

LAND USE for SOMPAC
Report by the Land Use Chair, Jim Berk
October 14, 1998

Summary

The recommendations from the Land Use Committee for adoption by the PAC, are as follows.

A. Before the Next Amendment (Oct 98/Jul 99 or later)

1. Implementation of the Cooperation Agreement proposed by the PAC Land Use Committee and the Agency with the Planning Department (3 pp text on request).
2. Early revision of the RSD zone by the Planning Department as proposed by the PAC Land use Committee: removing the affordable housing requirement from commercial development, and change the right-to/maximum heights to 30/40 feet on portions of lots fronting on side streets; 50/85 feet on 6th Street from Stevenson to Howard; and 40/50 feet on all other arterials.
3. Early amendment of the Plan, including at least: elimination of the earthquake limitations; inclusion of the two survey areas to expand the Project Area to PACland (as based on prior survey subject to current survey); working land use policies and process to apply the amended Plan to all of PACland; and basic housing policies (eminent domain with limitations).

B. The Amended Plan (Jul 99 or later)

4. Land Use policy: owner's prosperity based on sustainability in a vital neighborhood; encourage above minimum construction and preventative maintenance; variety of uses with balance; protect low and middle-income people; provide services for sustainable residential neighborhoods.
5. Mixed-Use Zones: arterial streets one commercial zone; side streets six residential zones; priority uses based on actual situations; right-to/maximum heights of 30/40 feet on portions of lots fronting on side streets; 50/85 feet on 6th Street from Stevenson to Howard; and 40/50 feet on all other arterials; variances and permits after consultation with PAC.
6. Traffic and Parking: balancing through and local traffic; balancing alternate modes (auto, mass transit, bikes, pedestrian); parking priorities: curbside small residences and stores, truck loading, local employees, others; and off-street for multi-residences and large stores.

Where Are We Going?

On 14 Oct the Special Land Use Committee will be crafting land use recommendations for the next Plan amendment to be presented at the October PAC meeting. Whatever the PAC adopts is likely to be the bedrock of the land use policies in the next Plan, because housing will dominate the November PAC meeting, and blight analysis and boundaries at the December PAC meeting. It is likely that we won't be able to trim or add to the land use issue again until the January PAC meeting. And the main issue at that meeting will likely be everything else in the amendment to the Plan. The six months following will be mainly Commissions and Board of Supervisors efforts so there is likely to be little substantive changes that can be made to the Plan amendment in that final

period. Therefore we must make every effort to get the basics of land use policy and processes in place in the next week. Issues that cannot be resolved in the next few months will have to wait for the next amendment after 1999. The PAC has not yet agreed to an early Plan amendment but the price paid for another years delay is even more unplanned, undesirable development. Without a better land use policy and process, then even more economic blight (for right now) and the basis for physical blight (in the future) will be built. Thus, the possibilities of viable neighborhoods will be sacrificed to individual developers' economic exploitations. With enough more delay (beyond the last eight years) the basis for the slide back down into physical blight in the next decades will be firmly in place and it will be very difficult for the Agency to reverse it; if they wanted to. So perhaps the first recommendation we should make to the PAC should be the early Plan amendment; but only with agreement between the PAC and the Agency on what can be enacted right away and what must wait for more research.

So far four basic elements have been suggested for the next, early amendment:

1. Elimination of earthquake limitations;
2. Inclusion of two survey areas to expand Project Area to PACland;
3. A working land use process to apply the Plan to all of PACland;
4. Basic housing (eminent domain with limitations).

In the Meantime. . .

Erwin Tanjuaquio, the Agency's Chief Planner for the SOM Project and I have worked out an amended Cooperation Agreement to shift the planning action from the Planning Department to the Agency in the period until the next amended Plan becomes effective. This proposal has been presented to the Planning Department for review and we will hear their preliminary response at the Oct 14 meeting. In addition, the Planning Department has been working on a series of changes to PACland zones for several years which could be made effective in the next two or three months. I propose (for between now and the amended Plan next year) that the RSD mixed-use zone (unique and most of PACland; SRO row and East of 6th) **NOT** be changed to the existing SLR mixed-use zone (which is not unique to PACland). The RSD one should have certain changes enacted that are a transition to the amended Plan zones (as described below). This would include removing the housing requirement for commercial development; reducing maximum height on side streets; changing permitted uses of SRO units & live/work to conditional uses, and making any conversion of land use conditional.

Basic Land Use Policy

We start with inherited mixed-use neighborhoods. PACland (June 98) had 40% residential, 14% SRO's & hotels, 15% industrial, 12% commercial, 10% office & public, & 9% vacant in land use. It wasn't the mix of housing, service, and light industry, which produced the existing blight in most of PACland, but individual deferred maintenance and unwise planning that cascaded into the serious physical blight of recent decades. Whatever economic and technical changes we must adjust to in the future, it is possible to rebuild mixed-use neighborhoods that are self sustainable and thereby viable. In the two SRO blocks on 6th between Stevenson and Howard tourist hotels were incrementally converted to residential hotels well before 1979 when their possible loss as low-income rentals was frozen. If they had not been frozen it seems very questionable that anything short of the blight removal powers of the Agency would have removed or rehabilitated them as it would have taken a strong commitment by several

investors to reverse the trend. The manner of removal of this most serious blight while protecting the City's stock of this level of affordable housing cannot be resolved easily.

