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CITY PLANNING DEPARTMENT

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PLANNING DEPARTMENT**

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BY         GW        

July 30, 2007

Angela Calvillo, Clerk  
Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: Transmittal of the Market & Octavia Neighborhood Plan  
(Planning Case No. 2003.0347EMTTUZ)**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Dear Ms. Calvillo:

As required by the City Charter, the Planning Department is transmitting the Planning Commission's recommendation on the Market and Octavia Plan (Case 2003.0347EMTTUZ) to the Board of Supervisors. The Market and Octavia Plan (the Plan), is the product of a seven year community planning process. The Plan articulates the most comprehensive planning effort in San Francisco to date – including innovative policies to balance the needs of a growing neighborhood; contemporary zoning controls to encourage transit oriented growth; a detailed strategy on preserving the neighborhood's historic resources including interim procedures and a full resource survey, and a comprehensive community improvements program that identifies essential community infrastructure, funding mechanisms, and implementation strategies. The focused efforts of community members and city staff produced a robust community plan that the Planning Commission proudly forwards for Board approval.

**Key Plan Concepts**

The Market and Octavia Plan addresses the neighborhood holistically, particularly the relationship between land use and transportation. Much of the existing neighborhood fabric in the Market and Octavia Plan Area was built in a transit-oriented manner. The neighborhood has a healthy mix of local services within walking distance of housing, a substantial investment in transit infrastructure, with most of the private development being oriented towards housing people. The Plan builds on these neighborhood strengths, preserves existing character, addresses issues raised by large infrastructure and antiquated policies, while identifying opportunities for sustainable growth and infill development over the next 20 years. The plan articulates the neighborhood's vision for healthy growth and sustainable future for San Francisco. The forward looking policies in the Plan have gained widespread attention.

The Plan, supports the General Plan's vision of building where growth can be accommodated by transit and services, encouraging public transit use over trips by private

automobile, and promoting housing opportunities adjacent to the downtown area. The Plan's anti-demolition policies, lot size limits, building frontage controls, unit size and unit mix protections, alley height controls, are all meant to protect the historic character and ensure new development is complementary to the "fragile virtues" the community identified as important to neighborhood character. Key to the plan's success are a number of pedestrian, transit, traffic calming, open space and other public improvements. A comprehensive community improvements program is included to meet the needs of the area's growing population.

### **The Planning Process**

Starting in 2000, the Planning Department initiated a public planning process, the Better Neighborhoods Program, intended to develop a series of policies and proposals for various areas including Market and Octavia. Numerous workshops, walking tours, bus tours and public hearings were held, and the Market & Octavia Draft Neighborhood Plan was published in 2002. Since that time, environmental review has been completed; a comprehensive historic resource survey has been initiated; and amendments have been made to the plan to incorporate Planning Commission and community input. On April 5, 2007 the Planning Commission adopted the Market and Octavia plan and its implementing ordinances, with a request that the Department determine the feasibility of a measure for additional affordable housing. The Planning Commission took final action on the Plan on July 12th, 2007, and adopted trailing legislation to further amend the Planning Code.

### **Environmental Review**

The project's draft EIR was published on June 25, 2005, and the Comments and Responses released on September 26, 2006. CEQA findings were adopted, and the Environmental Impact Report was certified on April 5, 2007 prior to the consideration of the Market & Octavia Plan Amendments. Subsequent appeals were upheld by the Board of Supervisors on June 19, 2007.

### **The Planning Commission Adopted Plan**

The Planning Commission forwards for your approval the Market and Octavia Neighborhood plan with three associated ordinances and supporting documents. Implementation of the Market and Octavia Neighborhood Plan requires the approval of amendments to the General Plan, the Planning Code, and Zoning Map. The Area Plan policies will be used as a framework for decisions in the plan area. Amendments to the Planning Code change the controls regulating land use and building form. Planning Code changes initiate implementation programming, such as establishing impact fees associated with new development and Plan Area monitoring. Zoning map changes apply new zoning and heights controls to specific parcels. The plan package also includes a community improvements program and historic preservation interim procedures and controls.

The attached Table of Contents provides orientation to the major components of the Market and Octavia Plan forwarded for Board review and approval. Approval of the plan requires the following actions by the full board.

