

File Nos. 110024 Committee Item Nos. 1
 Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date March 7, 2011

Board of Supervisors Meeting Date 3/29/11

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 17410</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Gail Johnson Date 3/4/11
 Completed by: Alisa Somera Date March 9, 2011

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

1 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan
2 Zoning]

3 Ordinance amending Zoning Map Sheet 2 of the City and County of San Francisco
4 Planning Code to include parcels inadvertently excluded from the Zoning Map
5 amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08)
6 affecting the area roughly bounded by a line beginning at the intersection of Buchanan
7 and Fell Street, continuing northwest, thence northeast on Grove Street, continuing
8 northwest at Laguna Street, thence heading northeast on Turk Street, continuing
9 southeast at Franklin Street, thence continuing southwest at Fell Street to the starting
10 point at the intersection of Buchanan Street, to eliminate use districts within the Market
11 and Octavia Plan Area and replace them with revised use districts, consistent with
12 those proposed in the Market and Octavia Area Plan; and making various findings,
13 including CEQA findings and findings of consistency with the General Plan and
14 Planning Code Section 101.1.

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

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

19 Section 1. Findings. The Board of Supervisors hereby finds that:

20 A. The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 110024 and is incorporated herein by reference.

24 B. Pursuant to Section 302 of the Planning Code, the Board finds that this
25 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in

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1 Planning Commission Resolution No. 17410 and the Board incorporates such reasons
2 herein by reference. A copy of Planning Commission Resolution No. 17410 is on file
3 with the Board of Supervisors in File No. 110024.

4 C. This ordinance is in conformity with the General Plan and the Priority Policies of
5 Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.
6 17410 and the Board incorporates those findings herein by reference.

7 D. The Board of Supervisors finds that in adopting Ordinance No. 72-08 entitled
8 "Zoning Map Amendment in connection with the Market and Octavia Area Plan" an
9 administrative error occurred such that several hundred lots proposed to be re-zoned were
10 inadvertently deleted from the ordinance ("deleted lots"). On July 30, 2007 the Planning
11 Department transferred the Market and Octavia Plan to the Board, including a proposed
12 zoning map amendment dated April 4, 2007 including all of the deleted lots ("introduced
13 Zoning Map Amendments").

14 E. The Planning Commission reviewed the introduced Zoning Map Amendment
15 and recommended the Zoning Map amendment, including the deleted lots, to the Board for
16 approval in Resolution No. 17410. Between introduction and adoption of Ordinance No. 72-
17 08 by the Board in April, 2008, the deleted lots were, through administrative error, completely
18 deleted from the introduced Zoning Map Amendments such that they were not shown in
19 strike-through as required for deleted material. The Board of Supervisors intends that this
20 ordinance shall correct this error and zone the inadvertently deleted lots as originally intended
21 in the introduced Zoning Map Amendments.

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

Block to Be Deleted Upon Approval			
0761032	RM-4	NCT-3	2

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Block/lot	To Be Superseded	Hereby Approved	Size
0761033	RM-4	NCT-3	2
0761034	RM-4	NCT-3	2
0761035	RM-4	NCT-3	2
0761036	RM-4	NCT-3	2
0761037	RM-4	NCT-3	2
0761038	RM-4	NCT-3	2
0761039	RM-4	NCT-3	2
0761040	RM-4	NCT-3	2
0761041	RM-4	NCT-3	2
0761042	RM-4	NCT-3	2
0761043	RM-4	NCT-3	2
0761044	RM-4	NCT-3	2
0761045	RM-4	NCT-3	2
0761046	RM-4	NCT-3	2
0761047	RM-4	NCT-3	2
0761048	RM-4	NCT-3	2
0761049	RM-4	NCT-3	2
0761050	RM-4	NCT-3	2
0761051	RM-4	NCT-3	2
0761052	RM-4	NCT-3	2
0761053	RM-4	NCT-3	2
0761054	RM-4	NCT-3	2
0761055	RM-4	NCT-3	2
0761056	RM-4	NCT-3	2
0761057	RM-4	NCT-3	2
0761058	RM-4	NCT-3	2
0761059	RM-4	NCT-3	2
0761060	RM-4	NCT-3	2
0768072	NC-3	NCT-3	2
0768073	NC-3	NCT-3	2
0770015	RM-2	RTO	2
0770025	RM-2	RTO	2
0770026	RM-2	RTO	2
0770027	RM-2	RTO	2
0783023	RM-2	RTO	2
0783024	RM-2	RTO	2
0783025	RM-2	RTO	2
0785013	NC-3	NCT-3	2
0785028	NC-3	NCT-3	2
0785029	NC-3	NCT-3	2
0785030	NC-3	NCT-3	2