* Our revitalized neighborhoods must promote individual property owners' prosperity by planning that will guarantee future sustainability, not a continuing cycle of bloom and blight. That requires balance between individual lot usages and neighborhood needs to maintain vitality.

* Building costs specify minimum standards in materials and methods of construction. The Plan should encourage better than minimum quality to avoid future blight (by excusing planning fees and/or certification programs?). New uses and ongoing preventative maintenance are also needed to avoid future blight.

* Variety is another key element. We can welcome some expensive, town house tax payers but too many will tip the neighborhood towards high-rise adjuncts to 'downtown' and wipes out many current residents. We can afford some SRO's and homeless shelters but too many and we keep our skid row. We also need middle-income homeowners and renters to fill in the middle. The same with service businesses and light industry, which provide both local goods and jobs. Variety with balance is a key to sustainability.

* In addition, the current low and middle-income residents should be protected and not dispossessed. Unrestrained gentrification will dispossess them. Also, rehabilitation of affordable SRO units that upgrades the quality of life (which requires higher rents) will remove units from the City's housing stock; units that serve the lowest of the low-income people, or the most needed affordable housing. What they would face is homelessness.

* It is easier to provide adequate support in the neighborhood for people who work there than it is for residents. Therefore a priority must be to plan a residential neighborhood with local shops, educational, cultural, service centers, and transportation to expand the quality of life. These services are then also available to those who only work in PACland and all visitors. This is the provision of residential neighborhoods that must go beyond just providing for housing units or dormitories alone.

It will take government intervention (the Redevelopment Agency) both in requiring planning guidelines for owners and developers, and support for affordable housing (for those least able to manage it), and those public facilities that the untrammled market cannot provide. Land use policy and function affect everything else in the South of Market Project Plan.

SOM Project Structure

The South of Market district in general is defined by its orthogonal grid of streets. They are sharply divided into arterial and side streets (the latter often miscalled alleys). The arterials without exception serve, overwhelmingly, the rest of the City. 5th, 6th, and 7th each cross Market to a series of West and Northbound streets, and feed or accept traffic to/from two freeways beyond Harrison and the Bayview district. Mission is second only to Market as a transportation corridor, feeding the TransBay Terminal and the Mission district. Howard, Folsom, and Harrison feed the Bay Bridge and are alternative entries to the Mission and Potrero Hill districts. Harrison also parallels the Bayshore Freeway with two sets of entrances and exits. The SOM PACland is the central core of the SOM district while less than one-sixth its area.

The side streets, however, are frequently broken or at right angles to each other, which limit them for widespread use as alternatives to the arterials for through traffic, yet speeding through-traffic on the side streets is common.

The SOM Project Area arterials (City property) are sharply divided between local space (parking) and City space (traffic), with a bike lane on Folsom that serves both. A special section of the Plan needs to be devoted to the streets (called parking and traffic?), where a balance can be struck with the Parking and Traffic Department between City and local needs: everything from added signage, longer pedestrian crossing times, speed humps in the side streets, keep-clear markings on the arterials at side streets, more space on the arterials for local usage (bike lanes?), etc., as well as special projects like the 6th Street Improvement Project.

Curbside parking could have the priorities (high/low) of: small houses and small businesses; one unloading per arterial block; local employees; others using timed limits and neighborhood permits. Off-street parking requirements should be scaled to be less for affordable housing, and be required of all multi-housing, large businesses, and non-local stores to meet all their needs. The lowest priority of all should be for job parking for employees of MidMarket and Yerba Buena and surrounding areas. We should be responsible for our parking as they should be for theirs. The Crime & Safety Committee needs to do a parking and traffic survey for PACland with the cooperation of the Parking and Traffic Department to update the 1996 Final Environmental Impact Report (where the data dates from 92/93).

Mixed Use Zones

The structure of the SOM Project Area and its history require two different mixed-use zones, unique to PACland: one mainly residential and one mainly commercial. In the commercial zone (the arterial streets and that portion of the lots fronting them) business and light industry have the highest priority and residential a lesser priority. In the residential zone (the core of the super blocks; the side streets and that portion of the lots fronting them) residential is priority one and only commerce that serves the immediate neighborhood and light industry that is not disruptive to the residential character of the neighborhood are allowed.

In the residential zones as much as 3/4 of the buildings are three stories or less. In the new residential zone between Folsom, Harrison, 5th, & 6th, there only two buildings over three stories (one is a recent five story town house-live/work, and there are two more in Planning on the same block). So there should be a further distinction in residential usage where the residential zone is limited to thirty feet in height and the higher multi-residences are located in the commercial zone. The larger multies with their naturally greater isolation from the street makes them workable on the arterials, whereas their bulk and height in the residential zone dominate and greatly alter the existing neighborhood environment.

There might be a need to prohibit certain uses in either zone, but what will make the process of land use approval to work so as to maintain viable neighborhoods is the immediate input and knowledge of the people who live on the block. Permitted uses would be based on priorities **and** the actual conditions on the block. The Agency will have the sole authority to approve or disapprove each new use as it meets the requirements of the Plan, but cannot exercise it without consultation with the expressed

opinions of the people who live and work in the neighborhood. There may be some who oppose a given use for personal or perceived reasons, but the majority of the neighbors and the PAC will mainly have concerns for its affect on the neighborhood.

The problem of live/work is still being investigated. Major distinctions are obvious between working out of a residence versus a designated live/work unit; between rehabilitated industrial space versus new construction of live/work units, fire and safety codes between residences versus live/work units. In any case live/work standards can be developed to meet PACland's needs.