



# SAN FRANCISCO PLANNING DEPARTMENT

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*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*

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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 SNA 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 5<sup>th</sup>, 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.

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Linda Avery  
Commission Secretary

**Planning Department**

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

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

NOES: Moore and Olague

ABSENT: none

ACTION: Adoption of Zoning Map Amendments