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Block/Lot	To Be Superseded	Hereby Approved	Sheet
0785033	NC-3	NCT-3	2
0785035	NC-3	NCT-3	2
0785036	NC-3	NCT-3	2
0785038	NC-3	NCT-3	2
0785039	NC-3	NCT-3	2
0792003	NC-3	NCT-3	2
0792007A	NC-3	NCT-3	2
0792007D	NC-3	NCT-3	2
0792007E	NC-3	NCT-3	2
0792021	NC-3	NCT-3	2
0792022	NC-3	NCT-3	2
0792028	NC-3	NCT-3	2
0792029	NC-3	P	2
0792031	NC-3	NCT-3	2
0793001	NC-3	NCT-3	2
0793002	NC-3	NCT-3	2
0793009	NC-1	NCT-3	2
0793010	NC-1	HAYES NCT	2
0793012	NC-1	HAYES NCT	2
0793013	NC-1	HAYES NCT	2
0793014	NC-1	HAYES NCT	2
0793016	NC-1	HAYES NCT	2
0793017	NC-1	HAYES NCT	2
0793018	NC-1	HAYES NCT	2
0793019	NC-1	HAYES NCT	2
0793021	NC-1	HAYES NCT	2
0793022	NC-1	HAYES NCT	2
0793023	NC-1	HAYES NCT	2
0793025	NC-1	HAYES NCT	2
0793026	NC-1	HAYES NCT	2
0793028	NC-1	HAYES NCT	2
0793031	NC-3	NCT-3	2
0793037	NC-1	HAYES NCT	2
0793038	NC-1	HAYES NCT	2
0793041	NC-1	HAYES NCT	2
0793042	NC-1	HAYES NCT	2
0793043	NC-1	HAYES NCT	2
0793044	NC-1	HAYES NCT	2
0793045	NC-1	HAYES NCT	2
0793046	NC-1	HAYES NCT	2
0793047	NC-1	HAYES NCT	2

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Site No.	To Be Submitted	Board Approved	Sheet
0793048	NC-1	HAYES NCT	2
0793049	NC-1	HAYES NCT	2
0793050	NC-1	HAYES NCT	2
0793051	NC-1	HAYES NCT	2
0793052	NC-1	HAYES NCT	2
0793053	NC-1	HAYES NCT	2
0793054	NC-1	HAYES NCT	2
0793055	NC-1	HAYES NCT	2
0793056	NC-1	HAYES NCT	2
0793057	NC-1	HAYES NCT	2
0793058	NC-1	HAYES NCT	2
0793059	NC-1	HAYES NCT	2
0793060	NC-1	HAYES NCT	2
0793061	NC-1	HAYES NCT	2
0793062	NC-1	HAYES NCT	2
0793063	NC-3	NCT-3	2
0793064	NC-3	NCT-3	2
0793065	NC-3	NCT-3	2
0793066	NC-3	NCT-3	2
0793067	NC-3	NCT-3	2
0793068	NC-3	NCT-3	2
0793069	NC-3	NCT-3	2
0793070	NC-1	HAYES NCT	2
0793071	NC-1	HAYES NCT	2
0793072	NC-1	HAYES NCT	2
0793073	NC-1	HAYES NCT	2
0793074	NC-1	HAYES NCT	2
0793075	NC-1	HAYES NCT	2
0793076	NC-1	HAYES NCT	2
0793080	NC-3	NCT-3	2
0793081	NC-3	NCT-3	2
0793082	NC-3	NCT-3	2
0793083	NC-3	NCT-3	2
0793084	NC-3	NCT-3	2
0793085	NC-3	NCT-3	2
0793086	NC-3	NCT-3	2
0793087	NC-3	NCT-3	2
0793088	NC-3	NCT-3	2
0793089	NC-3	NCT-3	2
0793090	NC-3	NCT-3	2
0793091	NC-3	NCT-3	2

