

LEGISLATIVE DIGEST

[Planning Code, Zoning Map - Upper Market Street Districts]

Ordinance amending the Planning Code to revise Sectional Map ZN07 of the Zoning Map to delete the Upper Market Street Neighborhood Commercial (NC) District and reclassify Assessor's Parcel Block No. 2623, Lot No. 006, at 376 Castro Street and Assessor's Parcel Block No. 2623, Lot No. 091, at 2416-2420 Market Street, from the Upper Market NC District to the Upper Market Street Neighborhood Commercial Transit (NCT) District; revising several sections of Article 4 to include the entirety of the Upper Market Street NCT District, including portions outside of the Market and Octavia Plan Area; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Existing Law

Block 2633, Lot 006 (376 Castro Street) and Lot 091 (2416-2420 Market Street) are zoned Upper Market Street Neighborhood Commercial District (NCD). Planning Code Section 401 defines the "Market and Octavia Program Area" as "including the Upper Market Street NCD, which includes parcels one block west of the plan area that front Market Street." Therefore, the lots being rezoned are currently subject to an Affordable Housing Fee (Planning Code Section 416 et seq.) and the Market and Octavia Community Improvements Fund Fee (Planning Code Section 421 et seq.)

Amendments to Current Law

The above properties would be re-zoned from the Upper Market Street NC District (NCD) to the Upper Market Neighborhood Commercial Transit (NCT) District. The definition of the "Market and Octavia Program Area" in Planning Code Section 401 is revised to include "the entirety of the Upper Market Street NCT District including any portions of such District that fall outside of the Market and Octavia Plan Area." Sections 416.3, 416.5, 421.3, and 421.5 are amended to include the parcels being rezoned from NCD to NCT.

Background Information

In February 2013, the Planning Commission voted to recommend approval with modifications of an ordinance in Board File No. 12092 that expanded the boundaries of the Upper Market Street NCT District to include properties zoned NCD along Market Street between Noe and Castro Streets. The Commission recommended including Block 2623, Lots 006 and 021, in the proposed rezoning from NCD to NCT but these additional parcels were not included in the final ordinance. These two properties are the last remaining properties zoned Upper Market NCD, and the rezoning proposed in this ordinance will bring the two properties into conformity

FILE NO. 170003

with the rest of Market Street's zoning controls and enable the removal of a defunct zoning district from the Planning Code and the Zoning Map. Amendment of the Article 4 sections of the Planning Code will continue the inclusion of these two properties within the Octavia and Market Program Area and thus subject to the Affordable Housing and Market and Octavia Community Improvements Fund Fees.

n:\legana\as2016\1600865\01159230.docx