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

2

3   **Resolution imposing for 18 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 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 and Hayes Streets to the north;**

9   **Market and Howard Streets to the east; Highway 101 to the south and southeast; and**

10   **Haight, Gough, Page, and Franklin Streets to the west; applying these interim zoning**

11   **controls to development projects that have not received an approval of a development**

12   **application prior to the effective date of this Resolution and will provide no on-site**

13   **affordable housing under the City's Inclusionary Affordable Housing Program; and**

14   **making environmental findings, and findings of consistency with the eight priority**

15   **policies of Planning Code, Section 101.1.**

16

17   WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning

18   controls to accomplish several objectives, including preservation of residential and mixed

19   residential and commercial areas in order to preserve the existing character of such

20   neighborhoods and areas; control of uses which generate an adverse impact on pedestrian

21   and vehicular traffic; and control of uses which generate an adverse impact on public transit;

22   and

23   WHEREAS, San Francisco needs to maintain mobility as the numbers of City

24   residents, workers, and visitors grow. One of the eight Priority Policies of the City's General

25

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1   Plan resolves that commuter traffic not impede Muni transit service or overburden our streets

2   or neighborhood parking; and

3   WHEREAS, San Francisco has long had policies that promote sustainable

4   transportation goals and aim to reduce vehicular traffic. The "Transit First Policy," in Section

5   8A.115 of the City Charter, declares that public transit is "an economically and

6   environmentally sound alternative to transportation by individual automobiles," and that within

7   the City, "travel by public transit, by bicycle and on foot must be an attractive alternative to

8   travel by private automobile"; and

9   WHEREAS, The Green House Gas ("GHG") Reduction Ordinance, codified at Chapter

10   9 of the Environment Code, sets GHG reduction emission targets of 25% below 1990 levels

11   by 2017; 40% below 1990 levels by 2025; and 80% below 1990 levels by 2050; and

12   WHEREAS, The City's Climate Action Strategy, prepared pursuant to the GHG

13   Reduction Ordinance, has identified a target of having 50% of total trips within the City be

14   made by modes other than automobiles by 2017, and 80% by 2030; and

15   WHEREAS, The Transportation Element of the General Plan acknowledges the need

16   to limit the city's parking capacity to control the impact of automobiles on City streets, by

17   establishing parking caps for residential and commercial uses to lead to a sustainable mode

18   split (Policy 14.8) and by limiting parking demand through limiting the absolute amount of

19   parking spaces (Policy 16.5); and

20   WHEREAS, In the early 2000s, the area located generally near the intersections of

21   Market Street with Valencia, Haight, and Gough Streets, known as "the Market Street Hub" or

22   simply "the Hub," was included for planning purposes within the boundaries of the Market and

23   Octavia Area Plan (the "Plan"). The Plan was adopted in 2008, and describes the Hub as a

24   "vibrant new mixed-use neighborhood." The Plan encourages the development of a transit-

25   oriented, high-density, mixed-use residential neighborhood around the intersections of Market

1   Street and Van Ness Avenue and Mission Street and Van Ness Avenue, with towers ranging

2   from 250 to 400 feet and limited parking; and

3   WHEREAS, The Plan also contains policies to manage existing parking resources to

4   maximize service and accessibility to all. Objective 5.4 of the Plan states that "existing

5   parking resources should be optimized before considering any substantial increase in parking

6   supply. Increasing supply is just one way, arguably the most costly and time-consuming, to

7   increase the availability of parking. More effective pricing, more efficient management of

8   supply, and better information can all result in dramatically improved parking availability in an

9   area without adding a single parking space"; and

10   WHEREAS, The Hub area is currently receiving concentrated attention from

11 developers, and is also in the midst of major infrastructure improvements, such as the Van

12 Ness Avenue Bus Rapid Transit ("BRT") and the Better Market Street projects; and,

13   WHEREAS, In light of these recent changes, the Planning Department is currently

14 studying the Hub area, and considering potential Plan amendments to better ensure that the

15 area's growth supports the City's goals for housing, especially affordable housing, and

16 transportation, the public realm, and the arts; and

17   WHEREAS, As part of the Hub planning effort, the Planning Department will work with

18 the San Francisco Municipal Transportation Agency to prepare a Transportation Impact

19 Study, which will coordinate development with current transit proposals and projects, such as

20 the Van Ness BRT and Better Market Street, and study developments' impacts to the

21 transportation system. The study will also consider ways to reduce impacts on the

22 transportation system, including parking management; and

23   WHEREAS, The interim controls in this resolution are intended and designed to

24 address the pressure created by new residential developments that seek substantial amounts

