



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20710

HEARING DATE: MAY 21, 2020

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Project Name:* Market and Octavia Area Plan Amendment: Planning Code Amendments  
*Case Number:* 2015-000940PCA-01  
*Initiated by:* Planning Commission  
*Staff Contact:* Lily Langlois, Principal Planner  
Lily.Langlois@sfgov.org, 415-575-9083  
*Reviewed by:* Joshua Switzky, Land Use and Community Planning Program Manager  
Joshua.switzky@sfgov.org, 415-575-6815

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO AMEND THE VAN NESS AND MARKET DOWNTOWN RESIDENTIAL SPECIAL USE DISTRICT, TO ENCOURAGE MORE HOUSING AND USES THAT SUPPORT THE NEIGHBORHOOD RESIDENTS AND BUSINESS, AND TO GIVE EFFECT TO AMENDMENTS IN THE MARKET AND OCTAVIA PLAN; AND AMENDING PLANNING CODE SECTIONS 145.4, 151.1, 155, 207.6, 249.33, 260, 261.1, 263.19, 270, 270.2, 309, 341.5, 401, 411A.5, 416.3, 421.5, 424.1, 424.3, 424.4, AND 424.5; AND MAKING ENVIRONMENTAL FINDINGS, INCLUDING ADOPTING A STATEMENT OF OVERRIDING CONSIDERATION, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITIES OF THE PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE SECTION 302.**

WHEREAS, The Planning Commission (hereinafter "Commission"), at a duly noticed public hearing on February 13, 2020 and in accordance with Planning Code Section 340(c), initiated the Planning Code Amendments for the Market and Octavia Area Plan by Planning Commission Resolution No. 20654.

WHEREAS, In 2008 the City adopted the Market and Octavia Area Plan, including new land use controls, height controls and proposed community improvements. The "Hub" neighborhood (hereinafter "Plan Area") was included within the boundaries of the Market and Octavia Area Plan. The Market and Octavia Area Plan included numerous policies that supported a vision for the Hub as a "vibrant new mixed-use neighborhood," and it also created the Van Ness and Market Downtown Residential Special Use District (SUD). This SUD facilitated the development of a transit-oriented, high-density, mixed-use residential neighborhood around the intersections of Market Street and Van Ness Avenue and Mission Street and South Van Ness Avenue.

WHEREAS, While the Market and Octavia Area Plan established a new framework for development, the San Francisco Planning Department (herein after "Planning Department") did not receive many major development applications in the Hub neighborhood until 2012 (four years after the plan was adopted) due to the Great Recession.

WHEREAS, In 2016, the Planning Department initiated a community planning process to take a new look at the Hub area holistically and identify opportunities to increase the amount of housing and affordable housing near transit, to develop and coordinate updated designs for the public realm, and to update the Market and Octavia public benefits package program and prioritize projects for implementation.

WHEREAS, The Planning Department is seeking to make amendments to the existing Market and Octavia Area Plan and other elements of. Amendments to the General Plan, Planning Code, Business and Tax Regulations Code, Zoning Map, and public benefits document to provide a comprehensive updated set of policies and implementation programming to realize the vision of the Hub area as originally described in the Market and Octavia Area Plan; and

WHEREAS, The Planning Code governs permitted land uses and planning standards in the City. Thus, conforming amendments to the Planning Code are required for this Plan amendment. An ordinance, approved as to form by the City Attorney and attached hereto as Exhibit IV-2, has been drafted in order to revise the Planning Code. The Ordinance amends Planning Code Sections including but not limited to 145.4, 151.1, 155, 207.6, 249.33, 261.1, 263.19, 270, 270.2, 309, 341.5, 401, 411A.5, 416.3, 421.5, 424.1, 424.3, 424.4, and 424.5.

WHEREAS, These amendments contain proposals for changes to standards from those currently established by the Planning Code, including but not limited to those for land use, height and bulk, building design, parking, and impact fees.

WHEREAS, On May 21, 2020, after a duly noticed public hearing, the Commission reviewed and considered the Final Environmental Impact Report for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District (HSD) (“FEIR”) and found the FEIR to be adequate, accurate, and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and by Motion No. 20707 certified the FEIR for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District (HSD) as accurate, complete, and in compliance with the California Environmental Quality Act (“CEQA”), the regulations implementing CEQA (“the CEQA Guidelines”), and the local law implementing CEQA, Chapter 31 of the San Francisco Administrative Code.

WHEREAS, On May 21, 2020, by Motion No. 20708, the Commission approved CEQA Findings, including a statement of overriding considerations, and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2015-000940ENV, for approval of the amendments to the Market and Octavia Area Plan.

WHEREAS, The Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, The Planning Commission recommends the City pursue a nexus study in order to establish a new Community Services Facilities Fee in the Van Ness and Market Residential Special Use District to fund, design, engineer, and develop community facilities, including but not limited to cultural/arts facilities, social welfare facilities, and community health facilities.

WHEREAS, All pertinent documents may be found in the files of the Department, as the Custodian of Records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, The Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, The Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, That the Planning Commission hereby **approves** the proposed ordinance

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **The Market and Octavia Area Plan Amendment would**
  - Enable construction of new housing including new on-site affordable units and generate additional affordable housing resources for the City.
  - Create new parks and improve existing recreational opportunities.
  - Provide safe and convenient transportation by funding capital projects that will improve conditions for people walking, bicycling, and taking transit.
  - Incorporate policy direction to support sustainability and climate resilience and advance racial and social equity.
2. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.
3. **CEQA Findings.** The Planning Commission adopts and incorporates by reference as though fully set forth herein the CEQA Findings set forth in Planning Commission Motion No. 20708.
4. **Mitigation Monitoring and Reporting Plan.** The Planning Commission adopts and incorporates by reference as though fully set forth herein the Mitigation Monitoring and Reporting Plan, the requirements of which are made conditions of approval.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code Amendments are in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20709.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code Amendments are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20709.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 21, 2020.



Jonas P. Ionin  
Commission Secretary

AYES: Koppel, Moore, Diamond, Fung, Imperial, Johnson

NOES: None

ABSENT: None

ADOPTED: May 21, 2020