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Block/Lot	To Be Superseded	Hereby Approved	Sheet
0793092	NC-3	NCT-3	2
0793093	NC-3	NCT-3	2
0793094	NC-3	NCT-3	2
0793095	NC-3	NCT-3	2
0793096	NC-3	NCT-3	2
0793097	NC-3	NCT-3	2
0793098	NC-3	NCT-3	2
0793099	NC-3	NCT-3	2
0793100	NC-3	NCT-3	2
0793101	NC-3	NCT-3	2
0793102	NC-3	NCT-3	2
0793103	NC-3	NCT-3	2
0794001	NC-1	HAYES NCT/RTO	2
0794004	RM-1	RTO	2
0794005	RM-1	RTO	2
0794005A	RM-1	RTO	2
0794008	RM-1	RTO	2
0794008A	RM-1	RTO	2
0794010	RM-1	RTO	2
0794011	RM-1	RTO	2
0794013	RM-1	RTO	2
0794014	RM-1	RTO	2
0794015	RM-3	RTO	2
0794022	RM-1	RTO	2
0794023	RM-1	RTO	2
0794024	NC-1	HAYES NCT	2
0794025	NC-1	HAYES NCT	2
0794026	NC-1	HAYES NCT	2
0794028	RM-3/NC-1	HAYES NCT/RTO	2
0794029	RM-1	RTO	2
0794034	RM-1	RTO	2
0794035	RM-1	RTO	2
0794036	RM-1	RTO	2
0794037	RM-1	RTO	2
0794038	RM-1	RTO	2
0794039	RM-1	RTO	2
0806002	HAYES	HAYES NCT	2
0806003	HAYES	HAYES NCT	2
0806005	RH-3	RTO	2
0806008	RH-3	RTO	2
0806009	RH-3	RTO	2

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Block/Lo	To Be Superseded	Being Approved	Sheet
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0806011	RH-3	RTO	2
0806012A	RH-3	RTO	2
0806013	RH-3	RTO	2
0806013A	RH-3	RTO	2
0806014A	RH-3	RTO	2
0806015	RH-3	RTO	2
0806015A	RH-3	RTO	2
0806016	RH-3	RTO	2
0806017	RH-3	RTO	2
0806018	RH-3	RTO	2
0806019	RH-3	RTO	2
0806020	RH-3	RTO	2
0806020A	RH-3	RTO	2
0806040	RH-3	RTO	2
0806041	RM-2	RTO	2
0806042	RH-3	RTO	2
0806043	RH-3	RTO	2
0806044	RH-3	RTO	2
0806045	RH-3	RTO	2
0806046	RH-3	RTO	2
0806049	RH-3	RTO	2
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0806051	RH-3	RTO	2
0806052	RH-3	RTO	2
0806053	RH-3	RTO	2
0806054	RH-3	RTO	2
0806058	RH-3	RTO	2
0806059	RH-3	RTO	2
0807001	NC-1	HAYES NCT	2
0807001A	NC-1	RTO	2
0807001B	HAYES	HAYES NCT	2
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0807002A	HAYES	HAYES NCT	2
0807002B	HAYES	HAYES NCT	2
0807002C	HAYES	HAYES NCT	2
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0807004	HAYES	HAYES NCT	2
0807005	HAYES	HAYES NCT	2
0807006	HAYES	HAYES NCT	2
0807007	HAYES	HAYES NCT	2

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Block/Lot	To Be Superseded	Hereby Approved	Sheet
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0807009A	HAYES	HAYES NCT	2
0807010	HAYES	HAYES NCT	2
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0807016	RM-1	RTO	2
0807016A	RM-1	RTO	2
0807017	RM-1	RTO	2
0807020	RM-1	RTO	2
0807021	RM-1	RTO	2
0807022	RM-1	RTO	2
0807023	RM-1	RTO	2
0807026	RM-1	RTO	2
0807027	RM-1	RTO	2
0807027A	RM-1	RTO	2
0807028	RM-1	RTO	2
0807029	RM-1	RTO	2
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0807031	RM-1	RTO	2
0807032	RM-1	RTO	2
0807033	RM-1	RTO	2
0807034	RM-1	RTO	2
0807035	RM-1	HAYES NCT	2
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0808005	HAYES	HAYES NCT	2
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0808016A	HAYES	HAYES NCT	2
0808017	HAYES	HAYES NCT	2
0808018	NC-1	HAYES NCT	2
0808019	NC-1	HAYES NCT	2
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0808022	NC-1	HAYES NCT	2
0808022A	NC-1	HAYES NCT	2
0808032	HAYES	HAYES NCT	2
0808035	HAYES	HAYES NCT	2
0808036	NC-3	HAYES NCT	2
0808039	HAYES	HAYES NCT	2
0808043	NC-1	HAYES NCT	2
0808044	NC-1	HAYES NCT	2

