks, fenestration/windows and material detailing to mitigate large expanses of blank wall.**
>
> There are cases where new buildings may be built adjacent to existing buildings that are substantially shorter (i.e. by two or more stories). Sometimes these adjacent buildings have historic merit, contain housing units, feature lower height limits, or are limited by other factors that make them unlikely to be re-developed in the foreseeable future with larger buildings that might mask the side facade of the proposed building. Large expanses of blank wall are unsightly and potentially blighting on a neighborhood. New buildings shall sensitively and creatively treat these prominent interior property line conditions, cognizant of the visibility of these facades from surrounding public spaces and buildings. Larger, wider buildings with greater amounts of street frontage shall also consider more significant articulations or partial upper floor setbacks along these property lines. Techniques for incorporating planted "living walls" can also soften the visual impact of exposed sidewalls and facades while providing ecological benefit.

*3. Finalize Upper Market Heights*

During the Market and Octavia adoption proceedings, the Planning Commission and the Board of Supervisors elected to defer changes in heights for parcels on Market Street west of Church Street until

the Area Plan Level Survey was adopted. The Commission maintained heights of 50/55 feet on these parcels, and directed staff to revisit the height controls when the survey was adopted. The Plan originally proposed 60/65 heights on these parcels along Market Street. Today the Department is proposing 60/65 foot heights on some of the parcels west of Church, and 50/55 feet on others (Exhibit C).

The Survey identified a new historic district along Market Street, the Upper Market Street District. The district dates of significance are 1886-1958 and 1970-1979, nearly 100 years. While there is no predominate, period architectural style of the district, the districts exhibits a variety of architectural responses to the Market Street corridor with commercial on the ground floor and residential uses on the upper stories. A key theme in the district is an evolving response to Market Street.

The Commission proposes 50/55 foot controls on most parcels west of Church and 60/65 feet on corner parcels that do NOT contribute to the identified Upper Market historic district. The recommended legislation balances the plan's many goals including, historic preservation, urban design, creating whole neighborhoods, and housing. The 60/65 foot height on opportunity sites encourages new construction that successfully responds to width of the street, corresponds to the urban design principles, meets plan goals of encouraging housing near transit, and continue to build on the historic pattern of higher density development on the street that is the "spine" of San Francisco's commerce and transit.

The Commission's recommendation relates building heights with the street width and provides a connection between the 80/85 foot height districts with the corner of Castro and Market which is zoned for heights of 65 feet (note these parcels are outside of the Market and Octavia Plan Area).

Consistent with the Historic Preservation Commission's comments the Planning Commission reduced the heights on 5 parcels from 80/85 feet to 50/55 feet and one parcel from 80/85 feet to 60/65 feet.

In addition to the proposed height controls, new projects along Market Street must comply with the Market and Octavia Design Principles and the Upper Market Design Guidelines. Here are two Market and Octavia design principles that insure context sensitive development along Market Street:

- **Use of setbacks to reduce mass.** Upper-floor setbacks or other architectural techniques that reduce the overall massing should be considered where a building would exceed a height equal to the width of the facing street, or differ by one or more stories, from the prevailing height of adjacent buildings.
- **The façades of new buildings should extend this pattern.** New buildings should occupy narrow frontages and express a vertical orientation in their use of projections, windows, and other detailing. . . . and create a rhythm that visually minimizes overall massing, consistent with historic development patterns.

**Market and Octavia Plan Clarifications and Technical Amendments**

*3. Rectify the Guerrero Street Heights*

Since the adoption of the Zoning Map amendment implementing the Market and Octavia Area Plan, staff has identified several parcels at the corner of Guerrero and Duboce Streets that should have been

rezoned. The original Zoning Map amendment instituted a pattern of rezoning blocks adjacent to Market Street such that heights were generally 60/65 or 80/85 on blocks facing Market Street to maintain a strong urban street wall, while the backsides of those blocks had lower heights in order to step down on the residential side of the block. The Zoning Map amendment implemented this zoning change and pattern consistently along Market Street between Church and Dolores. Through a mapping error, however, the this element of the heights program was not legislated on the block bounded by Market Street, Guerrero Street, and Duboce Avenue. This legislation proposes to rectify this by adjusting the heights on the two most southeastern parcels of the block from 85 to 65 feet. In addition to conforming to the broader pattern in the original Zoning Map amendment, this height change would match the heights on the backside of the block to the heights on the adjacent corners.

*4. Correct and Clarify Area Plan*

Adoption of the Market and Octavia Plan included adoption of a new Area Plan and changes to the zoning maps. These changes are contained in Exhibits B3. During the first year of plan implementation staff have identified a few errors – including text that warrants clarification and maps that require updates. The amendments to the Area Plan are technical and clarifying and do not result in policy or implementation changes. The Commission adopted these amendments to the Area Plan.

Area Plan

- Update the Bike Map to be consistent with Department and MTA Policy;
- Replace references to "livable streets" to "livable alleys" to be consistent with terminology in Eastern Neighborhoods and other planning efforts.

## BACKGROUND

The Market and Octavia Plan holistically balances neighborhood character, land use, and transportation in order to create a complete neighborhood. It is the product of over eight years of community planning that was guided by the general objectives and policies of the San Francisco General Plan. Historic preservation of existing neighborhood character was a key element in the development of the Area Plan. The Area Plan design guidelines that were created with the Area Plan were written in a manner that requires new development to respect the existing character of the neighborhood.

The Area Plan was developed with a consciousness towards historic preservation and the on-going detailed survey work. The Market & Octavia Historic Survey, completed by Page & Turnbull in conjunction with Planning Department Preservation Staff, was endorsed by the Landmarks Board in December 2008 with some modifications. The Planning Commission adopted the findings of the survey also with modifications in February 2009. The findings of the Historic Survey confirm that the policies incorporated into the Area Plan will encourage development in a way that is compatible to the historic character.

## AREA LOCATION

The Area Plan boundaries encompass an irregularly shaped area in northeast San Francisco. It extends two to three blocks in width along Market Street for ten blocks and extends north along the former Central Freeway alignment at Octavia Street for ten blocks. Along Market Street, the Plan Area boundaries extend from 11th and Larkin Streets in the east to Noe and Scott Streets in the west. The

boundary jogs north along Noe Street, Duboce Avenue, Scott Street, Waller Street, Webster Street, Oak Street, Buchanan Street, and Grove Street; continues north along the former Central Freeway alignment to Turk Street between Laguna and Franklin Streets; and east of Franklin Street jogs south to Grove and Larkin Streets. The Project Area boundary extends south of Market Street between 10th and 11th Street to Howard Street. Extending west along Howard Street, the Project Area boundaries jog along Division, Mission, Fourteenth, Guerrero, and Sixteenth Streets.

## COMMISSION RECOMMMENDATIONS

Two actions are recommended – approving draft ordinances amending the General Plan and Zoning Map.

1. *Proposed General Plan Amendment*

The integration of the historic survey into the Market & Octavia Area Plan requires General Plan amendments; specifically the Area Plan policies on historic preservation will be amended, and a new design principle will be added. See Exhibit A.

Additionally some technical amendments were made to the General Plan including – updates to the zoning maps that incorporate rezonings in this packet and present information in a more generalized level, and amendments to the bicycle plan maps to be more consistent with City Policy. See Exhibit B3.

The Board of Supervisors should approve these amendments to the Market and Octavia Area Plan.

2. *Proposed Zoning Map Amendment*

The height change on non-contributing corner parcels from 50/55 feet to 60/65 feet on Market Street, reduction of heights on 6 parcels at Church and Market and two parcels at the intersection of Guerrero and Duboce Streets require zoning map amendments (Exhibit C & D).

The Board of Supervisors should approve these amendments to the Market and Octavia Area Plan.

## ENVIRONMENTAL REVIEW STATUS

Based on the Addendum to the Market and Octavia FEIR (Exhibit F), it is concluded that the analyses conducted and the conclusions reached in the final EIR certified on April 5, 2007 remain valid. The proposed revisions to the project would cause no new significant impacts beyond those previously identified in the EIR, and no new mitigation measures would be necessary to reduce significant impacts. The EIR for the Plan was certified in 2007 and little new development has occurred in the project area subsequent to said EIR certification. Development that has occurred since EIR certification has been consistent with the Plan. As such, no changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant

environmental impacts. Therefore, no supplemental environmental review is required beyond the Addendum.

## ISSUES AND OTHER CONSIDERATIONS

**Upper Market Heights**

Planning Department's recommendation balances three goals:

- Maintaining the integrity of the potential historic district;
- Supporting the plan's goals for the area plan to promote development along transit corridors; and
- Encouraging development in a way that enhances the existing neighborhood character and design.

These three goals, while not in direct competition with one another, did require careful consideration when crafting a revised heights program for Market Street. The recommended legislation best achieves these goals by promoting development on the non-contributing sites, while preserving those that are deemed historic, allowing opportunity for a twenty first century contribution to the living museum of architecture on Market Street.

## HISTORIC PRESERVATION COMMISSION COMMENTS

Following the August initiation hearing – the Planning Commission requested comment on the Department's proposal from the Historic Preservation Commission. A copy of their comments is attached (Exhibit E). The Planning Commission's proposed ordinances incorporate the HPC's substantive comments.

## PUBLIC COMMENT

Planning Department staff held a community meeting on July 9th, 2009 at the First Baptist Church of San Francisco and October 6th, at the LGBT Center. Both meetings were well attended by community members.

The generally participants of the July meeting supported the proposed Area Plan Level historic survey integration strategy. There were two additional comments:

1) Despite the good intentions of the policies and design principles, there are concerns about implementation and application to development projects, and

2) The integration of the Mission Dolores Historic Survey should also be integrated into the Market and Octavia Plan when completed.

Per the Commission's request, staff hosted an additional community meeting in October which focused on the Upper Market's heights proposal. Below is a summary of consistent themes from that meeting:

1. The Area Plan policy changes were supported with no additional comment.

2. The Upper Market Heights proposal for increases to 60/65 feet on corner lots were generally supported.
3. There varying opinions regarding 60/65 feet height controls on mid-block parcels. Comments included:
    a. Blank walls could result from varying building heights along Market Street;
    b. Some mentioned the feel of Market Street with 60/65 foot buildings in the mid-block;
    c. General support for maintaining Upper Market specific rear yard controls;
    d. Community members discussed the use of setbacks, articulation of side walls, vertical greening, and fenestration as possible solutions to varying heights along Market Street.

*The Planning Commission amended the Planning Department's proposal in response to the Community's concerns about 60/65 foot heights on midblock parcels on Market Street.*

## BASIS FOR RECOMMENDATION

The Planning Commission recommends approval of the ordinances amending the General Plan (Exhibit B) and the Zoning Map (Exhibit D) to integrate the Market & Octavia Historic Survey and to complete technical clean ups to the area plan legislation. This packet includes an executive summary, Planning Commission resolutions, draft ordinances, Historic Preservation Commission comments and environmental review documents.

**Attachments:**

| | |
|---|---|
| Exhibit A: | Amended Historic Preservation Policy Language and Map |
| Exhibit B: | 1. Planning Commissions Resolution adopting General Plan Amendments |
| | 2. Proposed General Plan Ordinance |
| | 3. General Plan Amendments |
| Exhibit C: | Proposed Market and Octavia Height Map – changes indicated |
| Exhibit D: | 1. Planning Commission Resolution adopting Zoning Map Amendments |
| | 2. Proposed Zoning Map Ordinance |
| Exhibit E: | Historic Preservation Commission Comments |
| Exhibit F: | Addendum to Environmental Impact Report |

Requested Action: Approve Amendments to the General Plan and Zoning Map.

Exhibit A:
Amended Historic Preservation Policy Language and Map

**Exhibit A:**
**Market & Octavia Area Plan Proposed Policy Changes**

**OBJECTIVE 3.2**
**PROMOTE THE PRESERVATION OF NOTABLE HISTORIC LANDMARKS, INDIVIDUAL HISTORIC BUILDINGS, AND FEATURES THAT HELP TO PROVIDE CONTINUITY WITH THE PAST.**

There are currently a number of known historically significant resources in the plan area. Locally designated landmarks are specified in Article 10 of the Planning Code. Resources are also listed in the California Register of Historical Resources, the National Register of Historic Places, and in certified historic resource surveys. Map 4 shows these known resources. ~~It is expected that a substantial number of other historic resources would be documented if an historic survey were undertaken, and that these resources would be added to over time as the area's building stock ages.~~

~~**POLICY 3.2.1**~~
~~**Prepare an historic survey for the Market and Octavia Plan Area in a timely manner.**~~
~~While much is currently known about the neighborhood and a number of surveys have been completed, there is still a need for a comprehensive historic survey for the Market and Octavia Plan Area. The City should conduct such an historic survey to identify all historic resources including potential landmarks and historic districts within the area and to determine whether historic resources are eligible for designation at the local, state, and/or federal level. The survey should be completed in a timely manner. Survey findings should be incorporated into the General Plan.~~

~~**POLICY 3.2.2**~~
~~**Until the survey is completed, a high degree of scrutiny should be applied to any project proposals in the plan area.**~~
~~While portions of the plan area have been recently surveyed, most of it will soon be surveyed under a new effort expected to be completed in Fall 2007. In the meantime, information from older surveys and a variety of sources is available identifying known resources throughout the plan area. Development proposals in the unsurveyed areas seeking approval before completion of the survey should be subject to a high degree of scrutiny as to their potential impact on historic resources, those known and those under investigation. The City should err on the side of caution where there is a question as to resource importance and potential impacts. In some cases this may require waiting for results of the comprehensive survey before proceeding and/or requiring specific additional research and information be prepared.~~

~~**POLICY 3.2.3**~~
~~**Particularly sensitive areas identified in this plan should be treated as potential historic districts while the comprehensive survey is underway.**~~ ~~Some portions of the plan area contain clusters of rated historic buildings indicating a relatively high potential as an historic district. In others, implementation of the plan may increase development pressure on existing building stock where there are suspected cultural resources and some possibility of a district that has not yet been assessed. In order to assure potential historic districts are not eroded in the interim, the subareas identified in Map 4a Interim Scrutiny Areas should be effectively created as potential historic districts until surveying is completed and results are incorporated into city policy.~~

~~**Policy 3.2.4**~~

~~**Once an historic survey of the neighborhood is complete, review the policies of this plan and revise and refine them as necessary.**~~

~~It is expected that this survey will identify properties and areas for further, more intensive study. As new information comes to light about the area's resources, and as newer buildings age, the survey should be reviewed regularly to ensure accuracy. New survey findings should be integrated into city policy and given full consideration in planning decisions in the area. Following completion of historic surveys of the plan area, relevant policies should be reviewed and revised as necessary, and new ones added if needed, to identify and protect resources consistent with the plan and General Plan.~~

**POLICY 3.2.15**

**Preserve landmark and other buildings of historic value as invaluable neighborhood assets.**

Important historic properties cannot be replaced if they are destroyed. Many resources within the Market & Octavia area are of architectural merit or provide important contextual links to the history of the area. Where possible these resources should be preserved in place and not degraded in quality.

**POLICY 3.2.26**

**Encourage rehabilitation and adaptive reuse of historic buildings and resources.**

Whenever possible, historic resources should be conserved, rehabilitated or adaptively used. Over time, many buildings outlive the functions for which they were originally designed, and they become vacant or underused. Adaptive use proposals can result in new functions for historic buildings. Significant, character defining architectural features and elements should be retained and incorporated into the new use, where feasible.

**POLICY 3.2.37**

**The addition of garages to historic buildings should be strongly discouraged.**

Garage doors disrupt the original architecture and diminish the quality of the sidewalk and street. Where garages have been added to historically significant buildings, seek to return the buildings to the original character. Policies throughout this plan regulate the installation of off-street parking. Those policies should be rigorously applied to historically significant buildings.

**POLICY 3.2.48**

**Protect and preserve groupings of cultural resources that have integrity, convey a period of significance, and are given recognition as groupings through the creation of historic or conservation districts.**

Designated historic districts or conservation districts have significant cultural, social, economic, or political history, as well as significant architectural attributes, and were developed during a distinct period of time. When viewed as an ensemble, these features contribute greatly to the character of a neighborhood and to the overall quality, form, and pattern of San Francisco. Historic districts can provide a cohesive vision back in time, allowing the City's current residents to experience a larger context of the urban fabric, which has witnessed generations. The boundaries of recognized districts can be found on Map 4.

**Policy 3.2.59**

**Preserve resources in identified historic districts.**

The following districts that have been identified within the Plan Area:

~~The Hayes Valley California Register Historic District, generally bounded by Fillmore, Hermann, Octavia and Grove Streets, has a wealth of Victorian and Edwardian architecture that was spared from the 1906 earthquake and fire and as such represent a significant period in the City's history.~~

~~While smaller in area, the Guerrero Street Fire Line National Register Eligible District, the Ramona Street National Register Eligible District, and the Hidalgo Terrace California Register Eligible District in the Inner Mission North Survey Area also represent significant district resources.~~

**Duboce Park**

The contributors to the National Register eligible Duboce Park Historic District are overwhelmingly residential. A few multiple-family residences within the district (typically located on corners) also include a commercial use at the street level. Additionally, nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. Late Victorian and Edwardian era architectural styles predominate, with the Queen Anne style most widely represented. Construction dates for the vast majority of contributing resources within the District range from ca. 1897 to approximately 1905.

**Duboce Triangle**

The contributors to the California Register eligible Duboce Triangle Historic District are overwhelmingly residential. Multiple-family dwellings are the most prevalent, and largely consist of two or three story flats. A few residential buildings within the District (typically located on corners or near Market Street) also include a commercial use at the street level. Nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. Victorian and Edwardian era architectural styles predominate, with the Classical Revival style most widely represented. As a consequence, bay windows and facades organized into multiple bays are common features throughout the District, as are properties exhibiting a high level of ornamentation and architectural detail. Most buildings within the district were constructed between ca. 1885 and 1910.

**Hayes Valley Residential**

The "residential" moniker given to California Register eligible Hayes Valley Historic District is indicative of the types of contributing resources that are prevalent throughout the area. The Hayes Valley Historic District focuses on Victorian and Edwardian houses built between 1860 and 1920. The contributing buildings are primarily of wood frame construction, with masonry and concrete construction in the minority. The earliest contributor dates to circa 1868, while the latest dates to circa 1920.

**Hayes Valley Commercial**

The Hayes Valley Commercial District is a locally-eligible historic district located within the Hayes Valley neighborhood of San Francisco. The primary building types consist largely of Victorian-era flats and dwellings, with commercial development and apartment buildings. The neighborhood may also be seen as representing two distinct, yet tightly woven eras: the pre-Earthquake Victorian city, as well as the post-Earthquake Edwardian era of reconstruction.

The "commercial" moniker given to the district is indicative of the types of contributing resources that are prevalent throughout the area. Primarily, these take the form of 1 - 3 story commercial buildings and mixed-use residential and commercial structures. A few industrial buildings are also located in the district—notably auto repair shops—but these are also considered contributing because of their quasi-

commercial use. The contributing buildings are primarily of wood frame construction, with masonry and concrete construction in the minority. The earliest contributor dates to circa 1885, while the latest dates to 1927.

