



October 23, 2025

Ms. Angela Calvillo, Clerk
Honorable Supervisor Melgar
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2025-007357PCA:**
Portions of Moraga and Noriega Avenues and Kensington Way
Board File No. 250814

Planning Commission Action: Adopted a Recommendation for Approval

Dear Ms. Calvillo and Supervisor Melgar,

On October 9, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Melgar that would enable a land swap between the City and County of San Francisco and a private individual. At the hearing the Planning Commission adopted a recommendation for approval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: John Malamut, Deputy City Attorney
Jen Low, Aide to Supervisor Melgar
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21843

HEARING DATE: October 9, 2025

Project Name: Portions of Moraga and Noriega Avenues and Kensington Way
Case Number: 2025-007357PCA/MAP [Board File No. 250814]
Initiated by: Supervisor Melgar / Introduced July 29, 2025
Staff Contact: Audrey Merlone, Legislative Affairs
Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE ORDERING THE SUMMARY STREET VACATION OF CITY PROPERTY ON UNIMPROVED STREET AREAS OF MORAGA AND NORIEGA AVENUES; FINDING THE STREET VACATION AREA IS NOT NECESSARY FOR THE CITY'S USE; RESERVING EASEMENTS RELATED TO SUPPORT FOR THE CITY-OWNED RETAINING WALL FROM THE STREET VACATION PROPERTIES AND INCLUDING OTHER CONDITIONS TO THE STREET VACATION; AMENDING THE PLANNING CODE AND ZONING MAP TO REZONE THE CITY PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL BLOCK NO. 2042, LOT NOS. 039-041 FROM P (PUBLIC)/OS (OPEN SPACE) TO RH-2 (RESIDENTIAL HOUSING TWO-FAMILY)/40-X, AND TO REZONE PARCELS ON KENSINGTON WAY ADJACENT TO VASQUEZ AVENUE SHOWN ON ASSESSOR'S PARCEL BLOCK NO. 2923, LOT NOS. 010A AND 024-027 FROM RH-1(D)/40-X TO PUBLIC/OPEN SPACE; AFFIRMING THE PLANNING COMMISSION'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF THE PLANNING CODE, SECTION 101.1 AND ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on July 29, 2025, Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 250814, which would order the summary street vacation of City property on unimproved street areas of Moraga and Noriega Avenues; finding the street vacation area is not necessary for the City's use; reserving easements related to support for the City-owned retaining wall from the street vacation properties and including other conditions to the street vacation; amending the Planning Code and Zoning Map to rezone the City property identified as Assessor's Parcel Block No. 2042, Lot Nos. 039-041 from P (Public)/OS (Open Space) to RH-2 (Residential Housing Two-family)/40-X, and to rezone parcels on Kensington Way adjacent to Vasquez Avenue shown on Assessor's Parcel Block No. 2923, Lot Nos. 010A and 024-027 from RH-1(D)/40-X to Public/Open Space;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 9, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c)(2); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval** of the proposed ordinance.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission recommends approval of the proposed Ordinance because it advances key City objectives related to housing production and open space preservation in a balanced and context-sensitive manner. The ordinance facilitates a land exchange that enables modest residential development on underutilized City-owned parcels in a well-resourced, transit-accessible neighborhood, while permanently preserving environmentally sensitive hillside lots adjacent to Edgehill Mountain Park. The zoning changes reflect the intended future uses of the properties and are consistent with the San Francisco General Plan, particularly the Housing Element and the Recreation and Open Space Element. The proposal also meets the exception criteria under the Urban Design Element for street vacations, as it does not negatively impact circulation, access, or neighborhood character. Furthermore, the ordinance has no adverse environmental impacts under CEQA and does not alter current implementation procedures.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 3.B

CREATE A SENSE OF BELONGING FOR ALL COMMUNITIES OF COLOR WITHIN WELL-RESOURCED NEIGHBORHOODS THROUGH EXPANDED HOUSING CHOICE.

