

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

August 27, 2020

File No. 200982

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On August 25, 2020, Supervisor Preston submitted the following legislation:

File No. 200982

Resolution imposing for six months interim zoning controls limiting off-street parking for new development projects to the principally-permitted accessory parking ratios established under the Planning Code, and removing the possibility to apply for a conditional use authorization to increase such parking, in portions of the area known as “the Hub” or the “Market Street Hub,” which covers the eastern-most portions of the Market and Octavia Plan area, and is bounded generally by Fell and Hayes Streets to the north, Market and Howard Streets to the east, Highway 101 to the south and southeast, and Haight, Gough, Page, and Franklin Streets to the west; applying these interim zoning controls to development projects that have not received an approval of a development application prior to the effective date of this Resolution; and making environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

1 [Interim Zoning Controls - Off-Street Parking in Portions of the “Hub” Area]

2
3 **Resolution imposing for six months interim zoning controls limiting off-street parking**
4 **for new development projects to the principally-permitted accessory parking ratios**
5 **established under the Planning Code, and removing the possibility to apply for a**
6 **conditional use authorization to increase such parking, in portions of the area known**
7 **as “the Hub” or the “Market Street Hub,” which covers the eastern-most portions of the**
8 **Market and Octavia Plan area, and is bounded generally by Fell and Hayes Streets to**
9 **the north, Market and Howard Streets to the east, Highway 101 to the south and**
10 **southeast, and Haight, Gough, Page, and Franklin Streets to the west; applying these**
11 **interim zoning controls to development projects that have not received an approval of**
12 **a development application prior to the effective date of this Resolution; and making**
13 **environmental findings and findings of consistency with the eight priority policies of**
14 **Planning Code, Section 101.1.**

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16 WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning
17 controls to accomplish several objectives, including preservation of residential and mixed
18 residential and commercial areas in order to preserve the existing character of such
19 neighborhoods and areas; control of uses which generate an adverse impact on pedestrian
20 and vehicular traffic; and control of uses which generate an adverse impact on public transit;
21 and

22 WHEREAS, San Francisco needs to maintain mobility as the numbers of City
23 residents, workers, and visitors grow; one of the eight Priority Policies of the City’s General
24 Plan resolves that commuter traffic not impede Muni transit service or overburden our streets
25 or neighborhood parking; and

1 WHEREAS, San Francisco has long had policies that promote sustainable
2 transportation goals and aim to reduce vehicular traffic; the “Transit First Policy,” in Section
3 8A.115 of the City Charter, declares that public transit is “an economically and
4 environmentally sound alternative to transportation by individual automobiles,” and that within
5 the City, “travel by public transit, by bicycle and on foot must be an attractive alternative to
6 travel by private automobile”; and

7 WHEREAS, The Green House Gas (“GHG”) Reduction Ordinance, codified at Chapter
8 9 of the Environment Code, sets GHG reduction emission targets of 25% below 1990 levels
9 by 2017; 40% below 1990 levels by 2025; and 80% below 1990 levels by 2050; and

10 WHEREAS, The City’s Climate Action Strategy, prepared pursuant to the GHG
11 Reduction Ordinance, has identified a target of having 80% of total trips within the City be
12 made by modes other than automobiles by 2030; and

13 WHEREAS, The Transportation Element of the General Plan acknowledges the need
14 to limit the City’s parking capacity to control the impact of automobiles on City streets, by
15 establishing parking caps for residential and commercial uses to lead to a sustainable mode
16 split (Policy 14.8) and by limiting parking demand through limiting the absolute amount of
17 parking spaces (Policy 16.5); and

18 WHEREAS, In the early 2000s, the area located generally near the intersections of
19 Market Street with Valencia, Haight, and Gough Streets, known as “the Market Street Hub” or
20 simply “the Hub,” was included for planning purposes within the boundaries of the Market and
21 Octavia Area Plan (the “Plan”); the Plan was adopted in 2008, and describes the Hub as a
22 “vibrant new mixed-use neighborhood”; and the Plan encourages the development of a
23 transit-oriented, high-density, mixed-use residential neighborhood around the intersections of
24 Market Street and Van Ness Avenue and Mission Street and Van Ness Avenue, with towers
25 ranging from 250 to 400 feet and limited parking; and

1 WHEREAS, The Plan also contains policies to manage existing parking resources to
2 maximize service and accessibility to all; Objective 5.4 of the Plan states that “existing parking
3 resources should be optimized before considering any substantial increase in parking supply;
4 increasing supply is just one way, arguably the most costly and time-consuming, to increase
5 the availability of parking; more effective pricing, more efficient management of supply, and
6 better information can all result in dramatically improved parking availability in an area without
7 adding a single parking space”; and