25 of off-street parking in the Hub area; and

1   WHEREAS, The Board of Supervisors has considered the impact on the public health,

2   safety, peace, and general welfare if the interim controls proposed herein are not imposed;

3   and

4   WHEREAS, This Board has determined that the public interest will be best served by

5   imposition of these interim controls at this time, to ensure that the planning and legislative

6   scheme which may be ultimately adopted as part of the Hub planning effort is not undermined

7   during the planning and legislative process for permanent controls; and

8   WHEREAS, The Planning Department has determined that the actions contemplated in

9   this Resolution are in compliance with the California Environmental Quality Act (California

10 Public Resources Code Section 21000 et. seq.). Said determination is on file with the Clerk of

11 the Board of Supervisors in File No. 171015 and is incorporated here by reference; now,

12 therefore, be it

13 RESOLVED, This Board now adopts the Planning Department's CEQA determination

14 as its own; and, be it

15 FURTHER RESOLVED, Pursuant to Planning Code Section 306.7, the Board of

16 Supervisors, by this resolution, hereby prohibits any City agency, board, commission, officer,

17 or employee from approving any entitlement, site permit, building permit, or any other permit

18 or license authorizing accessory off-street parking in the Hub area for new development

19 projects, unless the action would conform both to the provisions of the Planning Code and this

20 resolution; 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   located in the Hub area, which covers the eastern-most portions of the Market and Octavia

3   Plan area, and is bounded generally by Fell and Hayes Streets to the north; Market and

4   Howard Streets to the east; Highway 101 to the south and southeast; and Haight, Gough,

5   Page, and Franklin Streets to the West; or more specifically, to the following blocks and lots:

6

ASSESSOR'S BLOCKS NOS.	LOTS
0813	007, 008, 009, 010
0814	001, 003, 010, 014, 015, 016, 019, 021, 023, 024, 025 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047 048, 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, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 220, 221
0834	004, 008, 012, 013, 014, 015, 016, 017, 018, 019, 027, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 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, 077, 078, 079, 080, 081, 083, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154
0835	001, 002, 003, 004
0836	001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 013 031
0854	002, 003, 004, 005, 006, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 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, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166
0855	003, 004, 010, 012, 013, 016, 017, 019, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066,

	067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099 100, 101, 102
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	001, 004, 005, 007, 008, 009, 010, 012, 013, 016, 018, 020, 021, 023, 024, 025, 026, 027, 028, 029, 031, 031A, 032, 032A, 033, 033A, 034, 035, 041, 042, 043, 044, 045, 046
3506	001, 003A, 004, 008, 009, 010, 011
3507	040
3509	018, 019, 036, 037, 040, 041, 042
3510	003, 049, 057, 059
3511	001, 023, 025, 031, 033, 074, 075, 080, 082, 093
3512	001, 005, 006, 008, 009, 010
3513	001, 008, 030, 044, 045, 046, 047, 048, 049, 050, 051, 052, 054, 055, 056, 057, 058, 059, 062, 077, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169,

	170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202 203, 204, 205, 206, 207, 208
3514	003, 004, 004A, 005, 006, 007, 008, 009, 010, 022, 028, 029, 030, 031, 039, 041, 042, 043, 045, 048, 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, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105,106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 300, 301; and, be it

FURTHER RESOLVED, That these interim controls shall not apply to any development project (a) that has received an approval of a development application prior to the effective date of this resolution or (b) will provide on-site affordable housing under the City's

1   Inclusionary Affordable Housing Program where 25% of the residential units at the site are

2   affordable, as defined under Planning Code Section 401; and, be it

3   FURTHER RESOLVED, That for purposes of these interim controls, "approval" in the

4   preceding "Resolved" clause shall mean any required approval or determination on a

5   development application that the Planning Commission, Planning Department, or Zoning

6   Administrator issues; and "development application" shall be defined as set forth in Section

7   401 of the Planning Code; and, be it

8   FURTHER RESOLVED, That these interim controls shall remain in effect for 18

9   months from the effective date of this resolution, or until the adoption of permanent legislation

10   regarding the Hub area, whichever first occurs; and, be it

11   FURTHER RESOLVED, That these interim controls advance and are consistent with

12   the eight Priority Policies of Planning Code Section 101.1, particularly Policy 4, in that they

13   seek to control vehicular traffic to avoid interference with Muni transit service or overburdening

14   of our streets or neighborhood parking; with respect to the other Priority Policies, the Board

15   finds that these interim zoning controls do not have an effect and will not conflict with said

16   policies.

17

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

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20   By: _____

21   ANDREA RUIZ-ESQUIDE
         Deputy City Attorney

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