**San Francisco State Teacher's College Vicinity Apartments**

The "apartments" moniker given to locally-eligible San Francisco State Teacher's College Vicinity Apartments Historic District is indicative of the types of contributing resources. These take the form of four- to seven-story multiple-family residential structures, usually with a raised basement or parking garages at ground level. While one other apartment building of a smaller scale is also located within in the district, it does not contribute due to its later construction date. The contributing buildings are all constructed of reinforced concrete. The earliest contributor dates to 1927, while the latest dates to 1931.

**San Francisco State Teacher's College**

The National Register District campus consists of five buildings location on two blocks bounded by Haight, Buchannan, Hermann, and Laguna. One of the significant features of the district is its long standing use as an educational facility beginning with the San Francisco State Normal School and most recently being used by the University of California-Berkeley and the French-American International School.

**Upper Market Street**

The historic themes of the California Register eligible Upper Market Street Historic District significance is derived from the advent of public transportation routes into the area, providing a connection with the city's downtown core and encouraging residential development in the outlying neighborhoods such as Duboce Triangle and Eureka Valley. This, in turn, influenced the establishment of businesses along Upper Market Street, which echoed the commercial development further east on Market Street, and served the surrounding residential neighborhoods.

The properties fronting on Market Street are almost entirely commercial. Nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. Other building types include concrete construction and brick masonry. Victorian-era and Classical Revival style the most prevalent, however International, Art Deco, and Art Moderne, are also present and help to illustrate the continual commerce-driven development of parcels along the prominent traffic corridor. In keeping with commercial stylistic conventions, rectangular, flat roofed structures are prevalent. Bay windows and facades organized into multiple bays are common features throughout the district.

**Elgin Park-Pearl Street Reconstruction Historic District** (Attachment E-8).
The California Register eligible Elgin Park-Pearl Street Reconstruction Historic District is a medium-scale (generally two to three stories in height) residential enclave located within the northern Mission District. Contributing properties are typically residential flats; five single family dwellings and three mixed-use, residential-over-commercial buildings are also included. Contributors were erected between 1906 and 1913, during the period of reconstruction that followed the citywide disaster of 1906.

**Jessie-McCoppin-Stevenson Streets Reconstruction Historic District**
The California Register eligible Jessie-McCoppin-Stevenson Streets Reconstruction Historic District is a medium-scale (generally two to three stories in height) residential enclave located within the northern Mission District. Contributing properties are almost exclusively residential flats; one single family dwelling is included. Contributors were erected between 1906 and 1912, during the period of reconstruction that followed the citywide disaster of 1906.

**Ramona Street**
This district is eligible for both the National and California Register. It is a very early (1911-1923) urban, middle class subdivision, with a unified range of architectural styles and pattern of development encompassing integrated garages on the ground floor.

**Guerrero Street Fire Line**
The Guerrero Street Fire Line District is eligible for the National Register. The buildings embody the distinctive characteristics of balloon frame housing stock in San Francisco erected before 1906, as well as possessing high artistic values in their rich ornamentation.

**Hidalgo Terrace**
The proposed California Register Eligible District encompasses the single small cul-de-sac of buildings constructed between 1919 and 1925. The buildings are nearly all two-story stucco-clad single-family row houses, with the notable distinction that the two buildings that mark the entrance to Hidalgo Terrace from Dolores Street are three story apartment buildings. Most include a recessed garage door on the ground floor. There are front setbacks with small front greenspace on all buildings save for the two apartment buildings that form a gate into the small street.

These resources and any other potential districts identified through future survey efforts should be preserved, maintained and enhanced through rigorous review of any proposed changes within their boundaries.

**POLICY 3.2.6~~10~~**
**~~Support~~ Pursue future preservation efforts, including the designation of historic landmarks and districts, should they exist, throughout the plan area.**
A 1995/96 historic resources survey identified an historic district in the Hayes Valley area and the Inner Mission North Survey of 2004 identified three smaller eligible districts in the north Mission area. The Market and Octavia Historic Preservation Survey expanded one existing district and identified an additional 7 districts. ~~additional districts within the Market & Octavia Plan Area boundaries.~~ The boundaries of these historic districts can be found on Map 4. Future survey findings should be incorporated as appropriate. ~~It is anticipated that more historic districts will be identified in the upcoming comprehensive plan area survey.~~ In addition to the protection provided to these resources through planning and environmental review procedures, official designation should also be pursued when appropriate. Designation serves to more widely and publicly recognize important historic resources in the plan area.

**POLICY 3.2.7~~11~~**
**Ensure that changes in the built environment respect the historic character and cultural heritage of the area, and that resource sustainability is supported.**

Historic resources are focal points of urban context and design, and contribute greatly to San Francisco's diverse neighborhoods and districts, scale, and city pattern. Alterations, additions to, and replacement of older buildings are processes by which a city grows and changes. Some changes can enhance the essential architectural and historical features of a building. Others, however, are not appropriate. Alterations and additions to a landmark or contributory building in an historic district should be compatible with the building's original design qualities. Rehabilitation and adaptive use is encouraged. For non-designated cultural resources, surveys and evaluations should be conducted to avoid inappropriate alterations or demolition.

**POLICY 3.2.~~812~~**
**Encourage new building design that respects the character of nearby older development.**
New buildings adjacent to or with the potential to visually impact historic contexts or structures should be designed to complement the character and scale of their environs. The new and old can stand next to one another with pleasing effects, but only if there is a successful transition in scale, building form and proportion, detail, and materials. Other polices of this plan not specifically focused on preservation—reestablishment and respect for the historic city fabric of streets, ways of building, height and bulk controls and the like—are also vital actions to respect and enhance the area's historic qualities.

**POLICY 3.2.~~913~~**
**Promote preservation incentives that encourage reusing older buildings.**
Preservation incentives are intended to encourage property owners to repair, restore, or rehabilitate historic resources in lieu of demolition. San Francisco offers local preservation incentive programs, and other incentives are offered through federal and state agencies. These include federal tax credits for rehabilitation of qualified historical resources, property tax abatement programs (the Mills Act), alternative building codes, and tax reductions for preservation easements. Preservation incentives can result in tangible benefits to property owners.

**POLICY 3.2.~~1014~~**
**Apply the "Secretary of the Interior's Standards for the Treatment of Historic Properties" for all projects that affect individually designated buildings at the local, state, or national level.**
The Secretary of the Interior's Standards assist in the long-term preservation of historic resources through the protection of historical materials and features. Nationally, they are intended to promote responsible preservation practices that help to protect against the loss of irreplaceable cultural resources.

**Policy 3.2.~~1115~~**
**Apply the Secretary of the Interior's Standards for the Treatment of Historic Properties for infill construction in Historic Districts and Conservation Districts (designated at the local, state, or national level) to assure compatibility with the character of districts.**
These standards should be applied in decisions involving infill construction within conservation or historic districts. These districts generally represent the cultural, social, economic or political history of an area, and the physical attributes of a distinct historical period. Infill construction in historic districts should be compatible with the existing setting and built environment.

**POLICY 3.2. ~~1216~~**
**Preserve the cultural and socio-economic diversity of the plan area through preservation of historic resources.**
Valuing the historic character of neighborhoods can preserve diversity in that older building stock, regardless of its current condition, is usually of a quality, scale, and design that appeals to a variety of people. Older buildings that remain affordable can be an opportunity for low-income households to live in neighborhoods that would otherwise be too expensive.

**POLICY 3.2.1347**

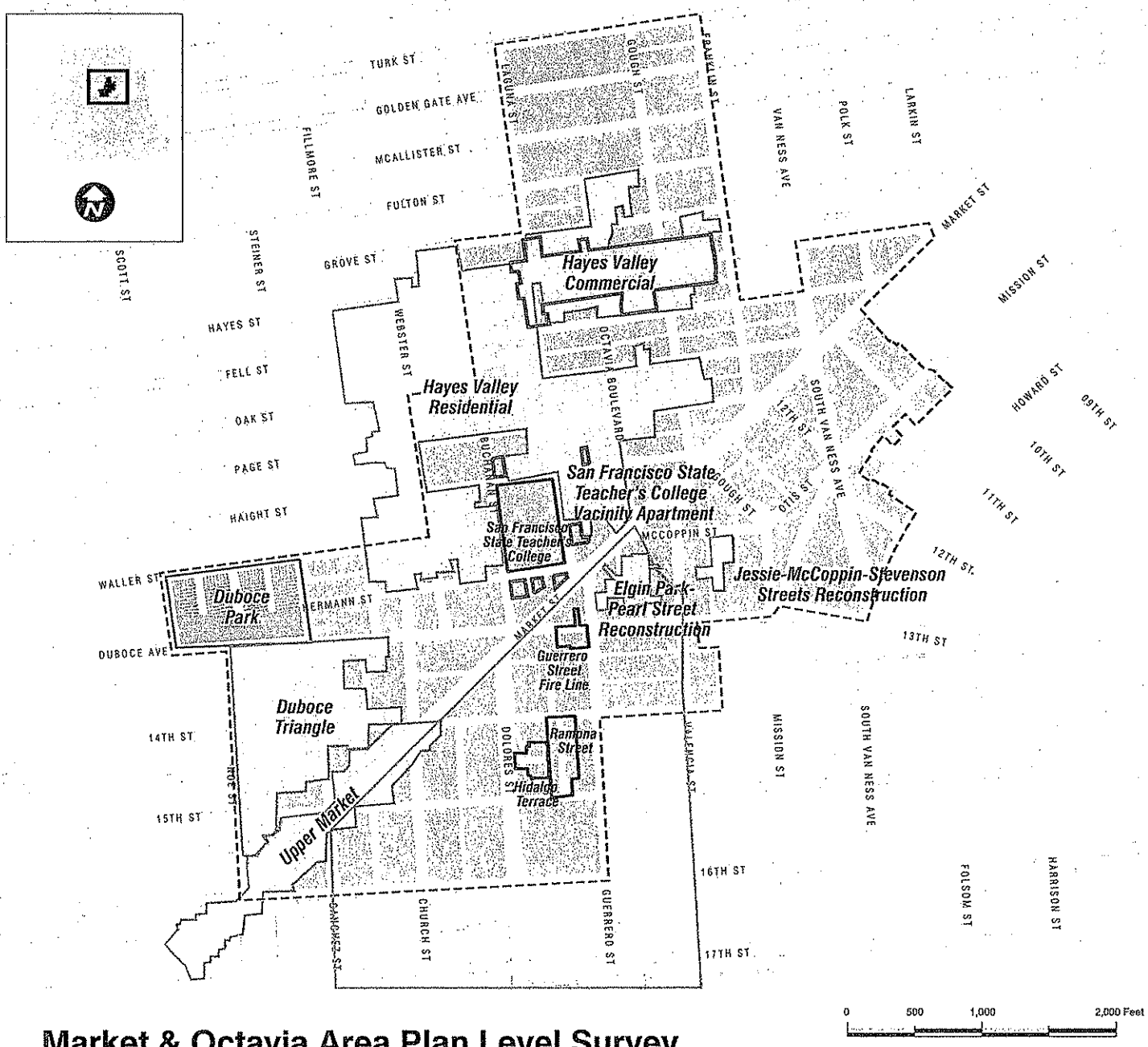
**To maintain the City's supply of affordable housing, historic rehabilitation projects may need to accommodate other considerations in determining the level of restoration.**

Where rehabilitation requirements threaten the affordability of housing, other accommodations may need to be emphasized such as: exterior rehabilitation which emphasizes the preservation and stabilization of the streetscape of a district or community or recognizing funding constraints, to balance architectural character with the objectives of providing safe, livable, and affordable housing units.

***New Design Principle:***

**Highly-visible building facades along interior property lines, particularly adjacent to significantly shorter buildings, should incorporate a combination of articulations, setbacks, fenestration/windows and material detailing to mitigate large expanses of blank wall.**

There are cases where new buildings may be built adjacent to existing buildings that are substantially shorter (i.e. by two or more stories). Sometimes these adjacent buildings have historic merit, contain housing units, feature lower height limits, or are limited by other factors that make them unlikely to be re-developed in the foreseeable future with larger buildings that might mask the side facade of the proposed building. Large expanses of blank wall are unsightly and potentially blighting on a neighborhood. New buildings shall sensitively and creatively treat these prominent interior property line conditions, cognizant of the visibility of these facades from surrounding public spaces and buildings. Larger, wider buildings with greater amounts of street frontage shall also consider more significant articulations or partial upper floor setbacks along these property lines. Techniques for incorporating planted "living walls" can also soften the visual impact of exposed sidewalls and facades while providing ecological benefit.




# Market & Octavia Area Plan Level Survey Identified Historic Districts

**MAP 4**

Proposed Changes

- Locally Significant District
- California Register District
- National Register District

Existing Districts

- Previously Identified District

Mission Dolores Survey Boundary (Survey currently underway)

Exhibit B:

1. Resolution for Adoption of General Plan Amendments
2. Proposed General Plan Ordinance
3. General Plan Amendments

SAN FRANCISCO

PLANNING COMMISSION

GENERAL PLAN RESOLUTION NO. 17969

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

The San Francisco Planning Department is seeking to amend the Market and Octavia Area Plan ("Area Plan") of the General Plan, to incorporate the relevant findings of the Market & Octavia Historic Survey ("Historic Survey") consistent with the Planning Commission's direction in Motion 17831, the provisions of Ordinance No. 72-08 finally approved by the Board on April 22, 2008, and Market and Octavia Area Plan Objective 3.2 by removing language calling for the Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; amending the provisions related to alleys to include terminology consistent with other Area Plans; and adding a new design principle about sidewalls on buildings with varying heights ("Market and Octavia Area Plan Amendment").

Whereas, the Market and Octavia Area Plan was adopted by the Planning Commission on April 5, 2007 and approved by the Board of Supervisors on October 24, 2007 and signed by the Mayor on. Included in the Area Plan and language of uncodified Section 4 of Ordinance 72-08 were requirements outlining how the pending Historic Survey should be incorporated into the Area Plan upon completion.

Whereas, the Market and Octavia Area Plan Level Historic Survey (the Survey) was presented to and approved by the Landmarks Board and the Planning Commission on December 3, 2008 and February 23, 2009 respectively. The Landmarks Board and the Planning Commission endorsed eight (8) historic districts and a number of individual contributors.

Whereas, both the Area Plan, Ordinance No. 72-08, and related Planning Commission resolutions required the completion and endorsement of the Survey by the Planning Commission. Following endorsement, the Planning Department was directed to bring forward the amended area plan policy language integrating the results of the Historic Survey into the Market and Octavia Plan. The Planning Commission finds that the mandated integration is effectively completed through the proposed amendments to the policies and maps of the Area Plan.

Whereas, the Planning Commission initiated the Market and Octavia Area Plan Level Historic Survey Integration including amendments to the General Plan and the Zoning Map with resolution _____ on _____.

Whereas, the Market & Octavia Area Plan will encourage the development of new housing, neighborhood services, open space and sustainable transportation in the Market and Octavia neighborhood generally including the intersections of Market and Church Streets, Market Street and Van Ness Avenue, and the new Octavia Boulevard and parcels within walking distance of these areas. The Plan will ensure that new development regenerates the neighborhood fabric where the Central Freeway once stood and transforms the SoMa West area into a full-service neighborhood. The Plan places a strong emphasis on transit orientated development, particularly along the Van Ness and Market Street corridors. This development is critical to the long term sustainability, in both economic and environmental terms of San Francisco.

Whereas, historic preservation is an important component of the Area Plan and helps to define the existing character of a neighborhood. The Historic Survey identified eight potential districts within the boundaries of the Area Plan. These districts represent both architecturally and culturally significant features within the neighborhood and should be preserved to share with future residents.

Whereas, it is important that the policies of the Area Plan be consistent with the findings of the Area Plan Level Historic Survey to both protect known resources, while also meeting the evolving needs of a neighborhood and the city. Neighborhood plans should encourage development while still enhancing existing contributions to neighborhood character.

Whereas the findings of all future survey work, including the Augmentation survey currently under contract with Kelley and Verplank, the Mission Dolores survey currently under contract with Carey and Company, and any additional work in the Duboce Triangle neighborhood, should be integrated into the Market and Octavia Area Plan as appropriate, following endorsement of the survey work. Possible modes of integration of all future survey work should include the addition of descriptions of newly identified or amended districts to the area plan and the addition of said districts to the appropriate maps as is recommended for the findings of the Page and Turnball Survey with this resolution.

Whereas, the Market and Octavia Area Plan Level Survey included key parcels that were identified in a windshield survey and were subject to rezoning in the area plan, but did not include every parcel in the plan area, subsequent surveys should be supported and integrated into the plan as deemed necessary by the Planning Commission.

Whereas, small language amendments are recommended, by Planning Department staff, to change references of "living streets" to "living alleys" to be more consistent with the Better Streets terminology. The term living alley more accurately describes the policies and improvements called for in the Area Plan. The bicycle map found within the Area Plan has also been amended to reflect the most recent conclusions within the Bicycle Plan completed by the MTA.

Whereas, overall, policies envisioned for the Market and Octavia neighborhood are consistent with the General Plan. However, the Market and Octavia Area Plan Amendment, **attached in an Ordinance hereto as Exhibit A,** are required to achieve and effectively integrate the historic requirements into the Area Plan. The City Attorney's Office has reviewed the draft ordinance and approved it as to form.

Staff recommends adoption of the draft Resolution of Intention to adopt the proposed Market and Octavia Area Plan Amendment, an amendment to the General Plan.

Planning Code Section 101.1(b) establishes eight priority policies and is the 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 proposed changes would not impact neighborhood serving retail uses or future opportunities for employment.*

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

   *The integration of the Historic Survey into the Area Plan will ensure that existing character will be conserved. New housing, with family and income requirements, will be able to contribute to the cultural economic diversity of the Market & Octavia neighborhoods.*

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

   *By permitting an additional story of development on non-contributing parcels along the Upper Market corridor, additional stories of housing may [or will likely] be built. The Area Plan's housing requirements will require affordable units to be a part of those additional stories.*

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

   *The proposed changes would not impede MUNI transit services, overburden streets, or neighborhood parking.*

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

*The proposed changes would not adversely affect the industrial or service sectors.*

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

   *The proposed changes would not adversely affect preparedness against injury and loss of life in an earthquake and would comply with applicable safety standards.*

7. That landmarks and historic buildings be preserved.

   *The proposed changes would have a positive effect on the preservation of landmarks and historic buildings. This survey integration is meant to bolster the Area Plan to further protect and preserve the historic resources that exist within the Area Plan boundaries.*

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

   *The proposed changes would not have an effect on parks and open spaces.*

The changes proposed to the Area Plan build 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. Below are specific policies and objectives that support the proposed actions.

NOTE: General Plan Elements are in *CAPITAL ITALICS*
General Plan Objectives are in CAPITAL LETTERS
General Plan Policies are in Arial standard font

*AIR QUALITY ELEMENT*

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 3.3
Continue existing city policies that require housing development in conjunction with office development and expand this requirement to other types of commercial developments.

