

BOARD of SUPERVISORS



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June 25, 2019

File No. 190714

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

Dear Ms. Gibson:

On June 18, 2019, Mayor Breed submitted the proposed legislation:

File No. 190714

Resolution extending for six months interim zoning controls that limit off-street parking for new development projects to the principally-permitted accessory parking ratios established under the Planning Code, and remove the possibility to apply for a conditional use authorization to increase such parking, in 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 Street and Hayes Street to the north; Market Street and Howard Street to the east; Highway 101 to the south and southeast; and Haight Street, Gough Street, Page Street, and Franklin Street to the west; 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
Laura Lynch, Environmental Planning

1 [Extending Interim Zoning Controls - Off-Street Parking in the "Market Street Hub" Area]

2
3 **Resolution extending for six months interim zoning controls that limit off-street parking**
4 **for new development projects to the principally-permitted accessory parking ratios**
5 **established under the Planning Code, and remove the possibility to apply for a**
6 **conditional use authorization to increase such parking, in the area known as "the Hub"**
7 **or the "Market Street Hub," which covers the eastern-most portions of the Market and**
8 **Octavia Plan area, and is bounded generally by Fell Street and Hayes Street to the**
9 **north; Market Street and Howard Street to the east; Highway 101 to the south and**
10 **southeast; and Haight Street, Gough Street, Page Street, and Franklin Street to the**
11 **west; and making environmental findings, and findings of consistency with the eight**
12 **priority policies of Planning Code, Section 101.1.**

13
14 WHEREAS, Planning Code, Section 306.7 provides for the imposition of interim zoning
15 controls to accomplish several objectives including preservation of residential and mixed
16 residential and commercial areas in order to preserve the existing character of such
17 neighborhoods and areas, control of uses which generate an adverse impact on pedestrian
18 and vehicular traffic, and control of uses which generate an adverse impact on public transit;
19 and

20 WHEREAS, San Francisco needs to maintain mobility as the numbers of City
21 residents, workers and visitors grow, and has long had policies that promote sustainable
22 transportation goals and aim to reduce vehicular traffic; and

23 WHEREAS, The "Transit First Policy," in Section 8A.115 of the City Charter, declares
24 that public transit is "an economically and environmentally sound alternative to transportation
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1 by individual automobiles” and that within the City “travel by public transit, by bicycle and on
2 foot must be an attractive alternative to travel by private automobile”; and

3 WHEREAS, The Transportation Element of the General Plan acknowledges the need
4 to limit the City’s parking capacity to control the impact of automobiles by establishing parking
5 caps for residential and commercial uses to lead to a sustainable mode split (Policy 14.8) and
6 by limiting parking demand through limiting the absolute amount of parking spaces (Policy
7 16.5); and

8 WHEREAS, One of the eight priority policies of the General Plan and of Planning
9 Code, Section 101.1 is that commuter traffic not impede Muni transit service or overburden
10 our streets or neighborhood parking; and

11 WHEREAS, The Green House Gas (“GHG”) Reduction Ordinance, codified at Chapter
12 9 of the Environment Code, sets GHG reduction emission targets of 25% below 1990 levels
13 by 2017, 40% below 1990 levels by 2025, and 80% below 1990 levels by 2050; and

14 WHEREAS, The City’s Climate Action Strategy, prepared pursuant to the GHG
15 Reduction Ordinance, has identified a target of having 50% of total trips within the City be
16 made by modes other than automobiles by 2017, and 80% by 2030; and

17 WHEREAS, In the early 2000s, the area located generally near the intersections of
18 Market Street with Valencia, Haight, and Gough Streets (known as “the Market Street Hub” or
19 simply “the Hub”) was included for planning purposes within the boundaries of the Market and
20 Octavia Area Plan (the “Plan”), which was adopted in 2008 and describes the Hub as a
21 “vibrant new mixed-use neighborhood”; and

22 WHEREAS, The Plan encourages the development of a transit-oriented, high-density,
23 mixed-use residential neighborhood around the intersections of Market Street and Van Ness
24 Avenue and Mission Street and Van Ness Avenue, with towers ranging from 250 to 400 feet
25 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, In light of these recent changes, the Planning Department is currently
12 studying the Hub area, and considering potential Plan amendments to better ensure that the
13 area’s growth supports the City’s goals for housing, especially affordable housing, and
14 transportation, the public realm, and the arts; and