Policy 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network and other transit.

The RH-2 (Residential Housing Two-family) zoning proposed for the rights-of-way that are proposed for vacation would allow small multi-family housing at the site, which is within the Highest Resource areas of the City's Well-Resourced Neighborhoods and adjacent to numerous bus and light rail transit lines. RH-2 zoning would generally allow more dwelling units than RH1-D zoning. The Project would thus result in increased housing capacity, consistent with the Objective and Policy.

RECREATION AND OPEN SPACE ELEMENT

OBJECTIVE 1

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.3

Preserve existing open space by restricting its conversion to other uses and limiting encroachment from other uses, assuring no loss of quantity or quality of open space.

The Kensington Way lots proposed for P-Public zoning are undeveloped and located in close proximity to Edgehill Mountain Park, which is identified as open space in Map 1 of this Element, while the rights-of-way proposed for vacation are not used as open space and do not appear in Map 1. The Project would thus support greater integration of open space and would not result in loss of quantity or quality of open space.

URBAN DESIGN ELEMENT

OBJECTIVE 2

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

Policy 2.8

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

Policy 2.9

Review proposals for the giving up of street areas in terms of all the public values that streets afford.

Policy 2.10

Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.

Policy 2.8 requires a strong presumption against the giving up of street areas, a presumption that can be overcome only by extremely positive and far-reaching justification. The overarching need for additional housing in Well-Resourced Neighborhoods, as outlined in the Housing Element of the General Plan, provides such a positive and far-reaching justification.

The rights-of-way that are proposed for vacation are not improved as City streets. They are not currently used for circulation or recreational purposes, and there are no plans to put them to such use in the future. Policy 2.10 requires release of street areas in the least extensive and least permanent manner appropriate to each case. The Project's aim is to allow housing at the site, which would not be possible without the proposed vacation. Policy 2.9 enumerates criteria for evaluating proposals for vacation of rights-of-way, including 12 outcomes that would preclude a positive recommendation. The Project would not result in any of the 12 outcomes specified. Specifically, the Project would not negatively impact circulation or rightful access by any mode to any location including in emergency situations; would not reduce open space or recreational opportunities, or impact significant views; would not enlarge any existing properties; would not result in the removal of significant natural features, or in detriment to the scale and character of surrounding development, and; would not have any adverse effect on any component of the General Plan.

Planning Code Section 101 Findings

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

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

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

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

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

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

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the 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 Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 9, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.10.21 15:41:48 -07'00'

AYES: Campbell, McGarry, Braun, Imperial, Moore, So
NOES: None
ABSENT: Williams
ADOPTED: October 9, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT & ZONING MAP AMENDMENT

HEARING DATE: October 9, 2025

90-Day Deadline: November 5, 2025

Project Name: Portions of Moraga and Noriega Avenues and Kensington Way
Case Number: 2025-007357PCA [Board File No. 250814]
Initiated by: Supervisor Melgar / Introduced July 29, 2025
Staff Contact: Audrey Merlone, Legislative Affairs
Audrey.Merlone@sfgov.org 628-652-7534
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Adopt a Recommendation for Approval

Planning Code Amendment

The proposed Ordinance would remove portions of two unbuilt streets from the Zoning Map to create new parcels, rezone a City property located at Assessor's Parcels 2042/039-041 from P (Public)/OS (Open Space) to RH-2 (Residential Housing, Two-Family)/40-X, and also rezone parcels located on Kensington Way, adjacent to Vasquez Avenue (Assessor's Parcels 2923/010A & 024-027) from RH-1(D)/40-X, to Public/Open Space.

The Way It Is Now:

- The City and County of San Francisco own vacant, undeveloped properties along Moraga Avenue and Noriega Avenue, which are zoned P/OS (Public/Open Space).
- A private individual owns five adjacent, undeveloped lots on Kensington Way, near Vasquez

Avenue at the base of Edgehill Mountain. These lots are zoned RH-1(D) and fall within a 40-X height district.