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 3.6
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.

*COMMERCE AND INDUSTRY ELEMENT*

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.

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 6.7
Promote high quality urban design on commercial streets.

*HOUSING ELEMENT*

OBJECTIVE 2
RETAIN THE EXISTING SUPPLY OF HOUSING.

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

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

Policy 3.6
Preserve landmark and historic residential buildings.

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.

OBJECTIVE 8
ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

Policy 8.9
Encourage the provision of new home ownership opportunities through new construction so that increased owner occupancy does not diminish the supply of rental housing.

*URBAN DESIGN*

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 1.7
Recognize the natural boundaries of districts and promote connections between districts.

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

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, COTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

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 2.5
Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

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

Policy 2.7
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

OBJECTIVE 3
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

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

Policy 3.5
Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

Policy 4.15
Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

Whereas, the Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code as follows:

On April 5, 2007 the Planning Commission certified the Market and Octavia Area Plan Final Environmental Impact Report (FEIR), which was upheld on appeal by the Board of Supervisors. The FEIR is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein. In accordance with prior actions related to adoption and implementation of the Market and Octavia Area Plan (the Project), the Planning Commission adopted Motion No. 17407, concerning findings pursuant to the California Environmental Quality Act

(California Public Resources Code sections 21000 et seq.) and adopted the Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion is on file with the Department in Case File No. _____ and is incorporated by reference herein.

On _____, 2009 under CEQA Guidelines Section 15164 and Administrative Code Section 31.19(c)(1) the Planning Department prepared an Addendum to the FEIR (Addendum) analyzing proposed modifications to the Project including amendments to the Area Plan of the General Plan and Zoning Map to integrate the Market and Octavia Historic Resources Survey into the Area Plan, make clarifying and technical amendments to the Zoning Map and Area Plan, and making other modifications (modifications to the Project). A copy of the Addendum is on file in Case File No. _____ and is incorporated by reference herein..

The Planning Commission has reviewed the FEIR, the CEQA Findings, and the Addendum and, in light of the whole record, finds that the modifications to the Project, including the provisions of this ordinance, are consistent with and within the scope of the Project analyzed in the FEIR and the Addendum. The Planning Commission concurs with the Addendum and its conclusion that the modifications to the Project would not cause new significant impacts not previously identified in the FEIR nor would it substantially increase the severity of impacts previously identified in the FEIR and thus no additional environmental review is necessary.

The Planning Commission finds that no substantial changes have occurred to the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

The Planning Commission adopts the CEQA Findings contained in Planning Commission Motion No. 17407 and incorporates those findings herein by reference. The Planning Commission adopts the MMRP, on file with the Clerk of the Board in File No. _____ and incorporates the MMRP herein by reference.

**NOW, THEREFORE BE IT RESOLVED**, That pursuant to Planning Code Section 340, the Planning Commission adopts a Resolution to adopt the Amendment to the Market and Octavia Area Plan, an amendment to the General Plan of the City

and County of San Francisco, in order to implement the proposed integration of the Market and Octavia Neighborhood Plan, among other things.

**AND BE IT FURTHER RESOLVED**, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced General Plan amendment in a draft ordinance approved as to form by the City Attorney contained in **Exhibit C**, as though fully set forth herein, to be considered at a publicly noticed hearing on or after 10/22/2009.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission on October 22, 2009.

**Linda Avery**
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore, Olague and Sugaya

NOES: None

ABSENT: None

ADOPTED: October 22, 2009

FILE NO. ORDINANCE NO.

[General Plan Amendment – Market and Octavia Area Plan.]

**Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1.**

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings.

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

B. On October 24, 2007, the Board of Supervisors approved a General Plan Amendment which was adopted by the Planning Commission on April 5, 2007, including the addition of a new area Plan, the Market and Octavia Area Plan, and related General Plan amendments to the Commerce and Industry, Housing, Recreation and Open Space and

Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index.

(1) Policy 3.2.1 of the Area Plan called for the preparation of an historic survey for the Market and Octavia Plan Area.

(2) The Planning Department and Page and Turnbull Consultants prepared an Area Plan Level Historic Survey. On December 3, 2008 and February 23, 2009 respectively, the Landmarks Preservation Advisory Board and the Planning Commission, with some modifications adopted the Market and Octavia Area Plan Historic Resources Survey ("Survey").

(3) The Planning Commission initiated amendments to the General Plan to integrate the results of the Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans ("Market and Octavia Area Plan Amendment").

C. Section 4.105 of the City Charter further provides that if the Board of Supervisors fails to Act within 90 days of receipt of the proposed Market and Octavia Area Plan Amendment, then the proposed amendment shall be deemed approved.

D. San Francisco Planning Code Section 340 provides than an amendment to the General Plan may be initiated by a resolution of intention by the Planning Commission, which refers to, and incorporates by reference, the proposed General Plan amendment. Section 340 further provides that Planning Commission shall adopt the proposed General Plan amendment after a public hearing if it finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendment or any part thereof. If

adopted by the Commission in whole or in part, the proposed amendment shall be presented to the Board of Supervisors, which may approve or reject the amendment by a majority vote.

E. On _____, 2009 in Resolution No. _____, the Planning Commission initiated the Market and Octavia Area Plan Amendment, at a duly noticed public hearing. On, _____, 2009 in Resolution No. _____, the Planning Commission approved the Market and Octavia Area Plan Amendment at a duly noticed public hearing and recommended that the Board of Supervisors adopt the amendment.

F. Environmental Findings. The Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code as follows:

(1) On April 5, 2007 the Planning Commission certified the Market and Octavia Area Plan Final Environmental Impact Report (FEIR), which was upheld on appeal by the Board of Supervisors. The FEIR is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein. In accordance with prior actions related to adoption and implementation of the Market and Octavia Area Plan (the Project), this Board adopted Planning Commission Motion No. 17407, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) and adopted the Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein.

(2) On _____, 2009 under CEQA Guidelines Section 15164 and Administrative Code Section 31.19(c)(1) the Planning Department prepared an Addendum to the FEIR (Addendum) analyzing proposed modifications to the Project including amendments to the Area Plan of the General Plan and Zoning Map to integrate the Market and Octavia Historic

Resources Survey into the Area Plan, make clarifying and technical amendments to the Zoning Map and Area Plan, and making other modifications (modifications to the Project). A copy of the Addendum is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein.

(3) The Board of Supervisors has reviewed the FEIR, the CEQA Findings, and the Addendum and, in light of the whole record, finds that the modifications to the Project, including the provisions of this ordinance, are consistent with and within the scope of the Project analyzed in the FEIR and the Addendum. The Board of Supervisors concurs with the Addendum and its conclusion that the modifications to the Project would not cause new significant impacts not previously identified in the FEIR nor would it substantially increase the severity of impacts previously identified in the FEIR and thus no additional environmental review is necessary.

(4) The Board of Supervisors finds that no substantial changes have occurred to the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible

or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

(5) The Board of Supervisors adopts the CEQA Findings contained in Planning Commission Motion No. 17407 and incorporates those findings herein by reference. The Board adopts the MMRP, on file with the Clerk of the Board in File No. _____ and incorporates the MMRP herein by reference.

G. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the Market and Octavia Area Plan Amendment set forth in the document so entitled on file with the Clerk of the Board in File No. _____ will serve the public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. _____ and incorporates those reasons herein by reference.

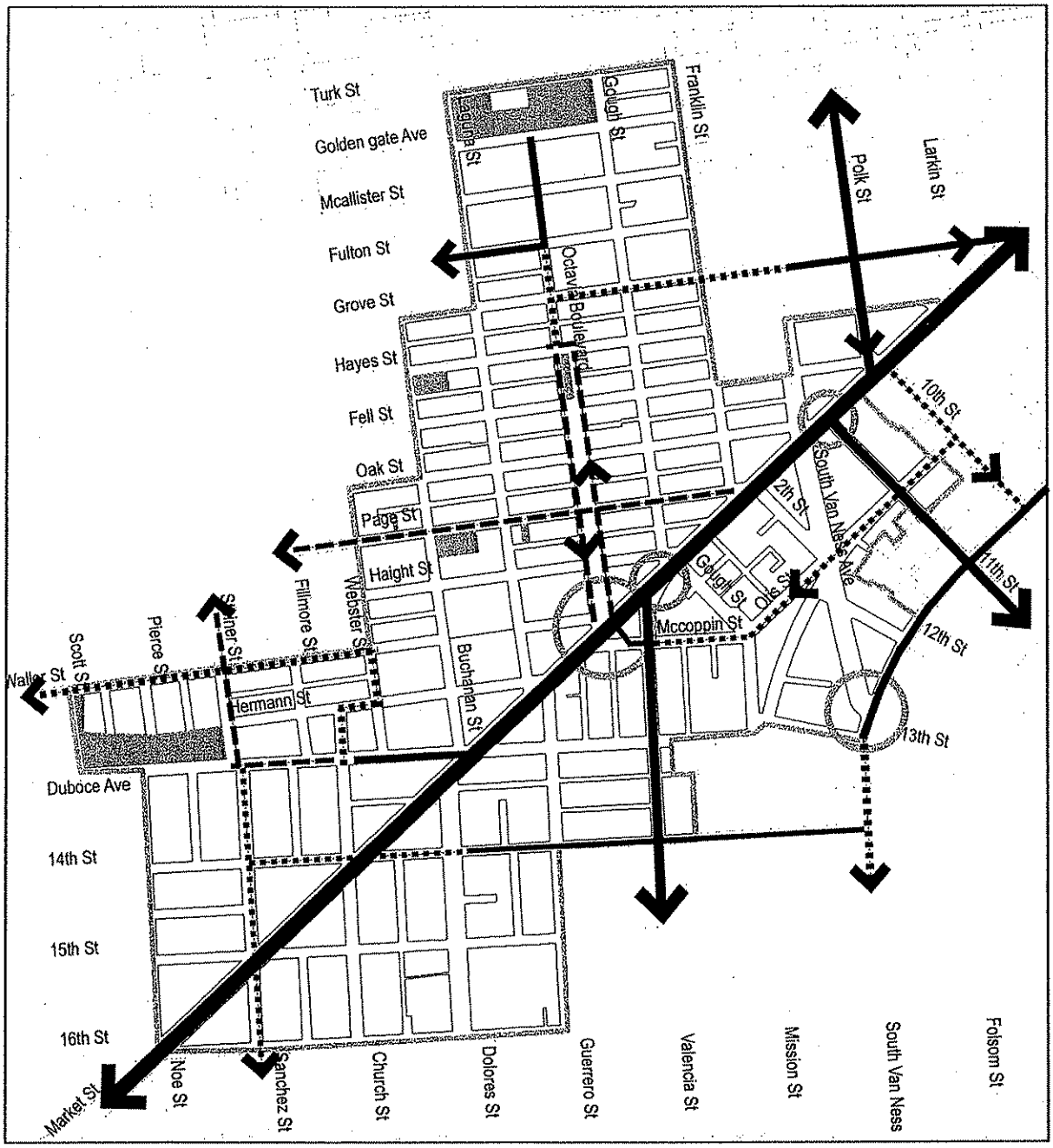
H. The Board of Supervisors finds that the Market and Octavia Area Plan Amendment as set forth in the documents on file with the Clerk of the Board in File No. _____, are in conformity with the General Plan, as it is amended by this Ordinance, and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. _____. The Board hereby adopts the findings set forth in Planning Commission Resolution No. _____ and incorporates those findings herein by reference.

Section 2. The Board of Supervisors hereby approves the proposed Market and Octavia Area Plan Amendment, an amendment to the General Plan as recommended to the Board of Supervisors by the Planning Commission on _____, and on file with the Clerk of the Board in File No. _____.

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

By: _____
Susan Cleveland-Knowles
Deputy City Attorney

# BICYCLE NETWORK Map 11

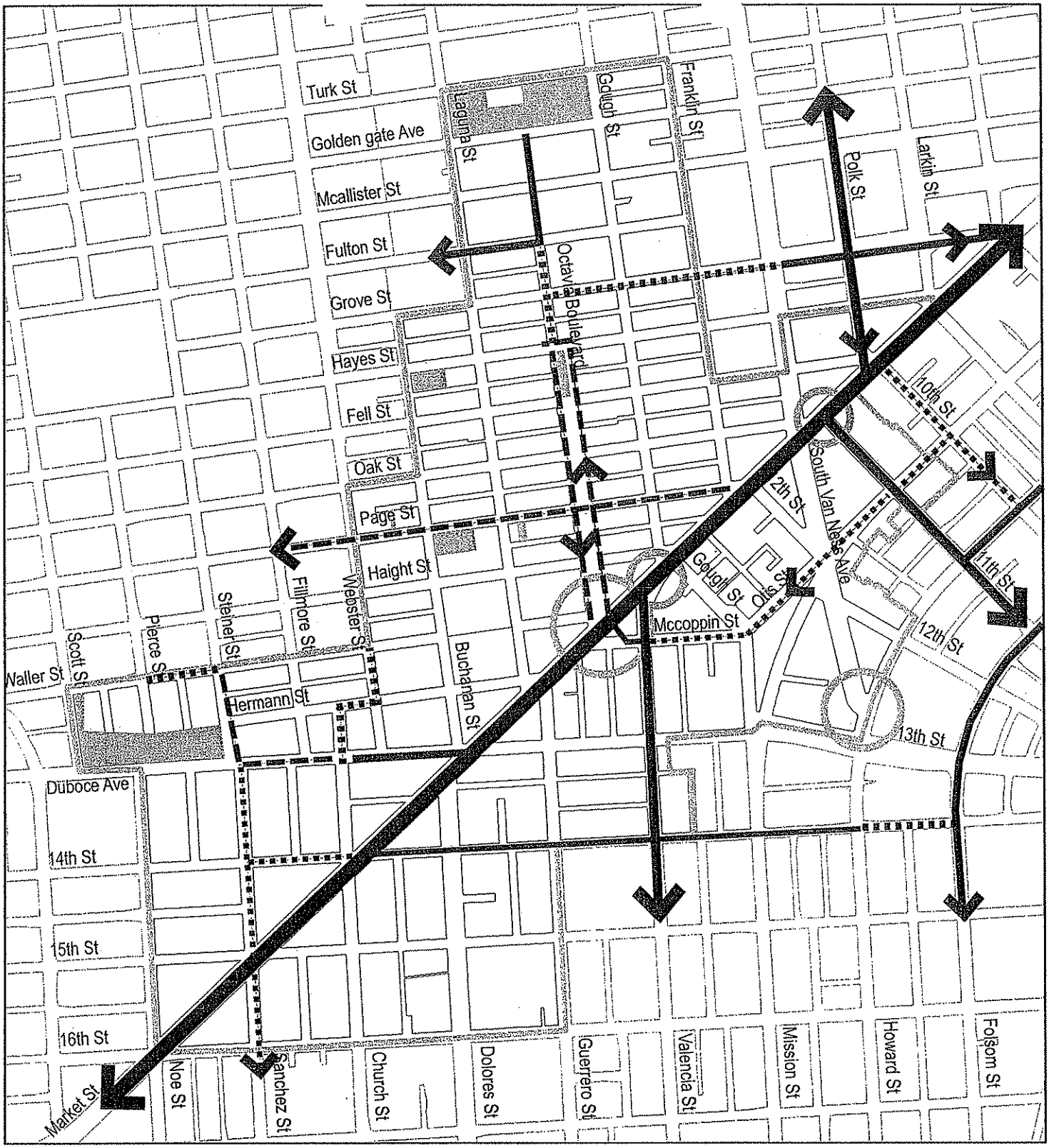



**Legend**

- Bike Lanes and Paths
- Bike Boulevards and Traffic-Calmed Streets
- Other Bike Routes
- Intersections for Special Treatment

0 400 800 1,600 Feet
0 125 250 500 Meters

Proposed Bicycle Map




Map 10 Bicycle Network - *Proposed*

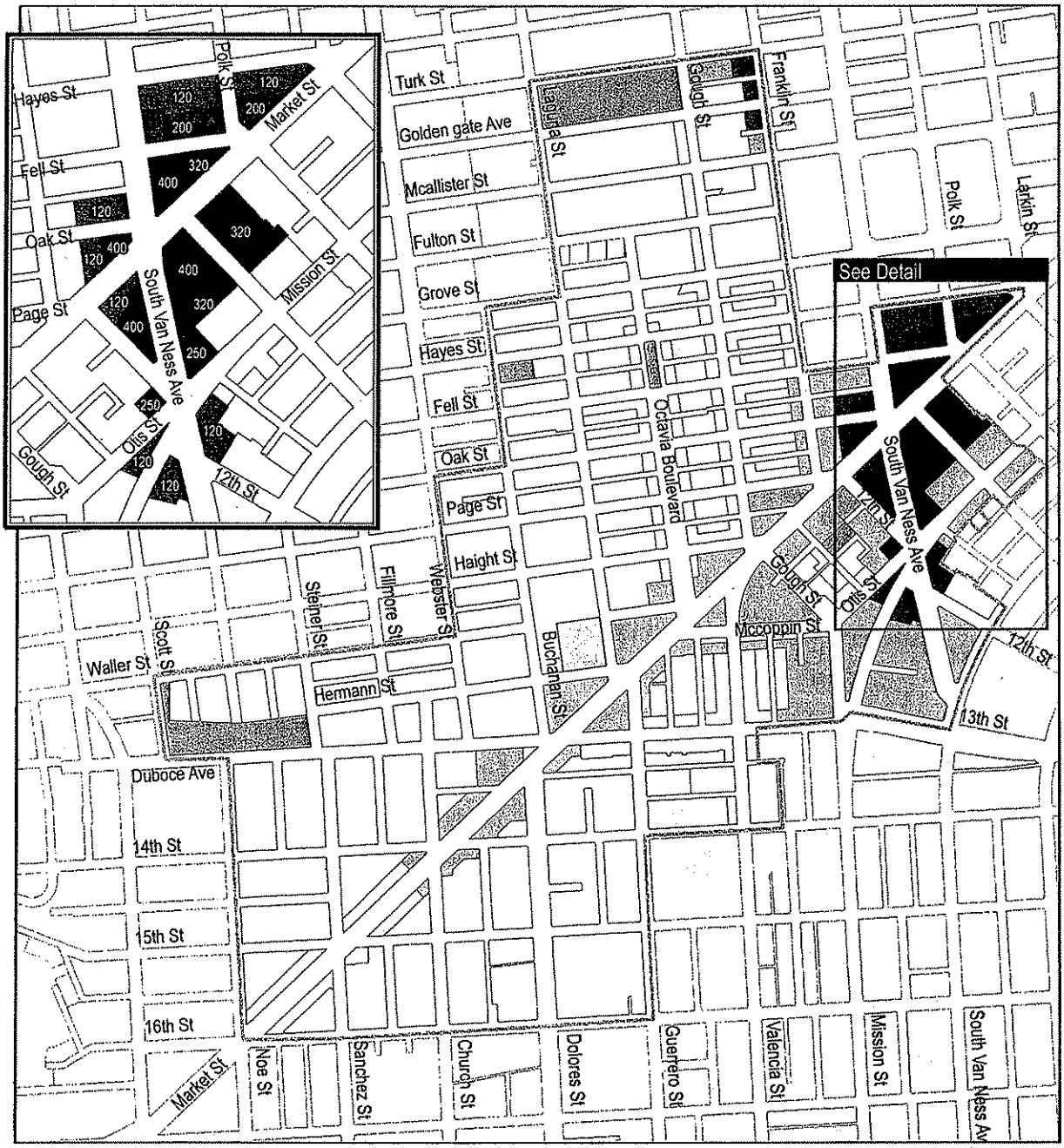
**Legend**

- Bike Lanes and Paths
- Other Bike Routes
- Bike Boulevards and Traffic-Calmed Streets
- Intersections for Special Treatment

