

DPH Studies Eastern Neighborhoods Rezoning Plan

Study still needs time for analysis.

By Brett Gladstone

San Francisco will likely complete a rezoning of over 20 percent of its land area by the end of this year through what is called the Eastern Neighborhoods Rezoning Plan. Although the media has covered recent San Francisco proposals for green buildings, what is not so well known is the attempt of the City's Department of Public Health (DPH) to implement community health goals into this land use plan. The DPH proposals for size and location of new buildings in the Eastern Neighborhoods, which are based on their assumed effects on an individual's health, have been quite controversial among property owners. Aside from finding them too vague and onerous, property owners also feel that there is insufficient scientific research about the effects of buildings on passersby and neighbors to warrant their inclusion in City's planning efforts at this time.

The origins of DPH's efforts to include these goals into the land use plan come from an 18-month long study that concluded in 2006 with the delivery of what is called the Healthy Development Measurement Tool (HDMT). The primary goal of the tool was to examine local land use planning and development from a health perspective and to create indicator data to assess the extent to which the new Eastern Neighborhoods land use plan meets healthy development targets.

The DPH study proposed that land use decision-makers take into account a number of new items during the approval of new buildings and streets. Some of them included an environmental analysis of individuals' commute patterns when working and living in different counties, the true impact of LEED and GreenPoint Rated requirements and the impact of a mandated limit on building heights based on the increase in air pollution captured between taller buildings by the traffic flow between them. The study recommended that City land use agencies provide an expedited permit review process for all retail businesses providing a minimum of 10 percent shelf space for fresh produce. It also suggested a new analysis of noise pollution throughout the city. It criticized the existing noise code because it was established upon old, 1972 zoning regulations, which also separated residential from commercial and industrial uses. The current Eastern Neighborhood Plan, however, creates new zoning that allows industrial/commercial uses to locate much closer to residential uses.

The HDMT is a product of one of many well-meaning interest groups that have weighed in on the Eastern Neighborhoods Plan, including specialists in historic preservation, traffic, affordable housing, green building, urban design and architecture, to name a few. Decision-makers are not in the position to reconcile the concerns of all such interest groups and consultants, because they often have conflicting goals. Moreover, decision-makers have to weigh the costs and benefits of the many goals introduced by

each group and in adopting such goals. They need assurance that if they adopt them, the assertions are strong enough to be successfully defended in court.

According to the current schedule, the rezoning plan will likely be enacted at the end of this year. Although additional studies should be done concerning DPH's conclusions, some of which have been incorporated by the City's Planning Department, waiting for the full review of each recommendation would likely delay a rezoning process that has already taken over seven years. In addition, property owners in these districts are hopeful that many of the DPH recommendations will be subject to further study. They feel that the new requirements of the Eastern Neighborhoods Plan, which include new fees, new green building requirements, new design criteria and new prohibitions on non-industrial development, are unnecessarily burdensome in the present form.

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Furthermore, some of the DPH policies may conflict with or undermine the City's own General Plan. For example, the General Plan promotes the idea of higher density achieved by constructing taller buildings in the urban core. The City's policy-makers believe that this will incentivize people to use public transportation and eventually reduce traffic congestion, particularly on roads leading to the City, which will be a large environmental benefit. However, the DPH study turns this idea upside down by questioning whether the creation of these towers actually means that new people will live in the City and start commuting to jobs outside the City, significantly increasing motor vehicle commutes and causing negative environmental effects. The DPH study clearly contains some alternatives that on the surface seem to promote the very ideals that the City's Planning Department works to implement. They rightfully challenge the recent orthodoxy of our San Francisco decision-makers, however they should not be fully adopted unless further study is devoted to their potential outcomes. While the analysis is conducted, the Planning Department should delay full adoption of the of the study in the Eastern Neighborhoods Plan. ■

M. Brett Gladstone can be reached at 415.434.9500 or brett@gladstoneassociates.com.