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

21 WHEREAS, On December 22, 2017, the Board of Supervisors adopted Resolution No.
22 448-17, which imposed interim zoning controls for an 18-month period on specified blocks and
23 lots in the Hub area in order to address the pressure created by new residential developments
24 that seek substantial amounts of off-street parking; and

1 WHEREAS, Resolution No. 448-17 defined the Hub area as covering the eastern-most
2 portions of the Market and Octavia Plan area and bounded generally by Fell and Hayes
3 Streets to the north; Market and Howard Streets to the east; Highway 101 to the south and
4 southeast; and Haight, Gough, Page, and Franklin Streets to the west; and

5 WHEREAS, Resolution No. 448-17 a) prohibited any City agency, board, commission,
6 officer, or employee from approving any entitlement, site permit, building permit, or any other
7 permit or license authorizing off-street parking in the Hub area, unless the action would
8 conform both to the provisions of the Planning Code and Resolution No. 448-17, and b)
9 limited allowable accessory off-street parking for new development projects to the principally-
10 permitted parking ratios established under the Planning Code with no opportunity to increase
11 such accessory parking through a conditional use authorization; and

12 WHEREAS, For purposes of the interim controls, "approval" was any required approval
13 or determination on a development application that the Planning Commission, Planning
14 Department, or Zoning Administrator issues; and "development application" was defined as
15 set forth in Section 401 of the Planning Code; and

16 WHEREAS, Resolution No. 448-17 provided that the interim controls shall not apply to
17 any development project that a) has received an approval of a development application prior
18 to the effective date of the interim controls or b) will provide on-site affordable housing under
19 the City's Inclusionary Affordable Housing Program where 25% of the residential units at the
20 site are affordable, as defined under Planning Code, Section 401; and

21 WHEREAS, The circumstances that caused the Board to adopt the interim controls
22 continue to exist; and

23 WHEREAS, Planning Code, Section 306.7(h) authorizes the body that imposed interim
24 controls to extend the controls up to a total time period not to exceed 24 months; and
25

1 and Howard Streets to the east; Highway 101 to the south and southeast; and Haight, Gough,
 2 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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1 WHEREAS, The Board of Supervisors has considered the impact on the public health,
2 safety, peace, and general welfare if the interim controls are not extended; and

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

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

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

14 FURTHER RESOLVED, That extension of the interim controls advances and is
15 consistent with the eight Priority Policies of Planning Code, Section 101.1, particularly Policy
16 4, in that they seek to control vehicular traffic to avoid interference with Muni transit service or
17 overburdening of our streets or neighborhood parking; with respect to the other Priority
18 Policies, the Board finds that the interim zoning controls do not have an effect and will not
19 conflict with said policies; and, be it

20 FURTHER RESOLVED, That the interim controls imposed by Resolution No. 448-17
21 are hereby extended and shall remain in effect until December 22, 2019 or until the adoption
22 of permanent legislation regarding the Hub area, whichever first occurs; and, be it

23 FURTHER RESOLVED, That the extension of the interim zoning controls shall apply to
24 properties located in the Hub area, which covers the eastern-most portions of the Market and
25 Octavia Plan area, and is bounded generally by Fell and Hayes Streets to the north; Market

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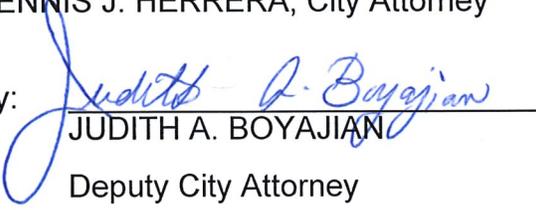
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FURTHER RESOLVED, That the extended interim controls shall not apply to any development project that a) has received an approval of a development application prior to the effective date of Resolution No. 448-17 or b) will provide on-site affordable housing under the City’s Inclusionary Affordable Housing Program; and, be it

FURTHER RESOLVED, That for purposes of these extended interim controls, “approval” in the preceding “Resolved” clause shall mean any required approval or

1 determination on a development application that the Planning Commission, Planning
2 Department, or Zoning Administrator issues; and “development application” shall be defined
3 as set forth in Section 401 of the Planning Code.
4

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

7 By: 
8 JUDITH A. BOYAJIAN
9 Deputy City Attorney

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