0 400 800 1,600 Feet

0 125 250 500 Meters

# HEIGHT DISTRICTS Map 3



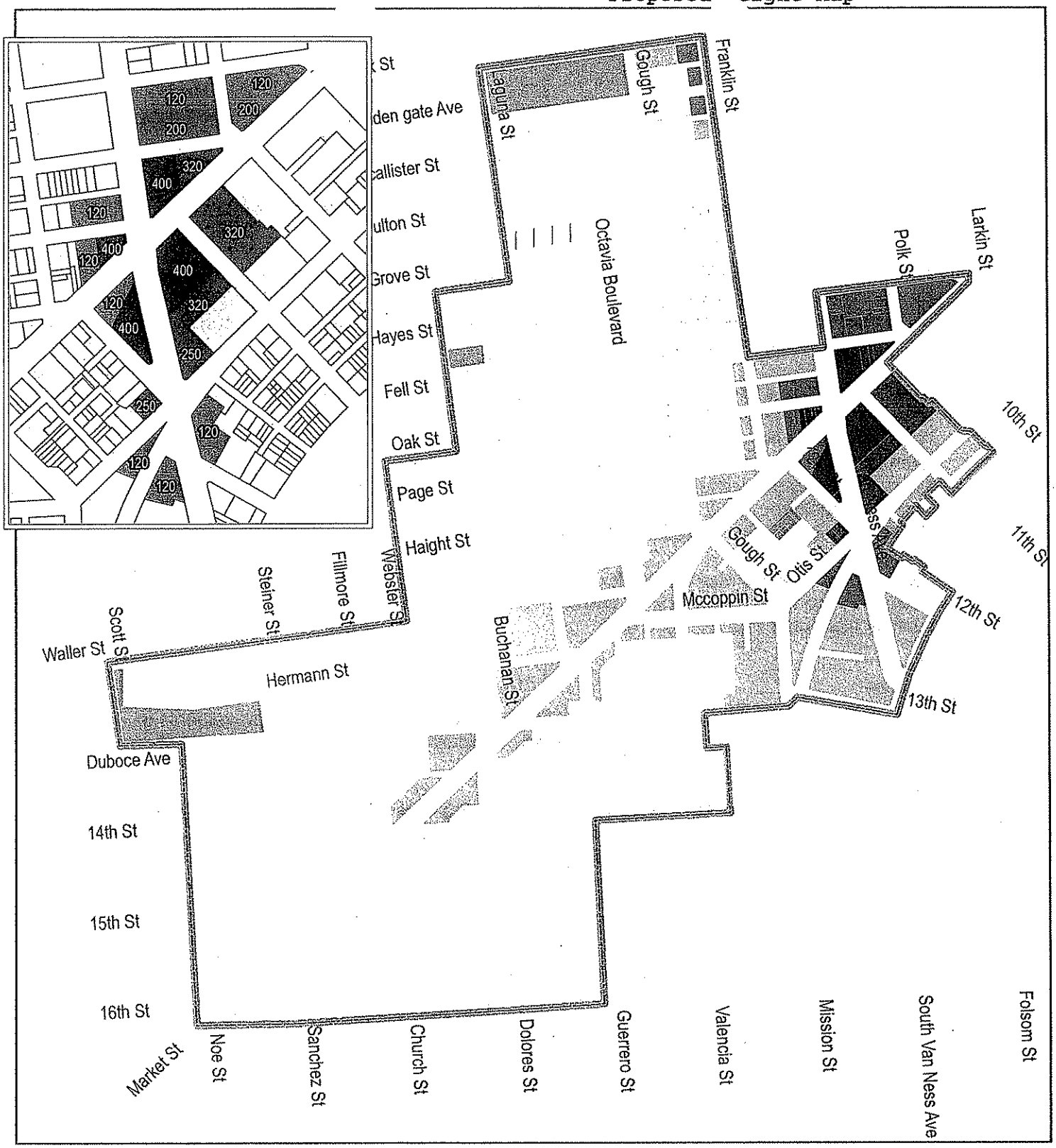

**Legend**

| | | | | | |
|---|---|---|---|---|---|
| 40' | 65' | 120' | 320' Tower/120' Podium | | |
| 40'/50' | 80 | 200' Tower/120' Podium | 400' Tower/120' Podium | | |
| 50'; 55' | 85' | 250' Tower/85' Podium | Open Space | | |

0 400 800 1,600 Feet

0 125 250 500 Meters

Proposed Height Map




Map 3 Height Districts -*Proposed*

| | | | |
|---|---|---|---|
| Lot Lines | 65' | 200' Tower/120' Podium | Open Space |
| 40' | 80 | 250' Tower/85' Podium | Market-Octavia Area Plan Boundary |
| 40'/50' | 85' | 320' Tower/120' Podium | |
| 50'; 55' | 120' | 400' Tower/120' Podium | |

0 405 810 1,620 Feet

0 112.5 225 450 Meters

## Living Alley Proposed Text Changes within Existing Market & Octavia Policy

**Page 29-30**
**Alleys**
*Consider making improvements to non-residential alleys that foster the creation of dynamic, mixed-use places.*

Non-residential alleys support new and existing commercial and institutional uses. Encourage coordinated approaches to the design of these alleys so as to protect the intimate scale of alleys and yet create public spaces that contribute to and support the varied uses. Consider the following improvements, where appropriate:

- Enliven the ground floor space with active uses where possible. Accommodate loading spaces in ways that add to the living character of the alley.
- Non-residential alleys can benefit from "living ~~street~~ alley" improvements that provide public open space improvements that enhance the non-residential uses.
- Encourage a visually coherent environment in the alley by using similar or complementary design details throughout.
- Create flexible exterior spaces that can accommodate the growth and evolution of a variety of uses.
- Non-residential alleys may provide for a number of different and often conflicting uses. Reduce the conflict by providing an uncluttered environment. Consider placing furnishings such as trash cans in a recessed area.

**Page 43**
Policy 4.1.7
Introduce traffic-calming measures on residential alleys and consider making improvements to alleys with a residential character to create shared, multipurpose public space for the use of residents.

Parking should be concentrated along the curbside with the fewest curb cuts (driveway breaks). New pedestrian-scaled lighting can be added. Street trees should be planted (if residents desire trees). Seek to reach agreement on a single tree species by street (or at minimum, per block) in order to have a unified planting pattern. Because alleys carry relatively little traffic, they can be designed to provide more public space for local residents—as a living ~~street~~ alley with corner plazas to calm traffic, seating and play areas for children, with space for community gardens and the like— where people and cars share space. By calming traffic and creating more space for public use, the ~~street~~ alley can become a common front yard for public use and enjoyment. Working closely all City agencies should develop design prototypes for more extensive improvements to residential alleys. The City should establish a process for local residents to propose living-street improvements and participate actively in the design for their alley.

- Develop prototypes for residential alley improvements, to be used as part of the "Livable Streets" traffic-calming initiative.

- Develop a process whereby local residents can propose living- ~~street~~ alley improvements and participate in the design and implementation of improvements to their alley.

See Map 8. Alleys for "Living Street" Improvements, Figure 5. A Living ~~Street~~ Alley, and Figure 6 Linden Alley: Before and After

Policy 4.1.8
Consider making improvements to non-residential alleys that foster the creation of a dynamic, mixed-use place. Certain alleys support non-residential uses. Coordinated approaches to the design of these alleys should protect the intimate scale of these alleys and yet create public space that contributes to and supports the varied uses along them.

- Enliven the ground floor space with active uses where possible. Loading spaces can be accommodated in ways that add to the character of the alley.
- Non-residential alleys can benefit from "living ~~street~~ alley" improvements that provide public open spaces that enhance the commercial uses.
- Encourage coordination throughout the alley by using similar or complementary details throughout.
- Create spaces that allow for the growth and evolution of uses.
- Non-residential alleys may provide for a number of different and often conflicting uses. Reduce the conflict of uses by providing an uncluttered environment. Consider placing furnishings such as trash cans in a recessed area.

**Page 77**
Policy 7.2.5
Make pedestrian improvements within the block bounded by Market, Twelfth, Otis, and Gough Streets and redesign Twelfth Street between Market and Mission Streets, creating a new park and street spaces for public use, and new housing opportunities.

The block bounded by Market, Gough, Otis, and 12th Streets, known as the "Brady Block" is a unique place; its interior is divided and made publicly-accessible by four alleys bisecting it in different directions. At its core, the block shows the signs of many years of neglect; surface parking lots and a large ventilation shaft for the BART system create a large swath of indefensible space.

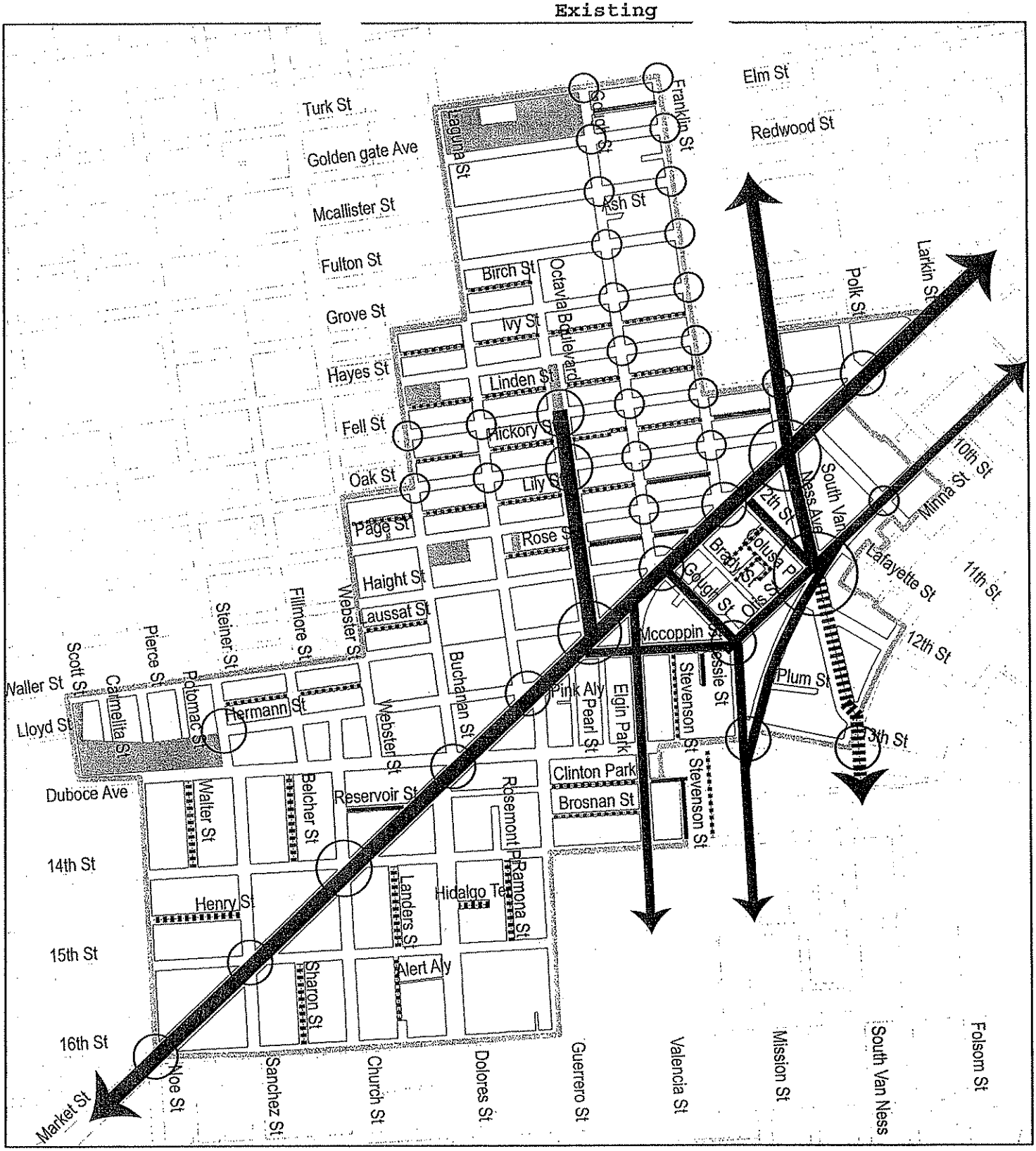
The block has tremendous potential despite its present conditions. It is an intimate space of small buildings fronting on narrow alleys. It isn't hard to envision a small neighborhood here-on the scale of South Park: small residential infill and existing buildings framing a new public park at the core of the block's network of alleys. The addition of new housing and the development of a small-scaled living area with a narrow but connected street pattern can make this an enviable mini-neighborhood. Existing uses can stay, but new uses can, by public and private cooperation, create a residential mixed-use enclave.

A small new open space can be developed in the center of the Brady Block, taking advantage of a small (approximately 80-foot-square BART-owned parcel that provides access to its tunnel below), and through purchase of an adjacent 100 foot by 80 foot parcel, currently surface parking. By creating a small open space here and connecting the existing alley network, the city would have created a magnificent centerpiece for this intimate mini-neighborhood. The park will be surrounded by several housing opportunity sites and would by accessed via a network of mid-block alleys designed as "living ~~street~~ alley" spaces. The BART vent shaft rather than a hindrance could be the site of a central wind-driven kinetic sculpture.

In addition to the land use, height and bulk controls outlined in Element 1, the following actions are necessary to realize this change for the Brady Block, in order of importance:

- An agreement will be necessary with BART to allow the reuse of the land where its ventilation shafts comes to the surface as a public park.
- Parcels 3505031 and 3505031A, which are currently used as surface parking lots, will have to be purchased and dedicated to the Recreation and Parks Department as public open space.
- Parcel 3505029, which is currently vacant, will have to be purchased and dedicated to DPW as a public right-of-way connecting Stevenson Alley with Colton and Colusa Alleys.
- Approximately 4,000 sf. of parcel 3505035, which is currently a surface parking lot, will have to be purchased and dedicated to DPW as a public right of-way connecting the two disconnected halves of Stevenson Alley.

Existing




Map 5 EXISTING MAP System of Civic Streets and Open Spaces

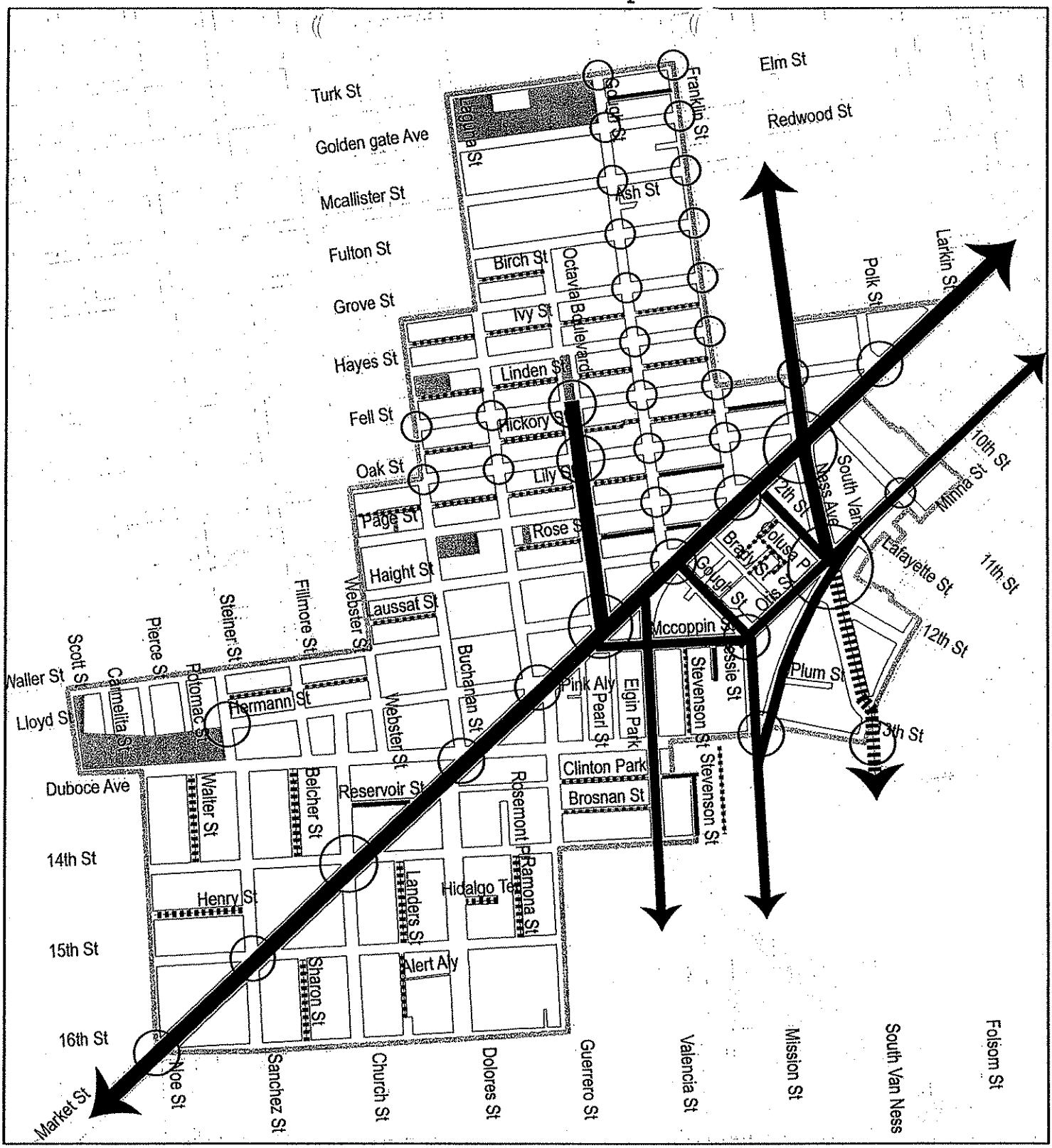
**Legend**

- Priority Streets for Civic Improvements
- Streets for Civic Improvements
- Intersections for Traffic Calming
- Alleys
- Residential alleys suitable for "living street" improvements
- Public Open Spaces