The Way It Would Be:

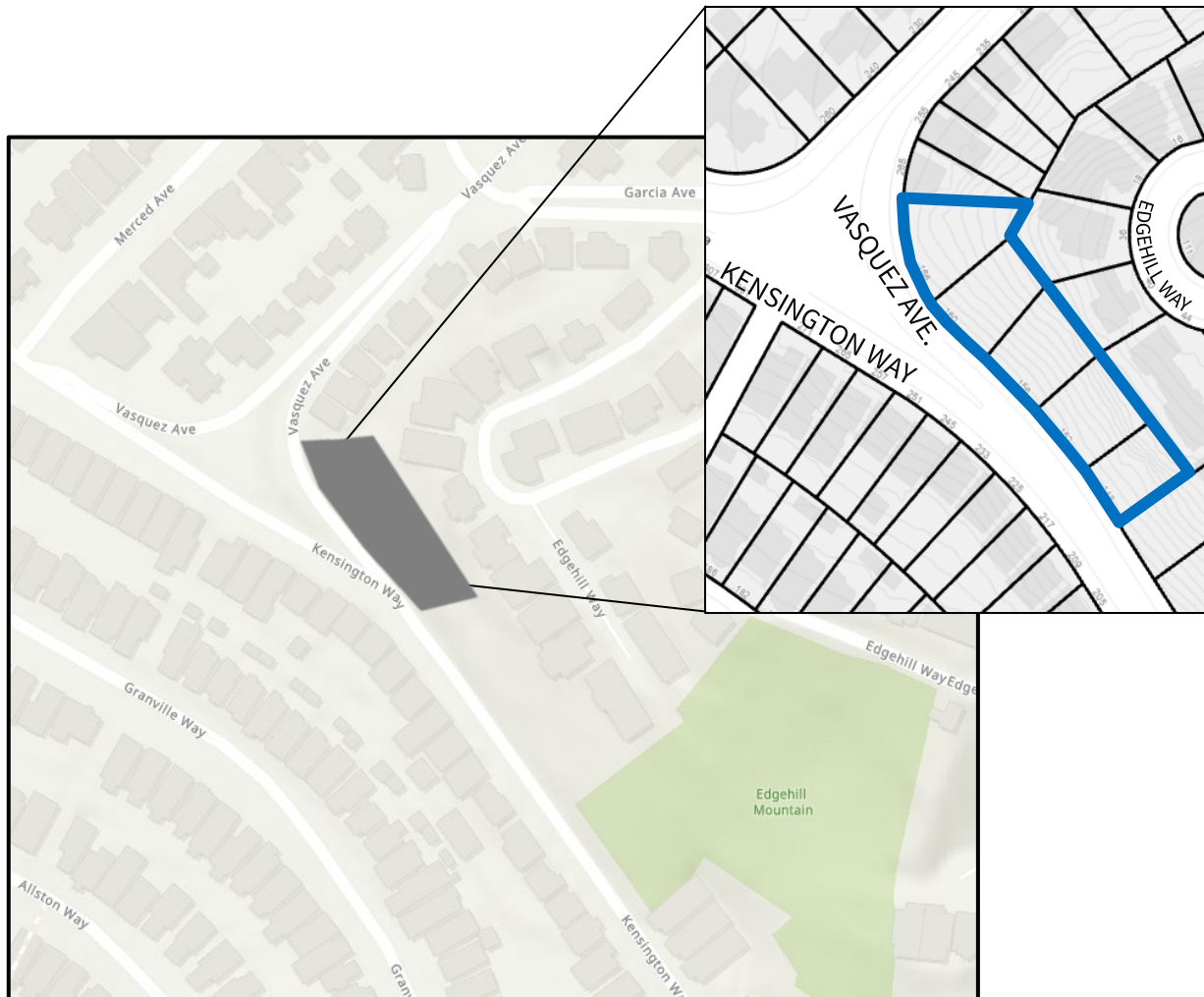
- The City and the private individual would exchange properties:
 - The City would acquire the Kensington Way lots.
 - The private individual would acquire the Moraga and Noriega Avenue properties.
- Zoning changes would accompany the swap:
 - The Kensington Way lots would be rezoned to P/OS.
 - The Moraga and Noriega Avenue properties would be rezoned to RH-2/40-X.