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Block/No	To Be Superseded	Hereby Approved	Sheet
0808045	NC-1	HAYES NCT	2
0808046	HAYES	HAYES NCT	2
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0809003	NC-3	NCT-3	2
0809003A	NC-3	NCT-3	2
0809004	HAYES	HAYES NCT	2
0809004A	HAYES	HAYES NCT	2
0809005	HAYES	HAYES NCT	2
0809006	HAYES	HAYES NCT	2
0809007	HAYES	HAYES NCT	2
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0809021	HAYES	HAYES NCT	2
0809023	HAYES	HAYES NCT	2
0809024	NC-3	HAYES NCT	2
0809025	NC-3	HAYES NCT	2
0809026	NC-3	HAYES NCT	2
0809027	NC-3	HAYES NCT	2
0809028	NC-3	HAYES NCT	2
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0809032	HAYES	HAYES NCT	2
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0809034	HAYES	HAYES NCT	2
0809035	HAYES	HAYES NCT	2
0809036	HAYES	HAYES NCT	2
0809037	HAYES	HAYES NCT	2

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Block/Lot	To Be Superseded	Hereby Approved	Sheet
0809038	HAYES	HAYES NCT	2
0809039	HAYES	HAYES NCT	2
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0809043	HAYES	HAYES NCT	2
0809044	HAYES	HAYES NCT	2
0809050	HAYES	HAYES NCT	2
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0816006	HAYES	HAYES NCT	2
0816009	HAYES	HAYES NCT	2
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0816039	HAYES	HAYES NCT	2
0816040	HAYES	HAYES NCT	2
0816041	HAYES	HAYES NCT	2
0816042	HAYES	HAYES NCT	2
0816043	HAYES	HAYES NCT	2

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Block No.	To Be Superseded	Hereby Approved	Sheet
0816044	HAYES	HAYES NCT	2
0816045	HAYES	HAYES NCT	2
0816046	HAYES	HAYES NCT	2
0816047	HAYES	HAYES NCT	2
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0816050	HAYES	HAYES NCT	2
0816051	HAYES	HAYES NCT	2
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0816056	HAYES	HAYES NCT	2
0816057	HAYES	HAYES NCT	2
0816058	HAYES	HAYES NCT	2
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0816085	HAYES	HAYES NCT	2

Supervisor Mirkarimi
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0817045	HAYES	HAYES NCT	2
0817046	HAYES	HAYES NCT	2
0817047	HAYES	HAYES NCT	2

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0818022A	HAYES	HAYES NCT	2
0818022B	RH-3	RTO	2
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0818026	RH-3	RTO	2
0818027	RH-3	RTO	2
0818028	RH-3	RTO	2

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0819006A	RH-3	RTO	2
0819008	RH-3	RTO	2
0819008A	RH-3	RTO	2
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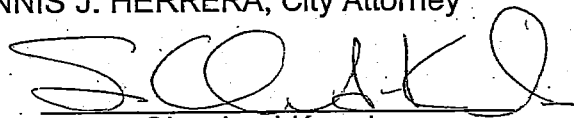
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0819053	RH-3	RTO	2
0819054	RH-3	RTO	2
0819055	RH-3	RTO	2

Supervisor Mirkarimi
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1 Section 3: This Section is uncodified. All actions heretofore taken by the officers of the
2 City with respect to this Ordinance and the deleted lots, including any environmental review
3 and entitlements, are hereby approved, confirmed and ratified, and the Mayor, Clerk of the
4 Board, and Planning Department are hereby authorized and directed to take any and all
5 actions which they or the City Attorney may deem necessary or advisable in order to
6 effectuate the purpose and intent of this Ordinance. The Board ratifies any decision made
7 relying on the understanding that the deleted lots were rezoned as proposed in the introduced
8 Zoning Map Amendment.

9 Notwithstanding any contrary technical requirements that may exist in the Planning or
10 Administrative Codes, the Board hereby finds that the Planning Department provided
11 adequate notice for all documents and decisions, including environmental documents, related
12 to the actions taken in approving this Ordinance, the Market and Octavia Area Plan, and any
13 subsequent decisions relying on the understanding that the deleted lots were rezoned as
14 proposed in the introduced Zoning Map Amendment. This finding is based on the extensive
15 mailed, posted, electronic, and published notices that the Planning Department provided.
16 Copies of such notices are available for review through the Custodian of Records at the
17 Planning Department, 1650 Mission Street, San Francisco.