0 400 800 1,600 Feet

0 125 250 500 Meters

Proposed




Map 5 PROPOSED MAP System of Streets and Open Spaces

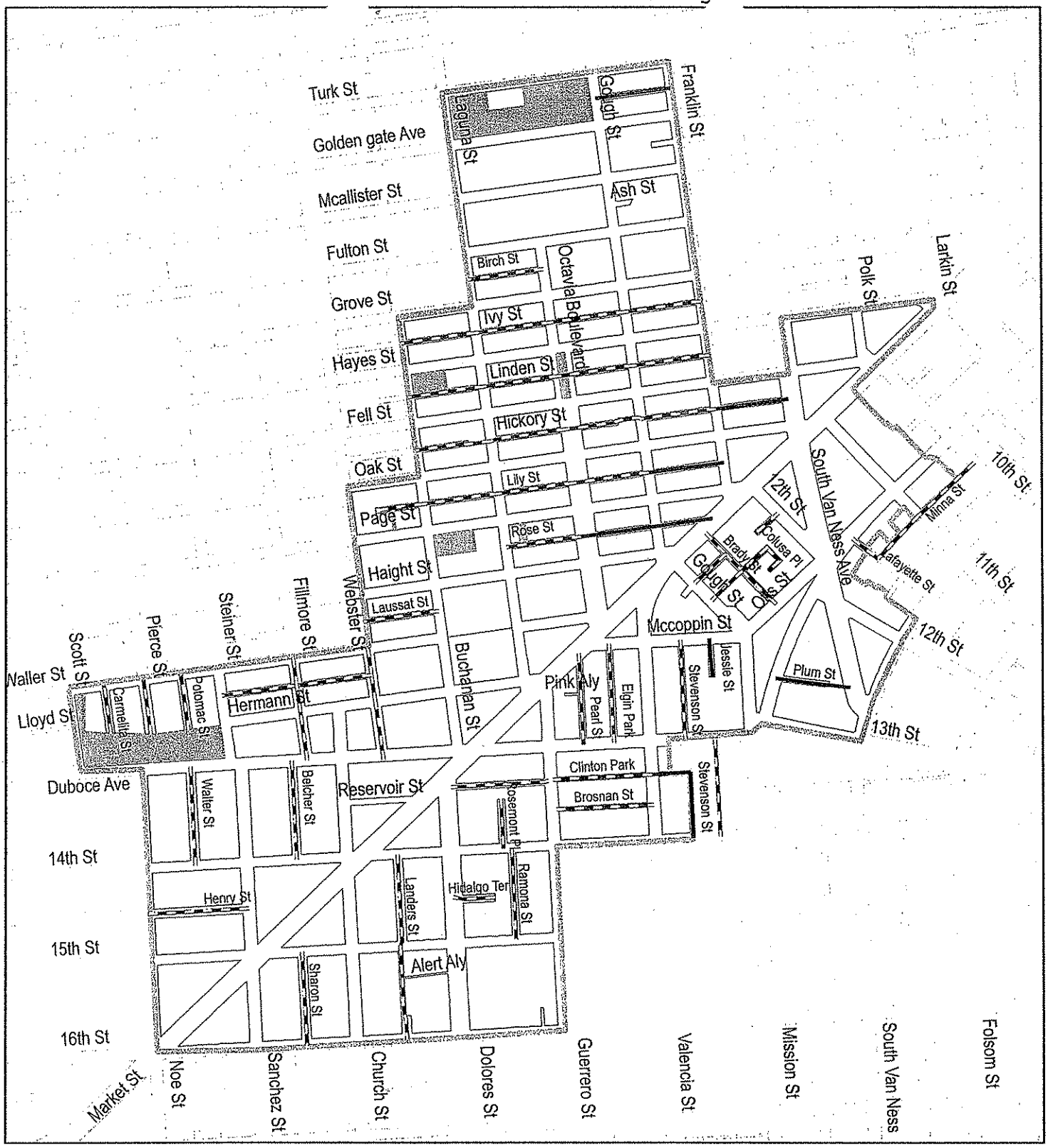
**Legend**

- Priority Streets for Civic Improvements
- Streets for Civic Improvements
- Intersections for Traffic Calming
- Alleys
- Residential alleys suitable for "living alley" improvements
- Public Open Spaces

0 400 800 1,600 Feet

0 125 250 500 Meters

Existing




Map 8 EXISTING MAP Alleys for "Living Street" Improvements

**Legend**

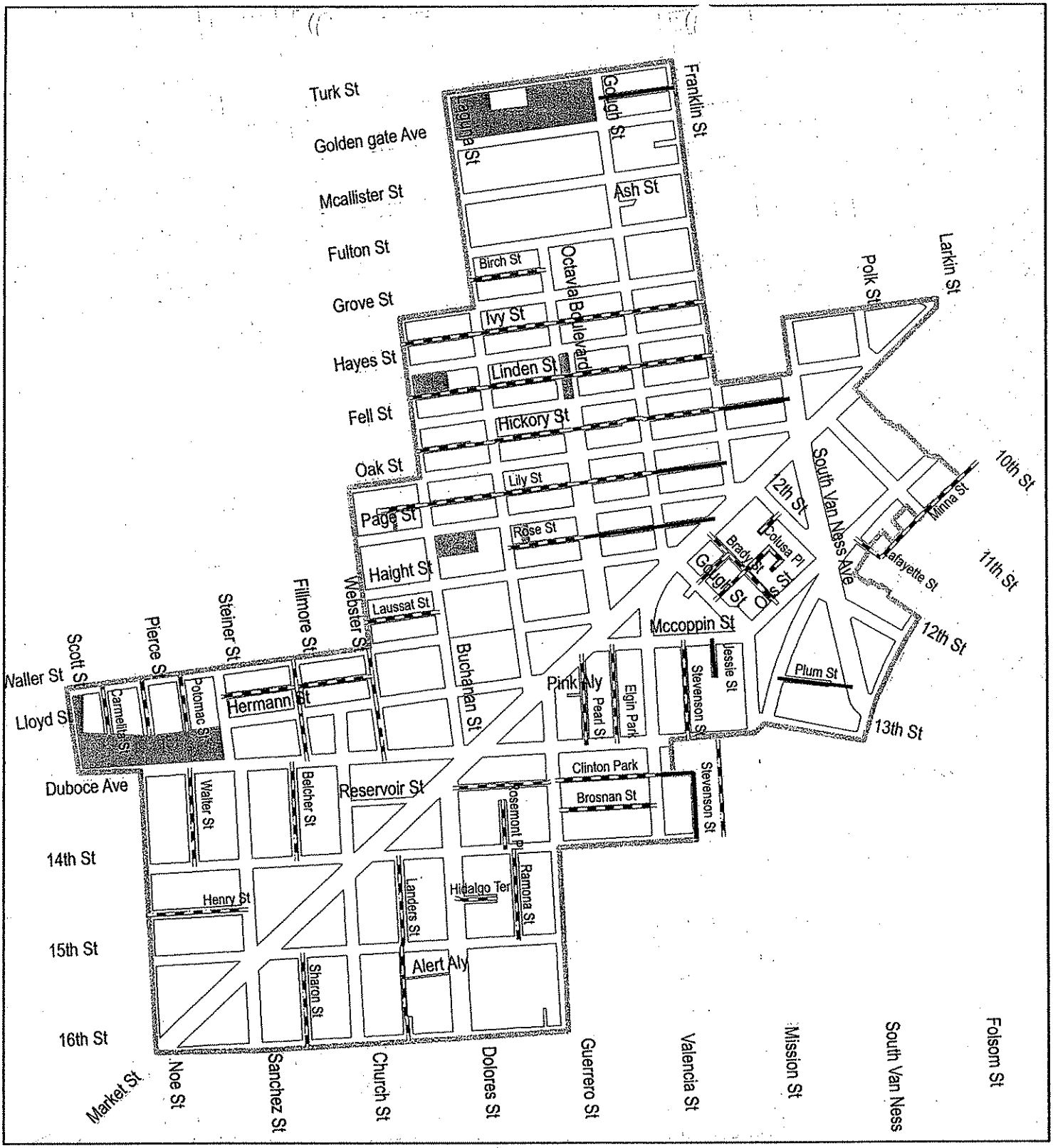
- Predominantly Non-Residential Alleys
- Public Rights-of-Way Suitable for "living Street" Improvements

N

0 400 800 1,600 Feet

0 125 250 500 Meters

Proposed




Map 8 PROPOSED MAP Alleys for "Living Alley" Improvements

**Legend**

- Predominantly Non-Residential Alleys
- Public Rights-of-Way Suitable for "Living Alley" Improvements

N

0 400 800 1,600 Feet

0 125 250 500 Meters

# EXISTING FIGURES

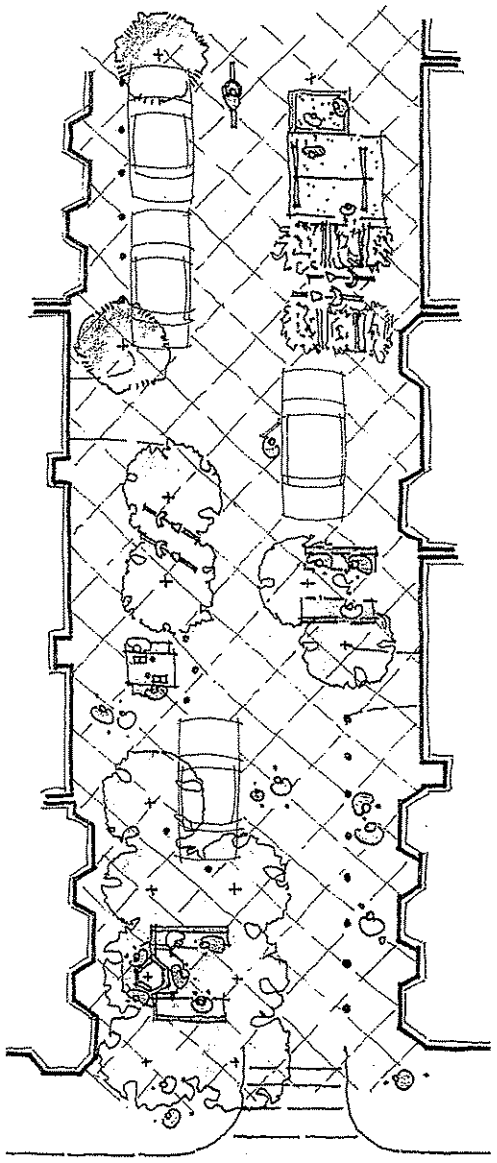


Figure 5. A LIVING STREET

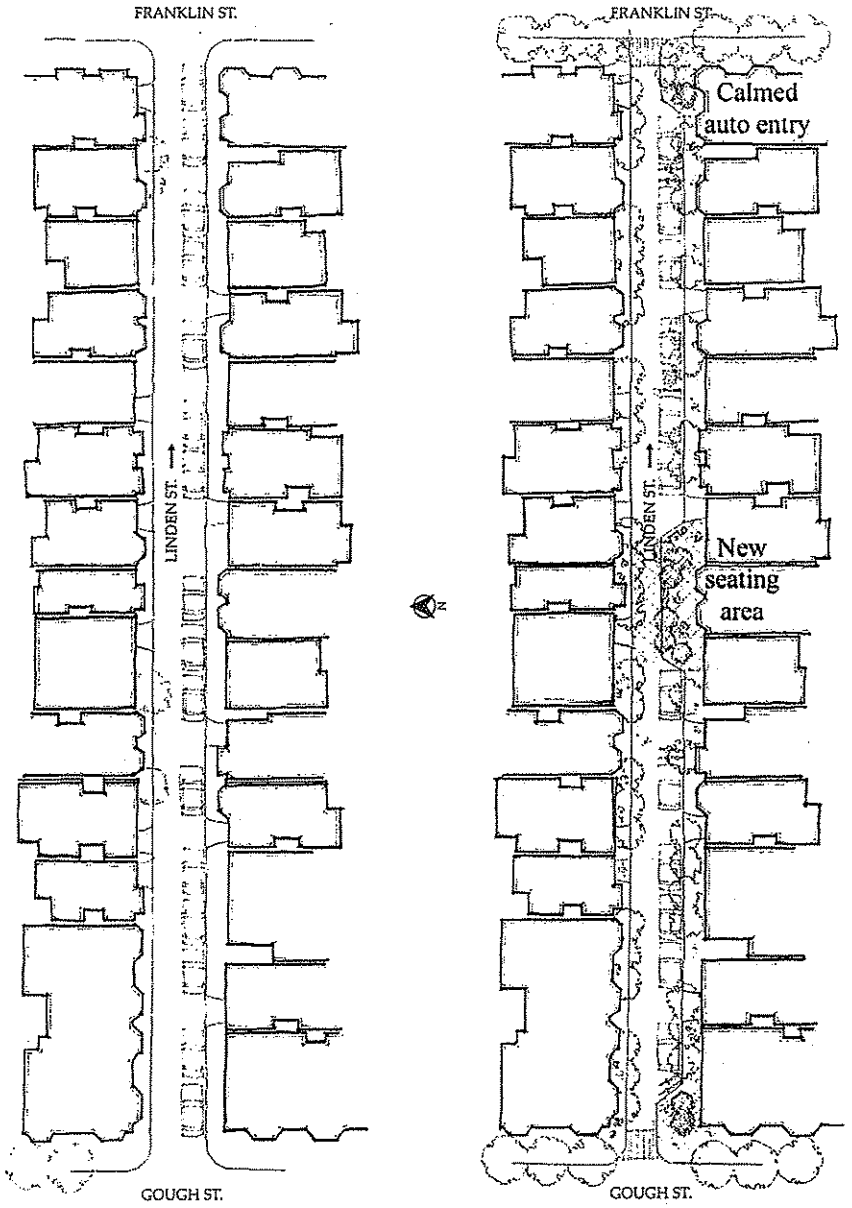



Figure 6. LINDEN ALLEY: BEFORE AND AFTER "LIVING STREETS" IMPROVEMENTS

# PROPOSED FIGURES

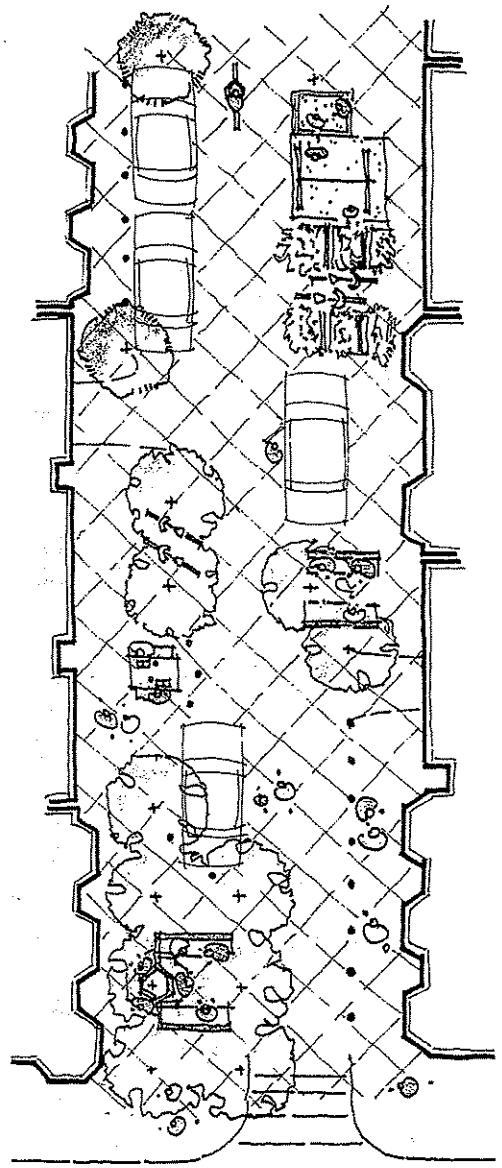


Figure 5. A LIVING ALLEY

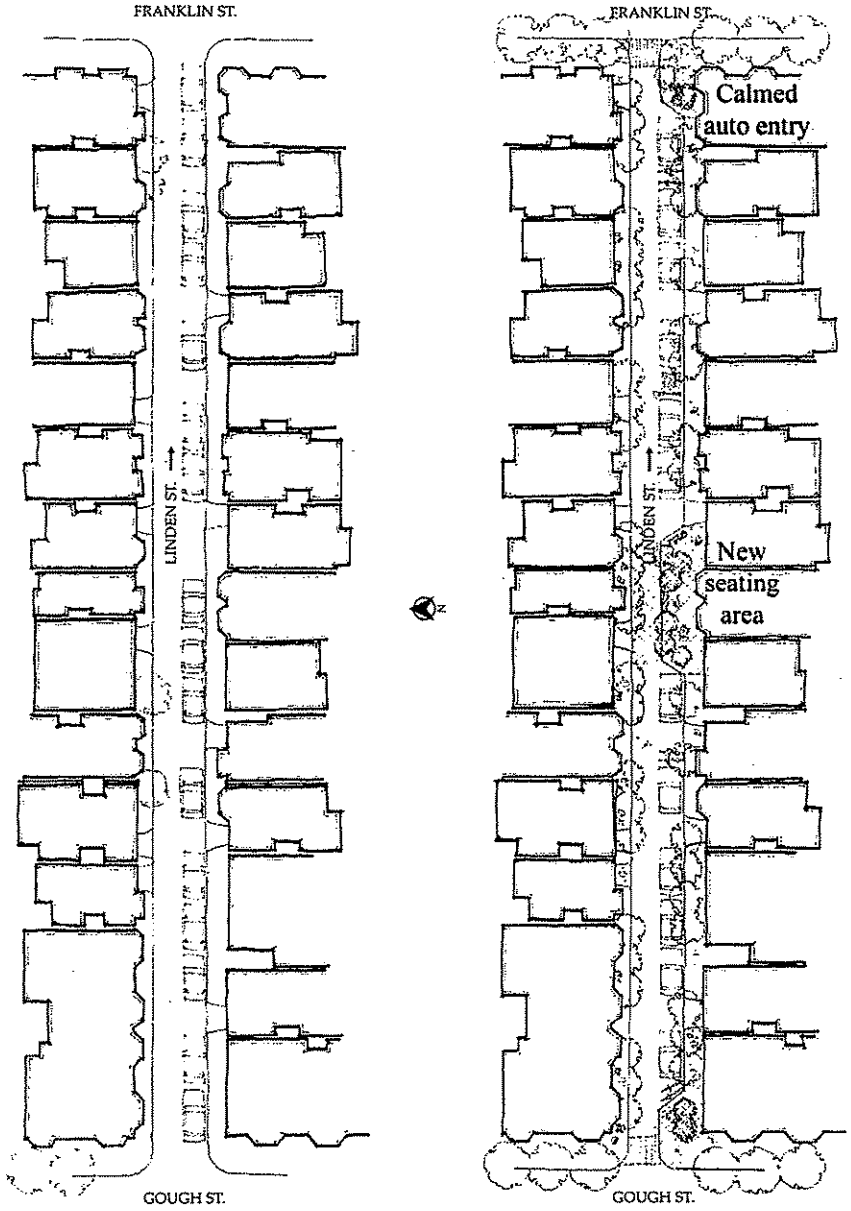



Figure 6. LINDEN ALLEY: BEFORE AND AFTER "LIVING ALLEY" IMPROVEMENTS

Exhibit C:
Proposed Market and Octavia Height Map
-Changes Indicated


# Height Districts

**MAP 03**

| | | | | |
|---|---|---|---|---|
| 40' | 65' | 120' | 320' Tower/120' Podium | Parcels Proposed for Height Change |
| 40'/50' | 80 | 200' Tower/120' Podium | 400' Tower/120' Podium | |
| 50'; 55' | 85' | 250' Tower/85' Podium | Open Spa | |

Exhibit D:
1. Resolution for Initiation of Zoning Map Amendments
2. Proposed Zoning Map Ordinance

SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. 17970

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

The San Francisco Planning Department is seeking to implement the Market and Octavia Neighborhood Plan ("Neighborhood Plan"), which encourages diverse and affordable housing, choices for movement, safe streets, and a cohesive neighborhood fabric.