Background

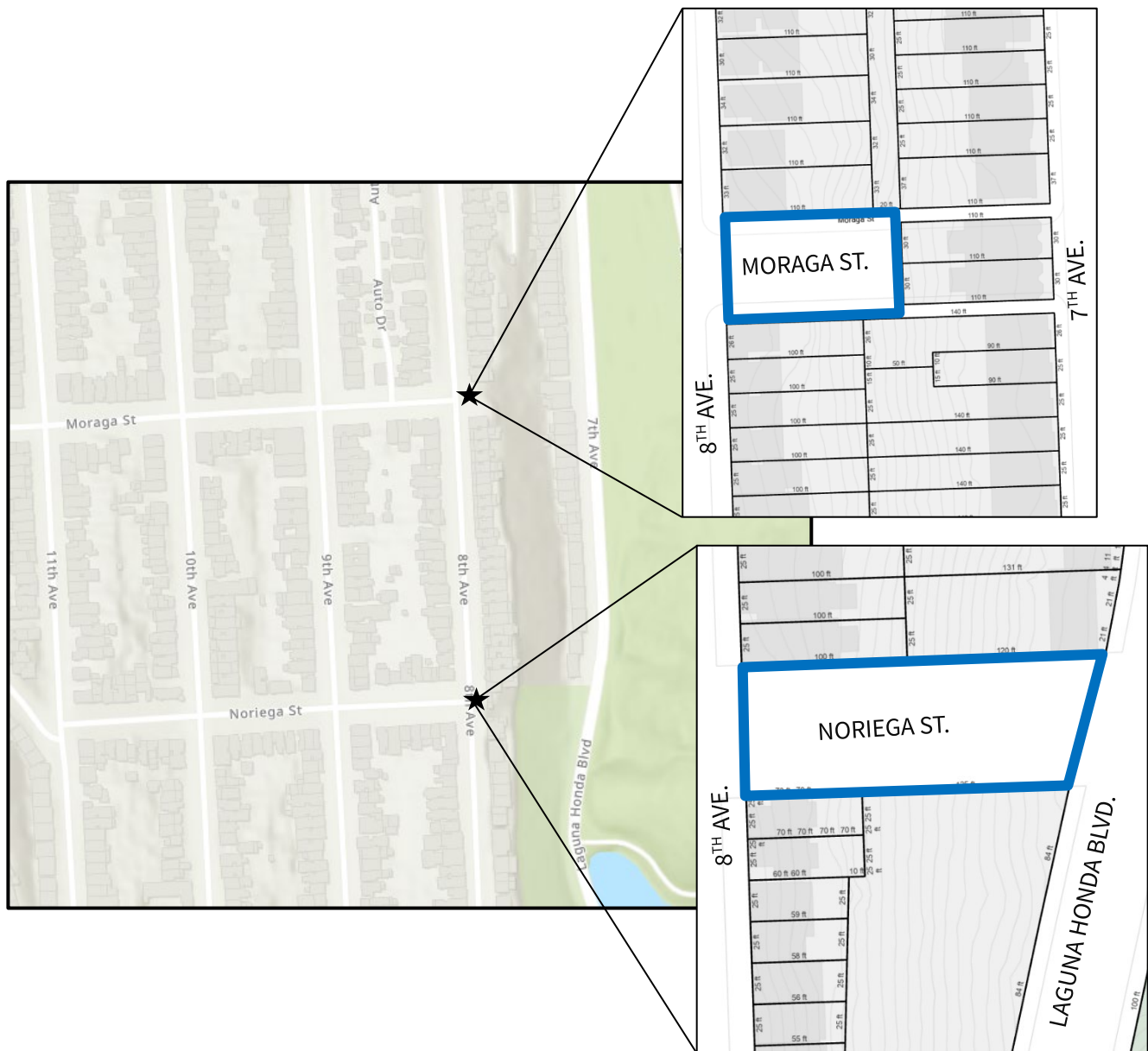
The proposed ordinance stems from a broader effort by the City and County of San Francisco to balance residential development with open space preservation in the Mount Sutro area. The City owns vacant, unimproved portions of Moraga and Noriega Avenues, while a private developer, Kensington Way, LLC, owns several undeveloped hillside parcels along Kensington Way near Edgehill Mountain—an area historically prone to landslides and unstable soil conditions. To address both development and environmental concerns, the City and the developer entered into an Exchange Agreement, approved by the Board of Supervisors in Resolution No. 29-24, which outlines a land swap: the City would acquire the Kensington Way parcels for permanent open space preservation, and the developer would receive the City-owned street vacation areas for residential development. This ordinance implements that agreement by authorizing the summary street vacation of the City-owned properties, rezoning both sets of parcels to reflect their future uses, and reserving necessary easements to maintain existing City infrastructure.