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

20 By: 
21 Susan Cleveland-Knowles
22 Deputy City Attorney
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LEGISLATIVE DIGEST

[Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]

Ordinance amending Zoning Map Sheet 2 of the City and County of San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Existing Law

The Board adopted the Market and Octavia Plan in 2008, including amending the General Plan, Planning Code and Zoning Map. The 2008 Zoning Map amendments established the boundaries for the new zoning and height districts envisioned in the Market and Octavia Area Plan by amending a number of zoning maps including Sectional Map 2. The amendments to the Zoning Map established three new zoning districts and revised height and bulk districts in the area around Market Street and Octavia Boulevard, consistent with the Market and Octavia Area Plan outlined in the accompanying ordinances amending the San Francisco General Plan and Planning Code.

Generally, on Sectional Map 2, existing neighborhood commercial districts become "neighborhood commercial-transit" districts, and the residential districts become "residential transit-oriented" districts. The Hayes Neighborhood Commercial District became the Hayes Neighborhood Commercial Transit District. These districts were further defined in the accompanying ordinance amending the San Francisco Planning Code.

Amendments to Current Law

Due to the inadvertent deletion of some Assessor's Blocks and lots in the zoning map amendment proposed by the Planning Commission ("introduced zoning map amendment"), several hundred parcels on Zoning Map Sheet 2 that were proposed to be rezoned to new use districts were not included on the final, adopted ordinance (Ordinance No. 72-08). The proposed ordinance implements the zoning on the deleted parcels. As with the introduced

zoning legislation, generally, on Sectional Map 2, existing neighborhood commercial districts become "neighborhood commercial-transit" districts, and the residential districts become "residential transit-oriented" districts. The Hayes Neighborhood Commercial District became the Hayes Neighborhood Commercial Transit District.

Background Information

In adopting Ordinance No. 72-08 entitled "Zoning Map Amendment in connection with the Market and Octavia Area Plan" an administrative error occurred such that a number of lots proposed to be re-zoned were inadvertently deleted from the ordinance ("deleted lots"). The Board of Supervisors intends that this ordinance shall correct this error and zone the deleted lots as originally intended in the introduced Zoning Map Amendments, dated April 4, 2007 and recommended to the Board for approval by the Planning Commission in Resolution No. 17410.



SAN FRANCISCO PLANNING DEPARTMENT

To: Honorable San Francisco Board of Supervisors,
Angela Calvillo, Clerk of the Board

Date: February 19, 2011

Re: *File 110024, Correction to Market and Octavia Area Plan Zoning Map:
Commission Declines Hearing -- Previously Recommended Approval*

Staff Contact: Kearstin Dischinger, Planner, (415) 558-6284
Kearstin@gmail.com

Reviewed by: AnMarie Rodgers, Manager of Legislative Affairs, (415) 558-6284

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Fax:
415.558.6409

Planning
Information:
415.558.6377

On January 1, 2011, Supervisor Mirkarimi introduced proposed legislation in Board File No. 110024. This proposed Ordinance would amend Zoning Map Sheet No. 2 of the San Francisco Zoning Map to implement the Market and Octavia Plan (Ordinance No. 72-08). Specifically it would rezone parcels within the Market and Octavia Plan Area to be consistent with the proposed Ordinance previously recommended for adoption by Planning Commission Resolution Number 17410. This resolution includes CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

The proposed Ordinance [BF 110024] is consistent with the legislation recommended for adoption by Planning Commission Resolution 17410. The Planning Commission held numerous publicly noticed hearings on this proposal previous to adopting Planning Commission Resolution 17410. The Planning Commission recommends the Board of Supervisors adopt this Ordinance per Planning Commission Resolution 17410, and declines the opportunity to hold additional hearing on the matter at this time.

Attachment 1. Planning Commission Resolution 17410

SAN FRANCISCO
PLANNING COMMISSION
RESOLUTION NO. 17410

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.

Pursuant to Planning Code Section 302 (b), the Planning Commission held a public hearing on September 28, 2006 and after considering written and oral information presented by the staff and considering public comment, adopted Resolution No. 17314, a Resolution of Intention to initiate amendments to the Planning Code, initiating amendments to Sectional Maps 2 and 2H, 7 and 7H, and Maps 2SU and 7SU of the Zoning Map of the City and County of San Francisco, in order to implement the proposed Market and Octavia Neighborhood Plan.