The Market and Octavia Area Plan was adopted by the Planning Commission on April 5, 2007 and approved by the Board of Supervisors on October 24, 2007 and signed by the Mayor on May 30, 2008. Included in the Area Plan and language of uncodified Section 4 of Ordinance 72-08 were requirements outlining how the pending Historic Survey should be incorporated into the Area Plan upon completion.

The Market and Octavia Area Plan Level Historic Survey (the Survey) was presented to and approved by the Landmarks Board and the Planning Commission on December 3, 2008 and February 23, 2009 respectively. The Landmarks Board and the Planning Commission endorsed eight (8) historic districts and a number of individual contributors. Integration of these districts results in the need to adjust the height and bulk districts on 29 parcels. The majority of these changes are in direct response to the Commission direction to revisit the height and bulk limits along Market Street between Church and Noe Streets upon completion of the Survey.

Whereas, the Planning Commission initiated the Market and Octavia Area Plan Level Historic Survey Integration including amendments to the General Plan and the Zoning Map with resolution _____ on _____.

Although development envisioned within the Market and Octavia area would be consistent with the overall General Plan vision, the Zoning Map governs land use, and height and bulk permitted in the area and a number of changes are proposed. Thus, conforming amendments to the Zoning Map would be required in order for development to proceed. The proposed zoning map changes to height and bulk districts are included in a draft ordinance, **attached hereto as Exhibit D**. The City Attorney's Office has reviewed the draft ordinance and approved it as to form.

The findings of all future survey work, including the Augmentation survey currently under contract with Kelley and Verplank, the Mission Dolores survey currently under contract with Carey and Company, and any additional work in the Duboce Triangle neighborhood, should be integrated into the Market and Octavia Area Plan as appropriate, following endorsement of the survey work. Possible modes of integration of all future survey work should include the addition of descriptions of newly identified or amended districts to the area plan and the

addition of said districts to the appropriate maps as is recommended for the findings of the Page and Turnball Survey with this resolution.

Planning Code Section 101.1(b) findings and General Plan policy conformity have been established and can be found in the related General Plan Resolution (Resolution Number _____).

Environmental Findings. The Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code as follows:

(1) On April 5, 2007 the Planning Commission certified the Market and Octavia Area Plan Final Environmental Impact Report (FEIR), which was upheld on appeal by the Board of Supervisors. The FEIR is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein. In accordance with prior actions related to adoption and implementation of the Market and Octavia Area Plan (the Project), the Planning Commission adopted Motion No. 17407, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) and adopted the Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion is on file with the Department in Case File No. _____ and is incorporated by reference herein.

(2) On _____, 2009 under CEQA Guidelines Section 15164 and Administrative Code Section 31.19(c)(1) the Planning Department prepared an Addendum to the FEIR (Addendum) analyzing proposed modifications to the Project including amendments to the Area Plan of the General Plan and Zoning Map to integrate the Market and Octavia Historic Resources Survey into the Area Plan, make clarifying and technical amendments to the Zoning Map and Area Plan, and making other modifications (modifications to the Project). A copy of the Addendum is on file in Case File No. _____ and is incorporated by reference herein.

(3) The Planning Commission has reviewed the FEIR, the CEQA Findings, and the Addendum and, in light of the whole record, finds that the modifications to the Project, including the provisions of this ordinance, are consistent with and within the scope of the Project analyzed in the FEIR and the Addendum. The Planning Commission concurs with the Addendum and its conclusion that the modifications to the Project would not cause new significant impacts not previously identified in the FEIR nor would it substantially increase the severity of impacts previously identified in the FEIR and thus no additional environmental review is necessary.

(3) The Planning Commission finds that no substantial changes have occurred to the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial

importance to the to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

(4) The Planning Commission adopts the CEQA Findings contained in Planning Commission Motion No. 17407 and incorporates those findings herein by reference. The Planning Commission adopts the MMRP, on file with the Clerk of the Board in File No. _____ and incorporates the MMRP herein by reference.

**NOW, THEREFORE BE IT RESOLVED**, That pursuant to Planning Code Section 302 (b), the Planning Commission Adopts a Resolution to Adopt amendments to Sectional Maps 7 and 7H of the Zoning Map of the City and County of San Francisco.

**AND BE IT FURTHER RESOLVED**, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Zoning Map amendments contained in an ordinance approved as to form by the City Attorney hereto attached as **Exhibit D** to be considered at a publicly noticed hearing on or after 10/22/2009.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission on October 22, 2009.

**Linda Avery**
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore, Olague and Sugaya

NOES: None

ABSENT: None

ADOPTED: October 22, 2009

FILE NO. ORDINANCE NO.

[Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration.]

**Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase the heights of certain parcels and retain the current heights on other parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.**

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings.

(a) Under Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. _____ recommending the approval of this Planning Code Amendment, and incorporates such reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

(b) Under Planning Code Section 101.1, the Board of Supervisors finds that this ordinance is consistent with the Priority Policies of Planning Code Section 101.1(b) of the Planning Code and with the General Plan as proposed to be amended in companion legislation and hereby adopts the findings of the Planning Commission, as set forth in

Planning Commission Resolution No. _____, and incorporates said findings by this reference thereto.

(c) Environmental Findings. The Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code as follows:

(1) On April 5, 2007 the Planning Commission certified the Market and Octavia Area Plan Final Environmental Impact Report (FEIR), which was upheld on appeal by the Board of Supervisors. The FEIR is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein. In accordance with prior actions related to adoption and implementation of the Market and Octavia Area Plan (the Project), this Board adopted Planning Commission Motion No. 17407, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) and adopted the Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein.

(2) On _____, 2009 under CEQA Guidelines Section 15164 and Administrative Code Section 31.19(c)(1) the Planning Department prepared an Addendum to the FEIR (Addendum) analyzing proposed modifications to the Project including amendments to the Area Plan of the General Plan and Zoning Map to integrate the Market and Octavia Historic Resources Survey into the Area Plan, make clarifying and technical amendments to the Zoning Map and Area Plan, and making other modifications (modifications to the Project). A copy of the Addendum is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated by reference herein.

(3) The Board of Supervisors has reviewed the FEIR, the CEQA Findings, and the Addendum and, in light of the whole record, finds that the modifications to the Project, including the provisions of this ordinance, are consistent with and within the scope of the Project analyzed in the FEIR and the Addendum. The Board of Supervisors concurs with the Addendum and its conclusion that the modifications to the Project would not cause new significant impacts not previously identified in the FEIR nor would it substantially increase the severity of impacts previously identified in the FEIR and thus no additional environmental review is necessary.

(4) The Board of Supervisors finds that no substantial changes have occurred to the Project proposed for approval under this Ordinance that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the Project proposed for approval under the Ordinance are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the to the Project as proposed for approval in the Ordinance has become available which indicates that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant environmental effects will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

(5) The Board of Supervisors adopts the CEQA Findings contained in Planning Commission Motion No. 17407 and incorporates those findings herein by reference. The

Board adopts the MMRP, on file with the Clerk of the Board in File No. _____ and incorporates the MMRP herein by reference.

Section 2. Under Sections 106 and 302(c) of the Planning Code, the following zoning amendments to the Zoning Map, duly approved by resolution of the Planning Commission, are hereby adopted as an amendment to Zoning Map Sheets 7 and 7H as follows

| Block and Lot | To Be Superseded | Hereby Approved | Sheet |
|---|---|---|---|
| 3542039 | 50/55' | 60/65' | 7 |
| 3543010 | 50/55' | 60/65' | 7 |
| 3543003B | 50/55' | 60/65' | 7 |
| 3559001 | 50/55' | 60/65' | 7 |
| 3560001 | 50/55' | 60/65' | 7 |
| 3543011 | 50/55' | 60/65' | 7 |
| 3558137 | 50/55' | 60/65' | 7 |
| 3558138 | 50/55' | 60/65' | 7 |
| 3558139 | 50/55' | 60/65' | 7 |
| 3558140 | 50/55' | 60/65' | 7 |
| 3558141 | 50/55' | 60/65' | 7 |
| 3558142 | 50/55' | 60/65' | 7 |
| 3558143 | 50/55' | 60/65' | 7 |
| 3558144 | 50/55' | 60/65' | 7 |
| 3558145 | 50/55' | 60/65' | 7 |

| | | | |
|---|---|---|---|
| 3558146 | 50/55' | 60/65' | 7 |
| 3558147 | 50/55' | 60/65' | 7 |
| 3558148 | 50/55' | 60/65' | 7 |
| 3558149 | 50/55' | 60/65' | 7 |
| 3558150 | 50/55' | 60/65' | 7 |
| 3558151 | 50/55' | 60/65' | 7 |
| 3558152 | 50/55' | 60/65' | 7 |
| 3544071 | 80/85 | 50/55 | 7 |
| 3544070 | 80/85 | 50/55 | 7 |
| 3544067 | 80/85 | 50/55 | 7 |
| 3544065 | 80/85 | 50/55 | 7 |
| 3543001 | 80/85 | 50/55 | 7 |
| 3542041 | 80/85 | 60/65 | 7 |
| 3501004 | 80/85 | 60/65 | 7 |
| 3501003 | 80/85 | 60/65 | 7 |

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

By: _____
Susan Cleveland-Knowles
Deputy City Attorney

Exhibit E:
Historic Preservation Commission Comments

SAN FRANCISCO
**PLANNING DEPARTMENT**

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September 23, 2009

San Francisco Planning Commission
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 2009.0707MZ

Dear President Miguel and Commissioners,

The Market & Octavia Area Plan-Level Historic Survey was completed by Page and Turnbull and, with some modifications set forth in Resolution No. 17831 subsequently adopted by the Landmarks Board and Planning Commission (the "Survey"). Planning Department (Department) staff has been working to integrate the findings of the survey into the Plan.

As required by the historic resource provisions of the Market and Octavia Area Plan ("Plan") and its implementing ordinances. The Department presented a proposal to integrate the Survey findings into the Plan and the Zoning Map as follows:

1. Update Historic Preservation Policy Language within the Area Plan, including adding district descriptions and removing language that referred to the interim process; and
2. Finalize Upper Market Heights west of Church Street, by changing height controls on non-contributing parcels from 50/55 to 60/65.

On August 13, 2009 the Planning Commission initiated hearings on this proposal and requested the advice of the Historic Preservation Commission (HPC). On August 19th and September 16th the HPC held public hearings on the Department's proposal.

The Historic Preservation Commission has the following comments on the Department's proposal:

**Update Historic Preservation Policy Language within the Area Plan**

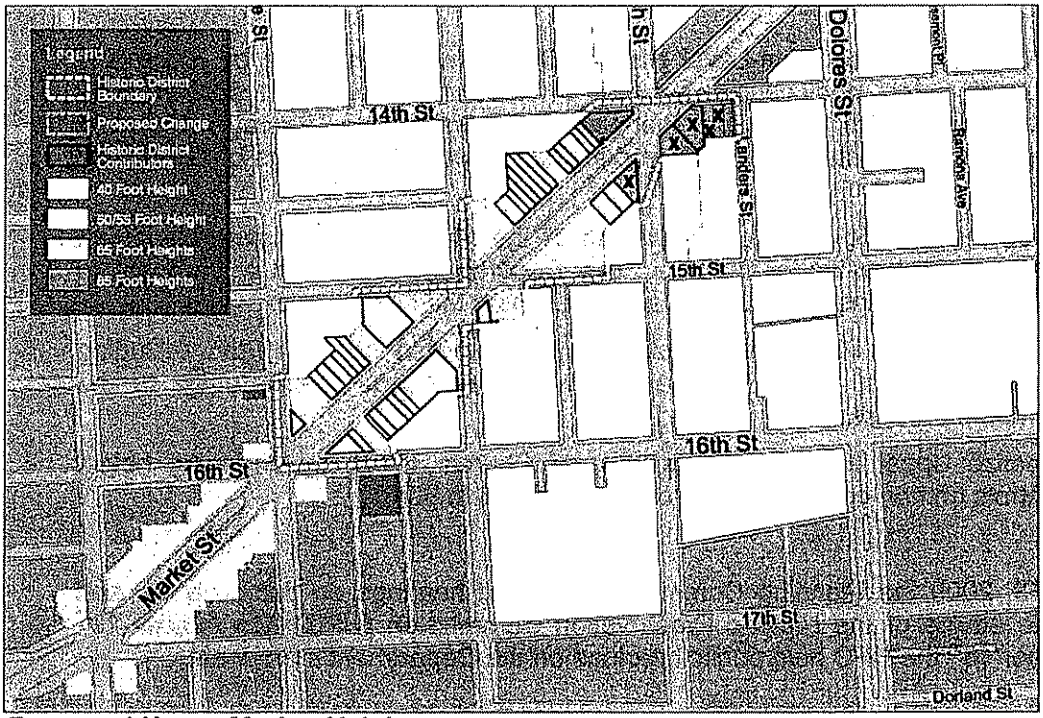
1. Change Text for Policy 3.2.10 – Change 'Support' to 'Pursue'

   **POLICY 3.2.10**

   **Pursue ~~Support~~ future preservation efforts, including the designation of historic landmarks and districts, should they exist, throughout the plan area.**

**Finalize Upper Market Heights**

2. The HPC strongly recommends a change of height at the corners of Church and 14th Street at Market (see parcels marked with an 'X'). These parcels are currently zoned for 80/85 feet. The Department's proposal does not propose changes in height for these parcels. The HPC recommends that these parcels, be zoned for 50/55 feet. (Block 3543, lot 1; Block 3544, lots 65, 67, 70 and 71). Three of these parcels have buildings that were identified as contributory to the Upper Market District.




**Proposed Upper Market Heights with HPC Comments**

3. The Department proposes to change the heights on 12 parcels from 50/55 feet to 60/65 feet. The HPC is generally comfortable with this proposal as the review procedures and related design principles will protect the character of the district. The HPC has less comfort with the proposal for 60/65 feet on some of the mid-block parcels, however again feels that the review procedures will adequately address these concerns.

**Future Survey Work and Related Proceedings**

4. In early 2010 the Department will make recommendations to the HPC to initiate listing or nomination of identified districts and individual buildings. The HPC suggests that the Department pursue these nominations, and recommends that all of the identified districts be pursued as Article 10 districts.
5. The Department is currently working with Kelley and VerPlanck on an augmentation to the plan-level survey that potentially includes a number of parcels on the eastern portion of Market Street between Dolores and Van Ness Streets, especially between Gough and 12th Streets. The HPC recommends that the survey review this area for a potential district and potentially revisit heights on that segment of Market Street accordingly. Additionally the HPC anticipates that the augmentation survey's findings should also be included in the designation process that is discussed in item 4 above.
6. Recently the Mission Dolores Neighborhood Association (MDNA), in coordination with Carey and Company, completed a draft survey of the Mission Dolores neighborhood. The HPC plans to hold hearings on this survey in early 2010. In coordination with the survey adoption the HPC recommends that the findings be incorporated into the Market and Octavia Plan. The HPC requests, that the Department coordinate the survey findings with the plan's discussion of the median in Dolores Street at Market Street.

   In its present draft state, four buildings are cross listed in the draft "Mission Dolores Fireline Historic District", and the adopted Upper Market District; and further work should be performed to identify which district is most appropriate for those four buildings.

The HPC appreciates the opportunity to participate in review of the Market and Octavia Area Plan Level Survey integration process.

Sincerely,

Charles Edwin Chase, President
Historic Preservation Commission

CC: John Rahaim, Director of Planning
Linda Avery, Commission Secretary
Tina Tam, Preservation Coordinator
John Billovits, Senior Planner

Staff Contacts: Kearstin Dischinger
Moses Corrette

## ADDENDUM TO ENVIRONMENTAL IMPACT REPORT

**Date of Publication of Addendum:** August 12, 2009

**Date of Certification of Final Environmental Impact Report:** April 5, 2007

**Lead Agency:** Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

**Agency Contact Person:** Paul Maltzer **Telephone:** (415) 575-9038

**Project Title:** 2003.0347E – Market and Octavia Neighborhood Plan

**Project Sponsor/Contact:** Kearstin Dischinger **Telephone:** (415) 558-6284

| | |
|---|---|
| **Project Address:** | The project area is located in the central city neighborhoods along Market Street from about 10th Street on the east to Noe Street on the west, north along the former Central Freeway alignment at Turk Street, and south along Howard and Sixteenth Streets. The project site encompasses about 85 city blocks. |
| **City and County:** | San Francisco |

**Remarks:**

*Background*

A final environmental impact report (EIR) for the Market and Octavia Neighborhood Plan, file number 2003.0347E, was certified on April 5, 2007. The project analyzed in the EIR consisted of amendments to the San Francisco Planning Code and Zoning Maps, General Plan, and Western Addition A-2 Redevelopment Plan to establish a new policy framework and new Planning Code and zoning controls for the Market/Octavia area, generally west of the downtown, and including portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley and Upper Market Neighborhoods. The Plan proposed a set of land use controls, urban design guidelines, public street and open space improvements, some site specific development proposals, mitigation measures, conditions of approval and community improvement fees and funds for the project area. Subsequent to certification of the EIR, the Market and Octavia Neighborhood Plan was adopted by the Planning Commission on April 5, 2007 and by the Board of Supervisors on October 23, 2007. At the time of Plan adoption, it was contemplated that an Historic Resources Survey of the Plan area would later be completed, and that the Plan would be amended in the future to incorporate the results of that Historic Resources Survey.

(Continued on reverse side)

**Remarks (continued):**

*Proposed Revisions to Project*

The Planning Department is currently proposing revisions to the previously adopted Market and Octavia Neighborhood Plan. As contemplated at the time of original Plan adoption, an Historic Resources Survey has been completed at the direction of the Planning Department. Pursuant to that survey, the Planning Department proposes to amend the Market and Octavia Neighborhood Plan to formally recognize eight historic districts, as follows: Duboce Park National Register District; Duboce Triangle California Register District; Hayes Valley Residential California Register District; Hayes Valley Commercial Locally Significant District; Upper Market California Register District; San Francisco State Teacher's College Locally Significant District; Elgin Park-Pearl Street Reconstruction California Register District; and Jessie-McCoppin-Stevenson Streets Reconstruction California Register District. [See Attached District Descriptions and Map.] In concert with the proposed formal recognition of the eight historic districts, the Department also proposes to terminate the existing interim review procedures for permit applications within the Plan area. Those interim review procedures were originally established to provide protection to potential historic resources, pending completion of the Historic Resources Survey and any Plan amendments that responded to the completion of said Survey.