8 WHEREAS, The Hub area is currently receiving concentrated attention from
9 developers, and is also in the midst of major infrastructure improvements, such as the Van
10 Ness Avenue Bus Rapid Transit (“BRT”) and the Better Market Street projects; and

11 WHEREAS, The City recently amended the Plan to better ensure that the Hub area’s
12 growth supports the City’s goals for housing, especially affordable housing, and
13 transportation, the public realm, and the arts; and

14 WHEREAS, As part of this Hub planning effort, the Planning Department worked with
15 the San Francisco Municipal Transportation Agency to prepare a Transportation Impact
16 Study, to coordinate development with current transit proposals and projects, such as the Van
17 Ness BRT and Better Market Street, and study developments’ impacts to the transportation
18 system; the study also considered ways to reduce impacts on the transportation system,
19 including parking management; and

20 WHEREAS, As part of an initial phase of implementing the Plan amendments, the City
21 amended the Planning Code to reduce the maximum off-street parking permitted to .25
22 parking spaces per dwelling unit, and remove the possibility to request a conditional use
23 permit for additional parking per dwelling unit, for development projects in the Van Ness &
24 Market Residential Special Use District, which is a portion of the Hub area; and

1 WHEREAS, The Board of Supervisors intends to complete the City's implementation of
2 the Plan amendments once the City has a conducted a racial and social equity assessment of
3 the Plan amendments; and

4 WHEREAS, The interim controls in this resolution are intended and designed to
5 address the pressure created by new residential developments that seek substantial amounts
6 of off-street parking in the portion of the Hub area outside the boundaries of the Van Ness &
7 Market Residential Special Use District; and

8 WHEREAS, The Board has considered the impact on the public health, safety, peace,
9 and general welfare if the interim controls proposed herein are not imposed; and

10 WHEREAS, This Board has determined that the public interest will be best served by
11 imposition of these interim controls at this time, to ensure that the planning and legislative
12 scheme which may be ultimately adopted as part of the completion of the Hub planning effort
13 is not undermined during the planning and legislative process for permanent controls; and

14 WHEREAS, The Planning Department has determined that the actions contemplated in
15 this Resolution are in compliance with the California Environmental Quality Act (California
16 Public Resources Code Section 21000 et. seq.); said determination is on file with the Clerk of
17 the Board of Supervisors in File No. _____ and is incorporated here by reference; now,
18 therefore, be it

19 RESOLVED, This Board now adopts the Planning Department's CEQA determination
20 as its own; and, be it

21 FURTHER RESOLVED, That as of the effective date of this resolution, allowable
22 accessory off-street parking for new development projects shall be limited to the principally-
23 permitted parking ratios established under the Planning Code, and projects shall not be
24 offered the opportunity to increase such accessory parking through a conditional use
25 authorization; and, be it

1 FURTHER RESOLVED, That these interim zoning controls shall apply to properties
 2 that are outside the boundaries of the Van Ness & Market Residential Special Use District and
 3 located in the Hub area, which covers the eastern-most portions of the Market and Octavia
 4 Plan area, and is bounded generally by Fell and Hayes Streets to the north; Market and
 5 Howard Streets to the east; Highway 101 to the south and southeast; and Haight, Gough,
 6 Page, and Franklin Streets to the West; or more specifically, to the following blocks and lots:

ASSESSOR'S BLOCKS NOS.	LOTS
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3502	113
3503	003, 004
3504	001, 002, 011, 012, 013, 017, 019, 022, 023, 024, 025, 026, 027, 028, 029, 030, 033, 038, 039, 040, 044, 045, 046, 047, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076
3505	004, 005, 007, 008, 009, 018, 020, 021, 023, 024, 025, 026, 027, 028, 029, 031, 031A, 032, 032A, 034, 035, 041, 042, 043, 044, 045, 046, 047, 048, 49
3506	008, 009, 010, 011
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FURTHER RESOLVED, That these interim controls shall not apply to any development project that has received an approval of a development application prior to the effective date of this resolution; and, be it

FURTHER RESOLVED, That for purposes of these interim controls, “approval” in the preceding “Resolved” clause shall mean any required approval or determination on a development application that the Planning Commission, Planning Department, or Zoning Administrator issues; and “development application” shall be defined as set forth in Section 401 of the Planning Code; and, be it

FURTHER RESOLVED, That these interim controls shall remain in effect for 6 months from the effective date of this resolution, or until the adoption of an ordinance regarding the portion of the Hub area that is currently outside of the boundaries of the Van Ness & Market Residential Special Use District, whichever first occurs; and, be it

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FURTHER RESOLVED, That these interim controls advance and are consistent with the eight Priority Policies of Planning Code Section 101.1, particularly Policy 4, in that they