Subsequent to adopting Res. No. 17314, the Planning Commission authorized the Department to provide appropriate notice for a series of public hearings on the proposed amendment. The Commission held a series of public hearings to consider the proposed amendment, including hearings on October 26, Nov. 2, 2006, Nov. 9, 2006, Dec. 7, 2006, January 11, 2007, Feb. 8, 2007, Feb. 15, 2007, and March 22, 2007. On this date, the Commission adopted a Motion of Intent to certify the Environmental Impact Report, and to adopt CEQA findings, changes to the Planning Code, General Plan, Zoning Map, and to establish Interim Procedures.

During the course of the public hearings, staff incorporated a number of changes to the draft General Plan amendment, based on testimony from property owners, residents, members of the public, and Planning Commission comments, as contained in a draft ordinance approved as to form by the City Attorney contained in Exhibit M-3-B, as though fully set forth herein.

The Western SoMa Citizens Planning Task Force, in its continuing planning for western South of Market, would like to provide recommendations for controls outside their area and may propose further refinements to the planning recommendations for the Market Octavia Plan area on those Market Octavia Plan area portions of Assessor's Blocks 3510, 3511 and a triangular portion of Block 3514 east of South Van Ness Avenue.

Following the adoption of the Market & Octavia Plan, the Western SoMa Citizens Planning Task Force may thereafter seek to revise the boundaries of the Western SoMA area to include the area described above as part of the Western SoMa Planning Area. The Western SoMA Citizens Planning Task Force may then further consider planning and zoning recommendations regarding but not limited to heights and density, housing affordability and business displacement policies in the general area south of Market Street and east of Division, Otis, Gough and Franklin Streets that are currently part of the Market & Octavia Plan.

Proposed amendments to the General Plan, include adding a new area plan, the Market and Octavia Area Plan, and making related 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 to implement the Market and Octavia Neighborhood Plan. The Department proposes a number of conforming amendments, including changes to Sectional Maps 2 and 2H, 7 and 7H, and Maps 2SU and 7SU of the Zoning Map of the City and County of San Francisco. The amendments would include changes to permitted land use and height and bulk controls, reclassifying properties into newly created districts throughout the plan area.

Development envisioned within the Market and Octavia area would be consistent with the General Plan's overall vision. The Zoning Map implements General Plan policies, governs land use, and permitted height and bulk in the area. A number of changes are proposed to the permitted land use and height and bulk. Thus, conforming amendments to the Zoning Map are required in order for development to proceed in the area consistent with the Market and Octavia Area Plan of the General Plan. Staff has also incorporated changes based on public testimony received at Planning Commission public hearings. The proposed Zoning Map changes to land use and height and bulk districts are included in a draft ordinance, **attached hereto as Exhibit Z-3-B**. The City Attorney's Office has reviewed the draft ordinance and approved it as to form.

The Plan's policies and implementation measures encourage production of inherently diverse and new housing less expensive to build. The Plan establishes a comprehensive framework for the production of quality housing, the retention of existing housing, and provision of a variety of housing types, especially low-income housing. The Plan set the framework for the Central Freeway Parcels to both fund Octavia

Boulevard and to provide 50% of the new Central Freeway Parcel housing as affordable housing. The Plan policies also generate some non-traditional units by reducing the costs of building housing through new parking policies and by allowing in-law and other added units that are inherently more affordable.

There are also many opportunities for new infill housing that can strengthen the neighborhood--such as the vacant Central Freeway parcels--and enhance its role as a walkable, transit-oriented neighborhood that supports urban living. Housing opportunities are also furthered by the Plan's policies and implementation measures to ease constraints on housing generated by the existing parking requirement. The constraint on housing, as it currently exists, is two-fold: First, providing off-street parking adds significantly to the cost of a new unit, and second, the addition of an extra unit to an existing structure is often infeasible due to the current inflexible code requirement to provide off-street parking with any new unit. Therefore, the Plan's parking policies further goals of reducing the cost of building housing. The Plan seeks to retain existing housing by codifying the Commission's current demolition policies.

Still the need for additional permanently affordable housing is great. There is an opportunity to provide for the public good of affordable housing where it is more feasible for projects to provide additional affordable housing due to rezoning resulting from the 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 amendments will have a positive effect on neighborhood serving retail uses. The Market and Octavia Plan supports existing and new commerce by encouraging ground floor retail in commercial areas and other improvements to the pedestrian realm. New development enabled by the Market and Octavia Plan will enhance the neighborhood commercial districts along Market Street, Octavia Boulevard, Hayes Street, Gough Street, and Inner Valencia Street, providing potential employment and ownership opportunities for San Francisco residents. The proposed amendments will support the creation of new housing units, providing a market for increased retail uses along these corridors and allow expansion of the customer base for neighborhood serving businesses beyond the constraints of automobile congestion and parking.