The Planning Department also proposes to increase height limits from 50/55 feet (existing) to 65 feet (proposed) on approximately 12 lots on Market Street, roughly between Church Street to the east and Noe Street to the west. This proposal represents a balance between the Department's original intention to promote smart growth along an important City transit spine, and the additional objective of protecting the character of the proposed Upper Market historic district. The Planning Department further proposes to lower the height limit from 85 feet (existing) to 65 feet (proposed) on two lots at the intersection of Guerrero and Duboce Streets [See Attached Maps.] This proposal rectifies an oversight with respect to these two lots at the time of Plan adoption. Throughout the Plan area, through lots that have frontages on Market Street plus another street are intended to have higher height limits on Market Street and reduced height limits on the back side of the lot. The proposed height adjustment would make these lots consistent with other similarly situated lots throughout the Plan area. Lastly, the Department proposes to replace an out-of-date Bicycle Network Map that was inadvertently included within the Plan with a corrected map, to be consistent with City policy [See Attached Maps.]

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefor shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

*Analysis of Potential Environmental Effects*

**Adoption of Historic Districts**.

As indicated above, the Department proposes to amend the Market and Octavia Neighborhood Plan to formally recognize eight historic districts [See Attached District Descriptions and Map.] The incorporation of these historic districts into the Plan would entail no physical changes to these Plan areas, but rather would officially recognize and document the historic importance of the designated districts, as per the Historic Resource Survey. Hence, no physical effect on the environment would result from this action. In fact, the establishment of historic district designations for these areas, in combination with existing Planning Code permit review procedures and CEQA protections for historic resources, would tend to preserve and protect the status quo regarding historic resources within the Plan area. In recognition of this, the designation of historic districts is typically Categorically Exempt from CEQA pursuant to Class 8 – Actions by Regulatory Agencies for Protections of the Environment.

Replacement of the Market & Octavia interim permit review procedures with the permanent Code procedures for review of permits within historic districts would similarly have no adverse physical effect on historic resources. While the interim procedures require extra scrutiny of permits to alter buildings greater than 50 feet in height, or more than 48 years old, the proposed adoption of historic districts would provide Code required scrutiny and evaluation of future alterations and new construction proposed within the newly established historic districts. Hence, historic resources presently recognized by the Department through the Historic Resources Survey would become protected by Code. Additionally, through the Department's existing CEQA and permit review procedures for permits to alter buildings more than 50 years old, which requires Department Preservation Technical Specialist review, potential impacts to presently unknown historic resources within the Plan area would still be protected by the Department's existing permit and CEQA review process.

As indicated above, amendment of the Plan to incorporate the results of the Historic Resources Survey, once completed, was contemplated at the time of original Plan adoption. The Final EIR originally completed for this project found that if the Plan was adopted, historic buildings would tend to be preserved as an integral part of the project area's living history. Individual permit applications to alter or demolish buildings in the Plan area would be subject to permit review procedures and policies that promoted preservation and discouraged loss of historic resources. The EIR concluded that the project would not result in significant environmental impacts on historic resources. The proposed Plan amendments would be entirely consistent with the analysis and conclusions of the EIR.

Two additional potential historic districts (South of Market Art Deco district; and Auto Repair district) identified in the Historic Resource Survey are not being pursued by the Department for adoption at this time, as Department Preservation Technical Specialist staff does not concur with the consultant recommendations for district designation. Regarding the recommended South of Market Art Deco district, Department staff concluded that there was an insufficient number of potential contributory buildings and lack of a unifying theme to justify creation of an historic district. Regarding the recommended Auto Repair district, staff concluded that further study of a

much larger city area outside of the Market & Octavia Plan area was merited before it could be determined whether there was justification for such an historic district. Nevertheless, historic resource information about individual buildings surveyed within these two additional areas will be added to the Department's parcel information data base for informational purposes. The proposed amendments to the Market and Octavia Neighborhood Plan area that are reviewed in this Addendum would have no physical effect whatsoever on these additional areas, as no physical changes for those sites are proposed. Any future proposals to alter or develop sites within those areas would be subject to CEQA review at that time. Such CEQA review would include information from the Department's parcel information database regarding potential individual historic resources within those plan areas.

**Height Limit Changes on Upper Market and at Guerrero/Duboce**

As indicated above, the Department proposes to increase height limits on approximately 12 lots along Market Street, and reduce height limits on two lots at Guerrero/Duboce Streets (see maps.)

Regarding the proposed height limit increases along Market Street, the proposed new height limit of 65 feet on those lots would be consistent with the original Plan proposal for heights on those portions of Market Street. As such, potential development up to a height of 65 feet on those lots was analyzed in the EIR previously completed for the proposed Plan in 2007. Therefore, with respect to the potential physical impacts of new development up to those height limits (e.g., shadow impacts, wind impacts, urban design, etc.,) there would be no new or increased impact beyond that which has already been analyzed and described in the EIR for the Plan. Similarly, any new potential growth as a result of development on those lots would be within the growth projections that were incorporated into the original EIR analysis.

None of the lots presently proposed for the increased height limit are identified as sites contributory to the proposed historic district along Upper Market Street. The Planning Department's Preservation Technical Specialist staff have reviewed the proposal in terms of its potential impact to the proposed Upper Market California Register District and determined that there would be no adverse impact to the proposed historic district. This determination was made on the basis that i) none of the contributory lots to the district would be directly affected; ii) the proposed height increase is slight, relative to both the existing height limit and scale of development; and iii) the character defining features of the proposed district are related to and reflect changes in development and building form over time along an important transit corridor. A prescribed or uniform building height or scale is not identified as an important character defining feature of the district. As such, no direct or indirect adverse impacts to the proposed Upper Market California Register District are anticipated from the proposed increase in height limits on the identified lots.

Regarding the proposed reduction in height limits on the two lots at Guerrero/Duboce, this would tend to preserve the status quo regarding development of those lots. No new physical changes or impacts would likely result from this proposed reduction in height limit.

**Updated Bicycle Network Map**

As described above, the Department also proposes to update the Bicycle Network Map included within the Plan, to be consistent with City policy, as expressed in correspondence from John Rahaim, Director of the Planning Department to Nathaniel Ford, Executive Director, SFMTA on October 8, 2008. This is an update in information only, as the Market and Octavia Plan itself did not and is not proposing any bicycle network improvements. A Bicycle Network Map was included in the original Market and Octavia Plan, but inadvertently contained outdated information. Some bicycle projects on portions of Howard, Mission, Steiner, South Van Ness and Waller Streets, which were inadvertently shown in the Bicycle Network Map contained within the original Market and Octavia Plan, have been removed from the updated Bicycle Network Map.

As indicated above, these changes in the Bicycle Network Map are not a part of the Market and Octavia Plan proposal, but rather an update of information to reflect City policy. The Department proposes to replace the outdated Bicycle Network Map with a corrected map. Because the changes are only making corrections to an outdated map and are not proposing any bicycle network improvements, there would be no new environmental impacts resulting from the update of this information.

Conclusion

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the final EIR certified on April 5, 2007 remain valid. The proposed revisions to the project would cause no new significant impacts beyond those previously identified in the EIR, and no new mitigation measures would be necessary to reduce significant impacts. The EIR for the Plan was certified in 2007 and little new development has occurred in the project area subsequent to said EIR certification. Development that has occurred since EIR certification has been consistent with the Plan. As such, no changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this Addendum.

Date of Determination:

August 12, 2009

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

BILL WYCKO
Environmental Review Officer

cc: Distribution List
Virna Byrd, Master Decision File/Bulletin Board

Attachments:

Proposed Historic Districts within the Market & Octavia Area Plan
Existing Upper Market Heights Map
Proposed Upper Market Heights Map
Existing Heights Guerrero Street Map
Proposed Heights Guerrero Street Map
Existing and Proposed Bicycle Network Maps

# Proposed Historic Districts within the Market & Octavia Area Plan

1. Duboce Park National Register District
2. Duboce Triangle California Register District
3. Hayes Valley Residential California Register District
4. Hayes Valley Commercial Locally Significant District
5. Upper Market California Register District
6. San Francisco State Teacher's College Locally Significant District
7. Elgin Park-Pearl Street Reconstruction California Register District
8. Jessie-McCoppin-Stevenson Streets Reconstruction California Register District

**Duboce Park**

The contributors to the National Register Duboce Park Historic District are overwhelmingly residential, being composed primarily of single family dwellings and residential flats. A few multiple-family residences within the district (typically located on street corners) also include a commercial use at the street level. Buildings in the district are all one to four stories in height, with two and three stories predominating. Additionally, nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. Late Victorian and Edwardian era architectural styles predominate, with the Queen Anne style most widely represented. Construction dates for the vast majority of contributing resources within the District range from ca. 1897 to approximately 1905.

**Duboce Triangle**

The contributors to the California Register Duboce Triangle Historic District are overwhelmingly residential. Although single family dwellings are scattered throughout the district, multiple-family dwellings are the most prevalent, and largely consist of two or three story flats. A few residential buildings within the District (typically located on street corners or near Market Street) also include a commercial use at the street level. Buildings in the district are all one to four stories in height, with two and three stories predominating. Additionally, nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. Victorian and Edwardian era architectural styles predominate, with the Classical Revival style most widely represented. As a consequence, bay windows and facades organized into multiple bays are common features throughout the District, as are properties exhibiting a high level of ornamentation and architectural detail.

Most buildings within the district were constructed between ca. 1885 and 1910. The earliest contributors were constructed ca. 1870, while the latest was constructed in 1925. Several buildings evaluated for the District were also found to be individually significant at the local level, or individually eligible for separate listing in the California Register. One property also appears individually eligible for listing in the National Register.

**Hayes Valley Residential**

The "residential" moniker given to California Register Hayes Valley Historic District is indicative of the types of contributing resources that are prevalent throughout the area. The original Hayes Valley Historic District focused on Victorian and Edwardian houses built between 1860 and 1910. This update expands the period of significance slightly to more accurately reflect the range of architectural expressions within those periods and that conform to the district's themes. Therefore, new contributors are located both within the original district boundaries, where properties constructed between 1910 and 1920 may not have been previously considered, and in neighboring areas, where the update records additional properties built within the period of significance. The additional contributing buildings are primarily of wood frame construction, with masonry and concrete construction in the minority. The earliest contributor dates to circa 1868, while the latest dates to circa 1920.

**Hayes Valley Commercial**

The Hayes Valley Commercial District is a locally-eligible historic district located within the Hayes Valley neighborhood of San Francisco. Its boundaries should be considered a subset of the larger Hayes Valley Residential Historic District. The primary building types consist largely of Victorian-era flats and dwellings, with commercial development and apartment buildings clustered along Market, Haight, and Hayes streets—the latter comprising the heart of the subject district.

From its earliest days to the present, Hayes Valley has remained an area of mixed use, boasting a variety of residential and commercial properties, as well as a scattering of light industrial buildings. It also contains some of the oldest extant buildings in the city—at least west of Octavia Street—which marks the western boundary of the fires that swept the area in the wake of the 1906 earthquake. Thus, the neighborhood may also be seen as representing two distinct, yet tightly woven eras: the pre-Earthquake Victorian city, as well as the post-Earthquake Edwardian era of reconstruction.

The "commercial" moniker given to the district is indicative of the types of contributing resources that are prevalent throughout the area. Primarily, these take the form of 1 - 3 story commercial buildings and mixed-use residential and commercial structures. A few industrial buildings are also located in the district—notably auto repair shops—but these are also considered contributing because of their quasi-commercial use. The contributing buildings are primarily of wood frame construction, with masonry and concrete construction in the minority. The earliest contributor dates to circa 1885, while the latest dates to 1927.

**San Francisco State Teacher's College Vicinity Apartments**

The "apartments" moniker given to San Francisco State Teacher's College Vicinity Apartments Historic District is indicative of the types of contributing resources. These take the form of four- to seven-story multiple-family residential structures, usually with a raised basement or parking garages at ground level. While one other apartment building of a smaller scale is also located within in the district, it does not contribute due to its later construction date. The contributing

buildings are all constructed of reinforced concrete. The earliest contributor dates to 1927, while the latest dates to 1931.

**Upper Market Street**

The historic themes of the California Register Upper Market Street Historic District significance are derived from the historic trends that influenced the development of the surrounding neighborhoods. The most influential trend, which sparked the initial development period in the Upper Market area, was the advent of public transportation routes into the area, providing a connection with the city's downtown core and encouraging residential development in the outlying neighborhoods such as Duboce Triangle and Eureka Valley. This, in turn, influenced the establishment of businesses along Upper Market Street, which echoed the commercial development further east on Market Street, and served the surrounding residential neighborhoods.

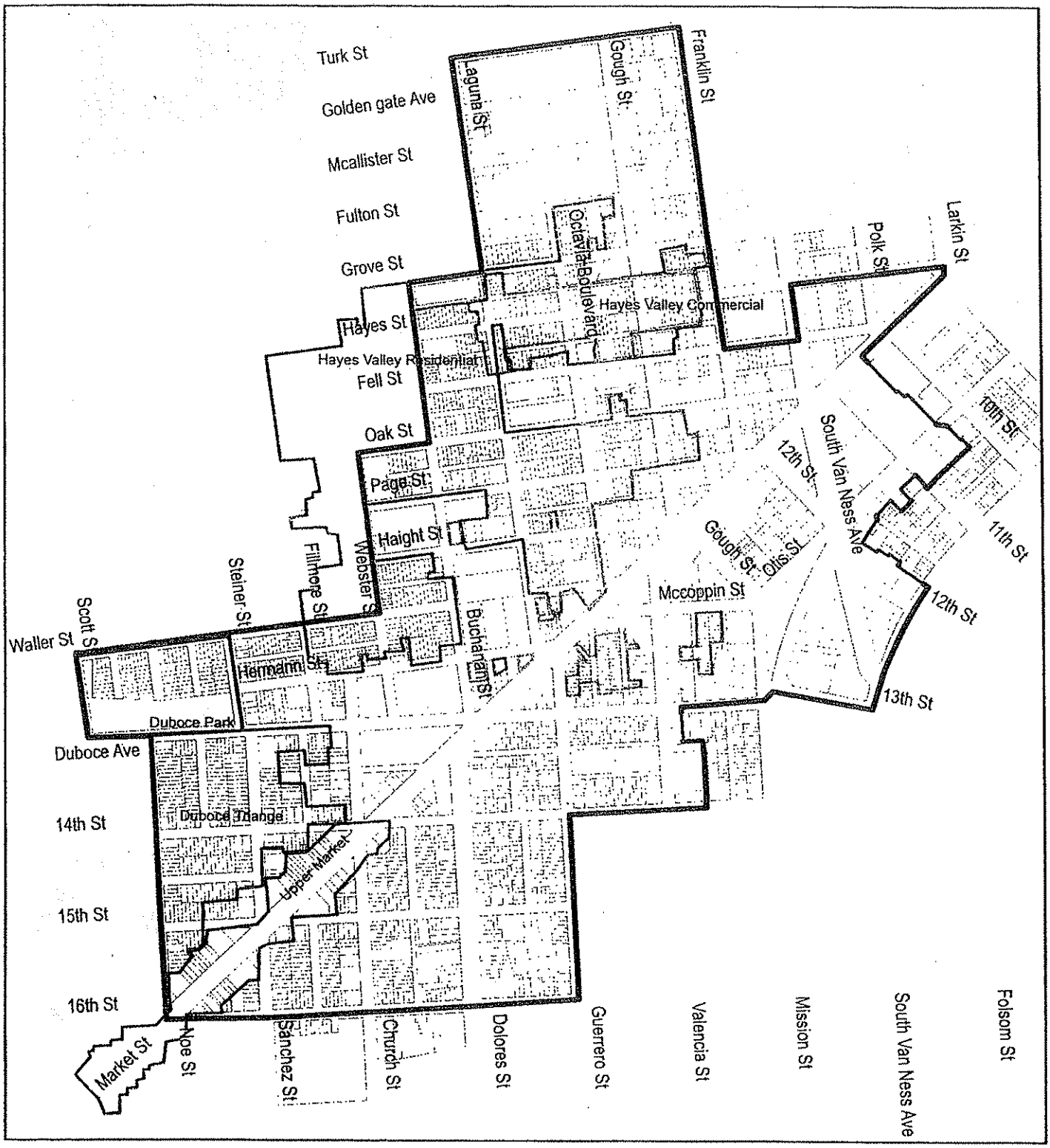
The neighborhoods flanking the Upper Market Street corridor are primarily residential, with mixed use and commercial buildings located closer to Market Street. This results in the properties fronting on Market Street being almost entirely commercial. Buildings in the district are typically one to four stories in height, with the majority being three-story structures. Those four story structures that are present are primarily grouped together near the center of the northwest block face of Market Street between Church Street and Sanchez Street. Nearly all of the buildings are of wood frame construction and clad in wood or stucco siding. A few examples of concrete construction and one brick masonry building are present. Victorian-era and commercial oriented architectural styles are the most widely represented, with the Classical Revival style most prevalent. Examples of later modern styles, such as International, Art Deco, and Art Moderne, are also present and help to illustrate the continual commerce-driven development of parcels along the prominent traffic corridor. In keeping with commercial stylistic conventions, rectangular, flat roofed structures are prevalent. Bay windows and facades organized into multiple bays are common features throughout the district.

**Elgin Park-Pearl Street Reconstruction Historic District.**

The California Register eligible Elgin Park-Pearl Street Reconstruction Historic District is a medium-scale (generally two to three stories in height) residential enclave located within the northern Mission District. Contributing properties are typically residential flats; five single family dwellings and three mixed-use, residential-over-commercial buildings are also included. Contributors were erected between 1906 and 1913, during the period of reconstruction that followed the citywide disaster of 1906.