Issues and Considerations

Subject Properties



Five privately owned, undeveloped RH-1(D) zoned parcels along Vasquez Avenue and Kensington Way. These parcels are proposed to be transferred to City ownership and rezoned Public/Open Space.



City-owned, unbuilt portions of Moraga Street and Noriega Street. These unbuilt portions of two streets are proposed to become Residential parcels and zoned RH-2. For a detailed proposed parcel map, please see Exhibit B.

General Plan Compliance

The proposed land exchange and associated zoning changes are consistent with the San Francisco General Plan. The project supports Objective 3.B of the Housing Element by enabling small multi-family housing in a well-resourced, transit-accessible neighborhood through RH-2 zoning, thereby expanding housing choice. It aligns with the Recreation and Open Space Element by preserving undeveloped Kensington Way parcels as open space adjacent to Edgehill Mountain Park, without reducing the quantity or quality of existing open space. Although the Urban Design Element generally discourages the relinquishment of street areas, the proposal meets the exception criteria due to its contribution to housing goals, lack of current or planned public

use of the rights-of-way, and absence of negative impacts on circulation, access, open space, or neighborhood character.

Racial and Social Equity Analysis

While the ordinance aligns with environmental preservation and modest housing development goals, its limited geographic and policy scope means it does not significantly advance—or hinder—racial or social equity outcomes. A more robust equity impact would require broader planning efforts that prioritize affordable housing, inclusive zoning, and access to open space in underserved neighborhoods, all of which are outside the scope of this limited ordinance.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

The Department recommends that the Commission **adopt a recommendation for approval** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department recommends approval of the proposed Ordinance because it advances key City objectives related to housing production and open space preservation in a balanced and context-sensitive manner. The ordinance facilitates a land exchange that enables modest residential development on underutilized City-owned parcels in a well-resourced, transit-accessible neighborhood, while permanently preserving environmentally sensitive hillside lots adjacent to Edgehill Mountain Park. The zoning changes reflect the intended future uses of the properties and are consistent with the San Francisco General Plan, particularly the Housing Element and the Recreation and Open Space Element. The proposal also meets the exception criteria under the Urban Design Element for street vacations, as it does not negatively impact circulation, access, or neighborhood character. Furthermore, the ordinance has no adverse environmental impacts under CEQA and does not alter current implementation procedures.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

ATTACHMENTS:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Draft parcel maps
Exhibit C: Board of Supervisors File No. 250814

Portions of this report were drafted and/or edited with the assistance of Microsoft Copilot, in accordance with the City and County of San Francisco's policy on the use of generative AI tools.