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

The Plan protects and enhances the existing neighborhood character by applying appropriate height and bulk limits, protecting landmark and other historic buildings, reinforcing neighborhood commercial districts, preserving and enhancing cultural and educational institutions, marking major intersections as landmarks, discouraging land assembly, and detailing fundamental design principles.

The proposed height and bulk controls emphasize consistency with current development patterns. Additionally the controls were designed with a focus on protecting sunlight access for streets and alleyways.

Neighborhood-serving retail will be concentrated along Hayes, Gough, Market, Valencia, Church, and Castro streets, and Van Ness Avenue accordant with existing patterns.

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

The proposed amendments will have a positive effect on the City's housing stock, and the Market & Octavia Neighborhood's share of housing. They will enable the creation of new housing units in the Market & Octavia Neighborhood, positively effecting the City's housing supply. Projects within the plan area will be subject to inclusionary housing requirements; fifteen to twenty percent of units would be permanently affordable. Additional mechanisms to ensure permanent housing affordability include preservation of existing housing stock, unbundling parking from housing, and flexibility in density controls. The redevelopment of the 22 Central Freeway parcels will result in the net increase of about 800 to 900 housing units in the Project Area by 2025. Approximately 50% of these units will be available at below market rates. The plan requires that any demolished units be replaced by an equal or greater number of units.

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

The proposed amendments would not result in commuter traffic impeding Muni transit service or overburdening the streets or neighborhood parking. Currently numerous bus lines and Muni trains run through Market and Octavia Neighborhood; including those along Market Street, Haight Street,

Fillmore Street, Church Street, Mission Street, Valencia Street, Van Ness Avenue, and Eleventh Street. To mitigate potential impacts to these Muni lines, the proposed amendments encourage the creation of a Bus Rapid Transit lanes, transit lanes, transit preemption/prioritization signaling, and other transit improvements.

The proposed amendments would support an increase in the residential population of the area, which would increase trips originating and/or terminating in the neighborhood. The high concentration of new residential development, easy access to jobs, service and transit, and pedestrian improvements indicates that new Market and Octavia residents would make a greater share of trips without the use of the automobile, lessening the impacts of new residents on the overburdening of streets and neighborhood parking.

The Market and Octavia Plan policies support a transportation strategy that builds on the existing transit and pedestrian infrastructure when appropriate. Existing neighborhood parking is protected by policies that shift demand, manage existing and future supply, and encourage higher utilization through innovative transit such as car sharing.

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

The proposed amendments would not adversely affect the industrial or service sectors. The existing industrial and service businesses in the plan area are currently in the SoMa West neighborhood. These businesses would not be displaced by commercial office development. Due to its proximity to the downtown, the Plan envisions transforming this area into a vibrant new mixed-use residential neighborhood, providing much needed housing, a full range of new services and vibrant streets and public spaces. A portion of the original Market and Octavia study area included a portion of the Mission District that included repair and service sector uses; these blocks, south of Division Street, have been removed from the Market and Octavia Area Plan. Other than the SoMa West area, the proposed amendments do not make major changes to the allowable uses in the plan area.

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

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

7. That landmarks and historic buildings be preserved.

The proposed amendments would not have a negative effect on the preservation of landmarks and historic buildings. The Market and Octavia Area Plan calls for the protection of existing landmarks and historic buildings. An historic survey of the plan area will ensure that no potential historic resources are impacted by the Plan. The Plan strengthens protection for historic resources and potential historic districts.

Prior to completion of the historic resources survey, the Plan establishes interim procedures to review development proposals to protect potential historic resources. When completed, findings of the historic resources survey will be incorporated into the plan to protect identified historic resources.

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

The proposed amendments would have a positive effect on parks and open space, and would not adversely affect existing open spaces or their access to sunlight and vistas. The proposed amendments include a series of open space improvements: the development of Hayes Green, McCoppin Park near the freeway touchdown, a neighborhood park on Brady Street, and the conversion of sidewalks and alleys to open space amenities. The Market and Octavia Plan details concepts and strategies for living sidewalks and alleyways and identifies numerous opportunities for these types of improvements within the plan area.

Individual buildings reviewed according to procedures described in Planning Code Section 295 are evaluated to identify the impacts of projects and buildings. Project permits can't be approved if the impacts are found to be significant.

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

Octavia Plan Area. Below are specific policies and objectives that support the proposed action.