**Jessie-McCoppin-Stevenson Streets Reconstruction Historic District.**

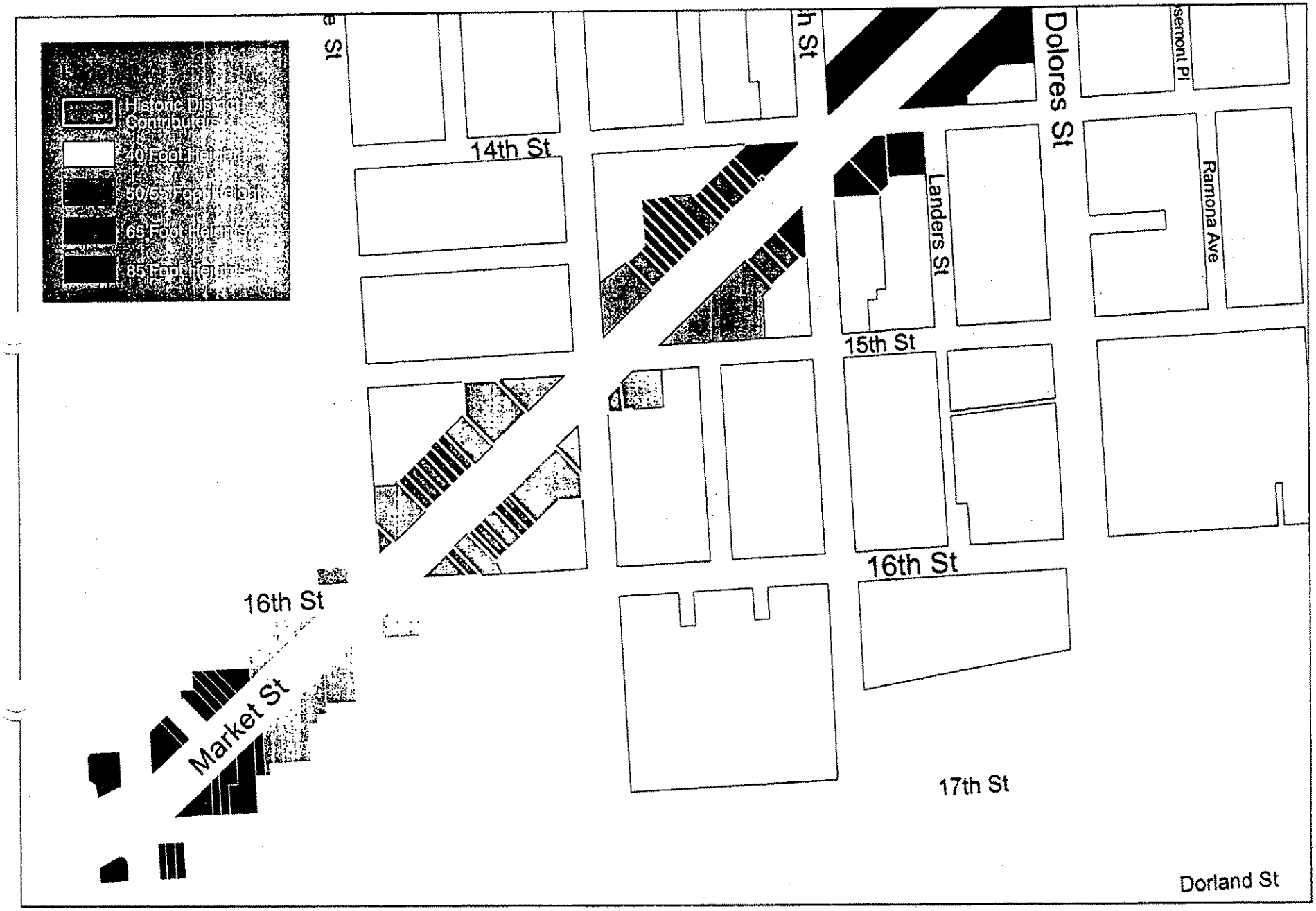
The California Register eligible Jessie-McCoppin-Stevenson Streets Reconstruction Historic District is a medium-scale (generally two to three stories in height) residential enclave located within the northern Mission District. Contributing properties are almost exclusively residential flats; one single family dwelling is included. Contributors were erected between 1906 and 1912, during the period of reconstruction that followed the citywide disaster of 1906.




Map # Proposed Historic Districts

- Locally_Significant_District
- California_Register_District
- National_Register_District

0 385 770 1,540 Feet



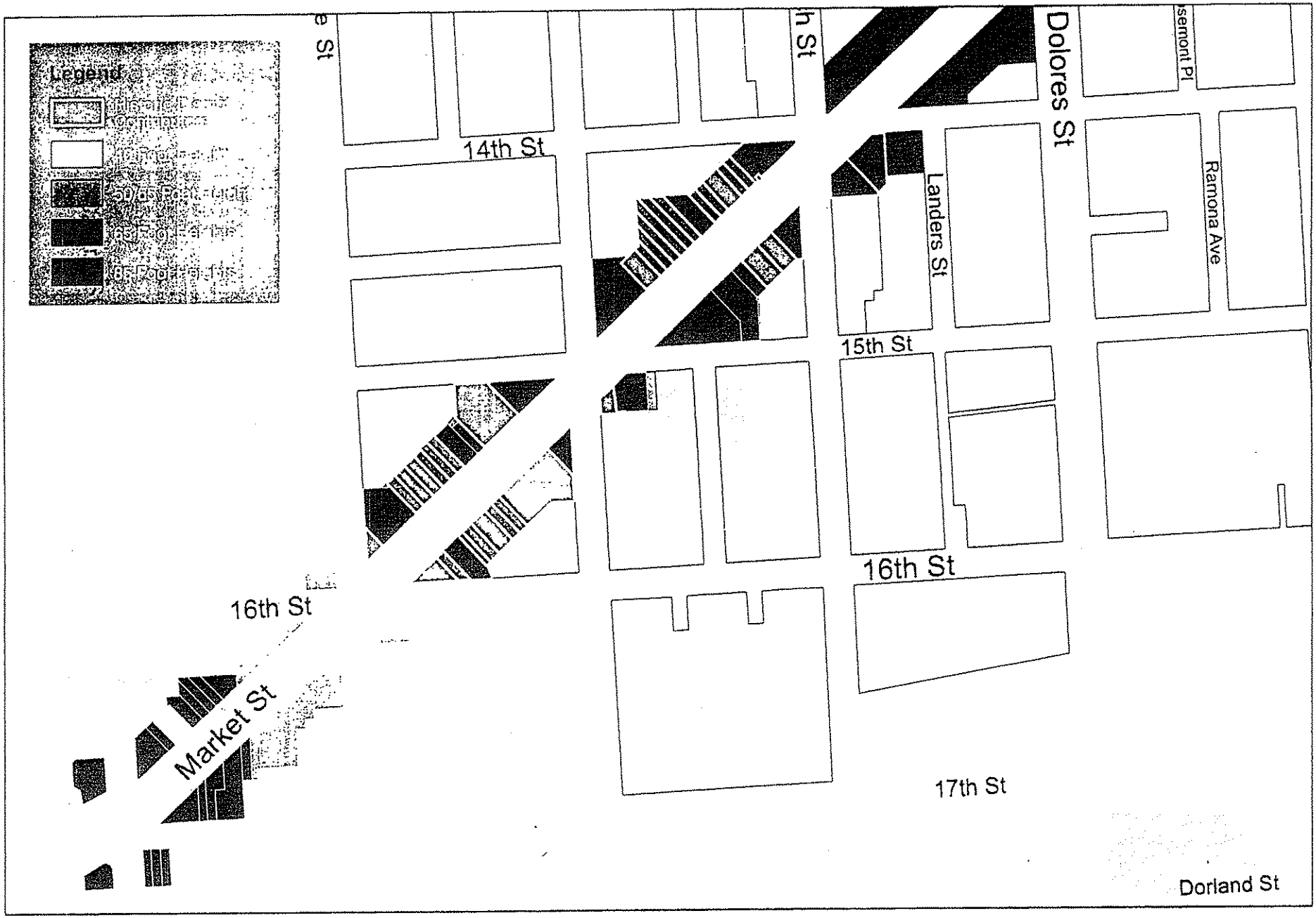

# Existing Upper Market Heights

DATE: MARCH 23, 2009

N W E S

Yards

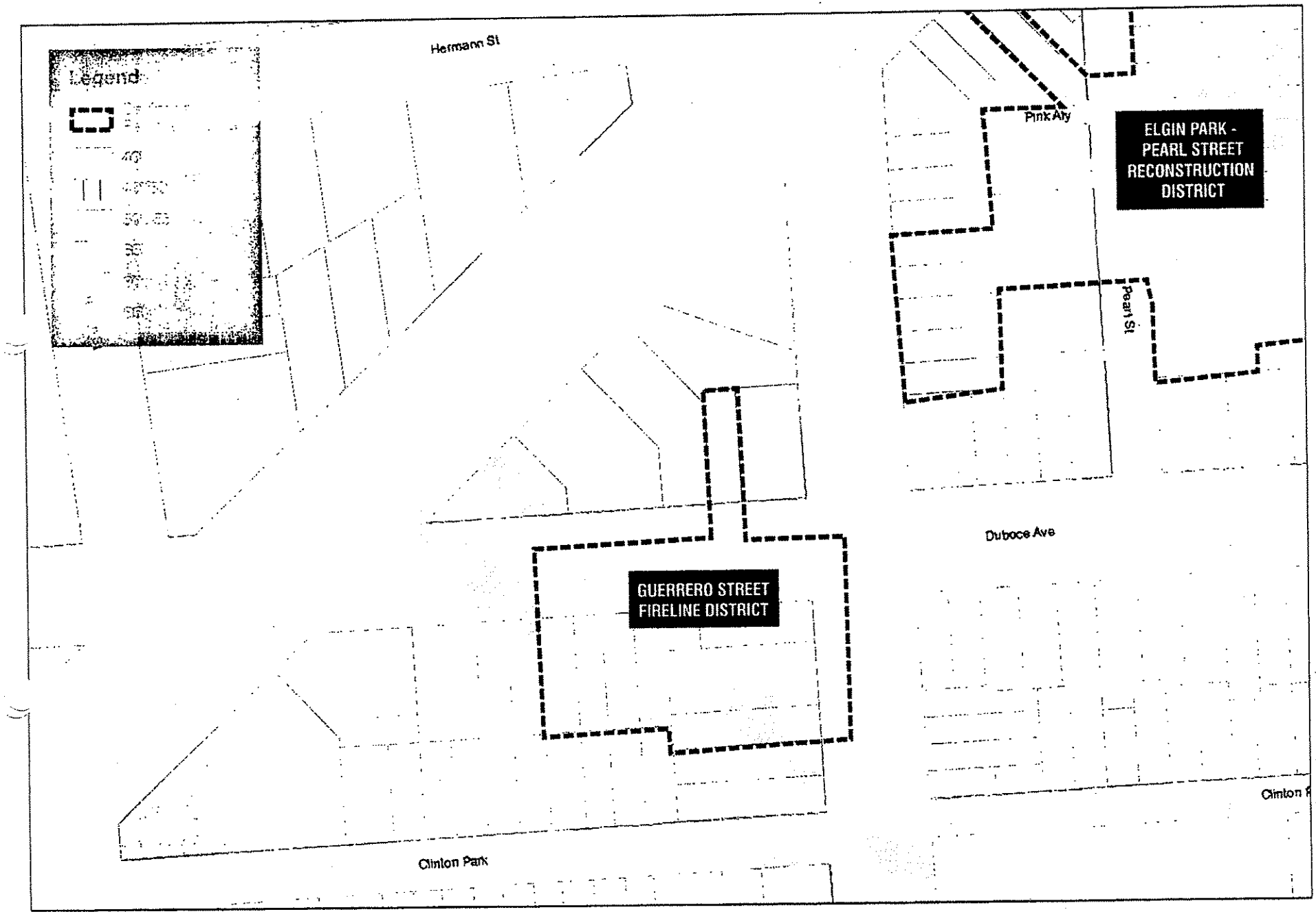
0 90 180 270 360




# Proposed Upper Market Heights

DATE: MARCH 23, 2009

Yards
0 90 180 270 360




# Exhibit 1: Existing Heights

DATE: MARCH 24, 2009


# Exhibit E: Proposed Gurrero Street Heights

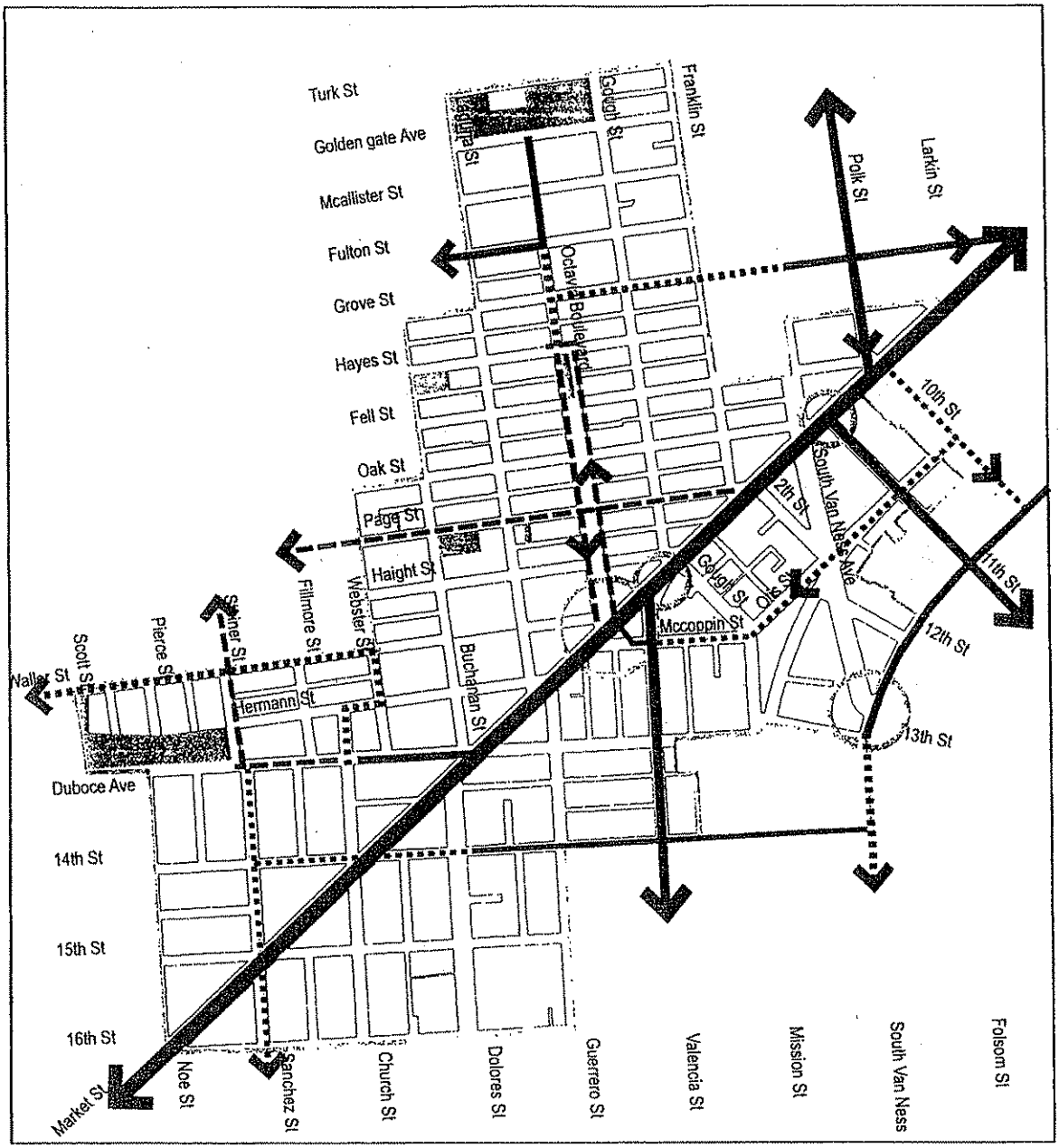
DATE: MARCH 24, 2009

N
W E
S

Yards
0 25 50 75 100

# BICYCLE NETWORK

## Map 11




**Legend**

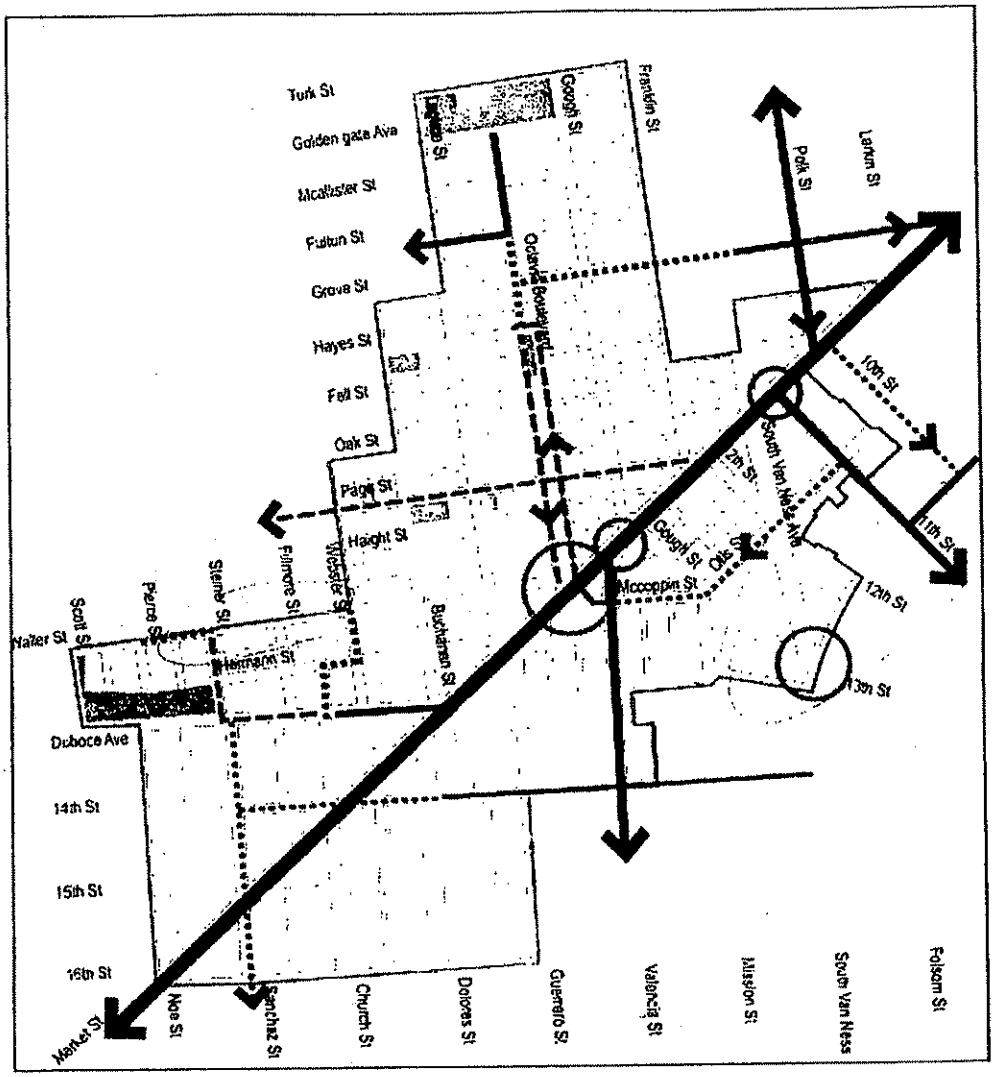
- Bike Lanes and Paths
- Other Bike Routes
- Bike Boulevards and Traffic-Calmed Streets
- Intersections for Special Treatment

0 400 800 1,600 Feet

0 125 250 500 Meters



Existing




Bicycle Network



Proposed