### Approval

- E-Case – Environmental review findings and mitigation measures
- M-Case – Market and Octavia Area Plan and proposed amendments to the City’s General Plan
- T-Case – Planning Code Amendments
- TT-Case – Planning Code Amendments, Trailing Legislation
- Z- Case – Zoning Map Amendments

### Supporting Documents

- P-Case – Community Improvements Program
- U-Case – Historic Preservation Interim Procedures

The Planning Commission is recommending Board approval of these ordinances to convert seven years of community planning into city law. The Plan’s vision is most clearly stated in the Area Plan document – but important details are spelled out in the Planning Controls, Community Improvements Program, the interim historic preservation procedures, and the zoning map amendments. To help navigate these documents we’ve enclosed an index of key topics. If you would like further assistance please contact the project staff: AnMarie Rodgers, Manager of Legislative Affairs (558-6395); John Billovits, Senior Planner (558-6390); or Kearstin Dischinger, Plan Manager (558-6284).

Sincerely,



Dean Macris  
Director of Planning

## Table of Contents

### BOOK A

#### ***General Plan Amendments – M Case – Requires Board Approval***

- General Plan Amendment Case Report (v. 09/2006 + 01/2007 addendum)
- General Plan Amendment Draft Ordinance
  - General Plan Amendments
  - Area Plan
- Planning Commission Resolution No. 17408

#### ***Community Improvements – P Case - Supporting Document***

- The Market And Octavia Draft Community Improvements Program Document

#### ***Planning Code Amendments – T Case - Requires Board Approval***

- Planning Code Amendment Case Report (v. 09/2006 + 02/2007 addendum)
- Planning Commission Resolution No. 17409 Adopting Planning Code Amendments
- Planning Code Amendment Draft Ordinance
  - Amended Planning Code Sections (pages 1-173)
  - New Planning Code Sections (pages 173-254)

#### ***Trailing Legislation: Planning Code Amendment – TT Case - Requires Board Approval***

- Planning Code Amendment Case Report
- Planning Commission Resolution No. 17409 Adopting Planning Code Amendments
- Planning Code Amendment Draft Ordinance
  - Supersedes Section 249.33

### BOOK B

#### ***Environmental Review Documents – E Case - Requires Board Approval***

- Planning Commission Resolution No. 17406 Certifying EIR
- Planning Commission Resolution No. 17407 Adopting Environmental Findings
- CEQA Findings
- Mitigation Monitoring and Reporting Program

#### ***Interim Historic Resources Procedures – U Case - Supporting Document***

- Case Report (v. 02/2007)
- Planning Commission Motion No. 17411 Establishing Interim Procedures
- Exhibit U-3-B Permit Review Procedures
- Exhibit U-4-B Historic Resources Survey Integration

#### ***Zoning Map Amendments – Z Case - Requires Board Approval***

- Zoning Map Amendment Case Report (v. 09/2006 + 02/2007 addendum)
- Planning Commission Resolution No. 17410

- Zoning Map Amendment Draft Ordinance
  - Zoning Controls
  - Heights Controls

## **ON FILE WITH THE CLERK OF THE BOARD**

### ***Supporting Documents***

- Final Environmental Review documents.
  - The Final EIR is comprised of the Draft EIR, the Comments and Responses document, and the Final Certification Motion.
  - A copy of these documents was forwarded to all members of the Board as part of the EIR appeal hearing.
- Memo: Stating the Planning Department's findings of the consistency of the Market and Octavia Neighborhood Plan with the 1990 Residence Element.
- Studies referenced by draft Planning Code Section 326 in support of the findings.
  - T Hummel, SWOV Institute for Road Safety Research (Holland), and University of North Carolina Highway Safety Research Center, "*Dutch Pedestrian Safety Research Review*," November 1999.
  - Louise Stoney, "Framing Child Care as Economic Development: Lessons from Early Studies" February 2004.
  - Warner, Mildred. "Overview: Articulating the Economic Importance of child Care for Community Development". *Journal of Community Development Society*, Vol. 37, No.2, Summer 2006.
- Memo: Finding fee expenditure through section 249.33 on affordable housing would amount to a total requirement per unit that is below the nexus demonstrated by the citywide affordable housing nexus study.
- Final Study, Demonstrating the potential negative impact on future development of impact fees in addition to those proposed by Planning Code Section 249.33 and 326.

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720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these with the new VNMDR-SUD, NCT and RTO	T-3	166
731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District;	T-3	236
732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District	T-3	244

### HEIGHTS PROGRAM AND URBAN DESIGN

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121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets;	T-3	174
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261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts;	T-3	195

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### PARKING

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### HISTORIC PRESERVATION

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### AFFORDABLE HOUSING

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### COMMUNITY IMPROVEMENTS PROGRAM FUNDING

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