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

AIR QUALITY ELEMENT

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

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

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

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

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

POLICY 3.3 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 3.5 Continue existing growth management policies in the city and give consideration to the overall air quality impacts of new development including its impact

on the local and regional transportation system in the permit review process. Ensure that growth will not outpace improvements to transit or the circulation system.

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

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

URBAN DESIGN ELEMENT

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

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

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

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

POLICY 4.11 Make use of street space and other unused public areas for recreation.

TRANSPORTATION ELEMENT

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

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

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

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

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

POLICY 3.1 The existing vehicular capacity of the bridges, highways, and freeways entering the city should not be increased and, for single-occupant vehicles, should be reduced where possible.

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

POLICY 7.1 Reserve a majority of the off-street parking spaces at the periphery of downtown for short term parking.

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

OBJECTIVE 14: DEVELOP AND IMPLEMENT A PLAN FOR OPERATIONAL CHANGES AND LAND USE POLICIES THAT WILL MAINTAIN MOBILITY AND SAFETY DESPITE A RISE IN TRAVEL DEMAND THAT COULD OTHERWISE RESULT IN SYSTEM CAPACITY DEFICIENCIES.

POLICY 14.1 Reduce road congestion on arterials through the implementation of traffic control strategies, such as signal-light synchronization and turn controls, that improve vehicular flow without impeding movement for pedestrians and bicyclists.

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

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

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

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

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

POLICY 15.1 Discourage excessive automobile traffic on residential streets by incorporating traffic-calming treatments.

Such treatments may include signalization and signage changes that favor other modes of transportation, widened sidewalks, landscape strips, bicycle lanes or transit stops, bicycle-and-transit friendly speed bumps, or reduced traffic speeds.

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

POLICY 18.2 Design streets for a level of traffic that serves, but will not cause a detrimental impact on adjacent land uses.

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

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

OBJECTIVE 24: IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

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

OBJECTIVE 27: ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION AS WELL AS FOR RECREATIONAL PURPOSES.

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

COMMERCE AND INDUSTRY ELEMENT

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

POLICY 6.7 Promote high quality urban design on commercial streets.

POLICY 7.1 Promote San Francisco, particularly the civic center, as a location for local, regional, state and federal governmental functions.

RECREATION AND OPEN SPACE ELEMENT

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

POLICY 2.7 Acquire adequate open space for public use.

POLICY 2.9 Maintain and expand the urban forest.

POLICY 2.12 Expand community garden opportunities throughout the City.

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

POLICY 4.7 Provide open space to serve neighborhood commercial districts.

ARTS 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.

On April 5th, 2007, The Planning Commission adopted Motion No. 17406. In this action, the Planning Commission certified the Market and Octavia Neighborhood Plan Environmental Impact Report, prior to considering relevant amendments to the General Plan, Planning Code and the Zoning Map.

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

AND BE IT FURTHER RESOLVED, That the Planning Commission adopts a Resolution to amend the Planning Code, including amendments to Sectional Maps 2 and 2H, 7 and 7H, and Maps 2SU and 7SU of the Zoning Map of the City and County of San Francisco, in order to implement the proposed Market and Octavia Neighborhood Plan, contained in an ordinance approved as to form by the City Attorney hereto attached as Exhibit Z-3a as though fully set forth herein.

AND BE IT FURTHER RESOLVED, that an additional affordability requirement should be levied on parcels in the Plan Area where rezoning has increased the feasibility for a greater contribution toward affordable housing. An economic sensitivity analysis is underway to determine the appropriate level of the extra inclusionary requirement. This new requirement, as described above, is integral to the Plan, including General Plan, Planning Code and Zoning Controls. The Planning Commission intends that its adoption of the Plan and its accompanying documents be effective only after a new affordable housing requirement as described herein is also adopted by the Commission, enacted by the Board of Supervisors, and becomes effective.

AND BE IT FURTHER RESOLVED, the Planning Commission directs Staff to prepare a specific program for additional affordable housing requirement in areas where increased financial feasibility permits it. This program shall be presented to the Commission for action within three months of the date of this Resolution.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission on April 5, 2007.

Linda Avery
Commission Secretary

Planning Department

**Case No. 2003.0347EMTZU
Resolution Approving Zoning Map Amendments
Pursuant to the Market and Octavia Neighborhood Plan
April 5th, 2007**

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

NOES: Moore and Olague

ABSENT: none

ACTION: Adoption of Zoning Map Amendments

