

LEGISLATIVE DIGEST

[Zoning – Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown.]

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Table 810 to require a conditional use to install a garage in an existing residential structure in the Broadway NCD, the North Beach NCD, and the Chinatown Mixed Use and Community Business Districts; adding Section 249.46 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill – North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in a residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs and the Telegraph Hill – North Beach Residential Special Use District; amending Section 155 to add Columbus Avenue between Washington and North Point Streets to the list of streets where garage entries, driveways or other vehicular access to offstreet parking or loading are prohibited; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Existing Law

Each Neighborhood Commercial District (NCD) has a Zoning Control Table in the Planning Code that sets forth specific zoning controls such as Building Standards, Commercial and Institutional Standards and Uses, and Residential Standards and Uses. If there are any specific zoning control provisions, they are set forth at the end of the Table. Planning Code Section 714 provides the Zoning Control Table for the Broadway NCD; Section 722 provides the Zoning Control Table for the North Beach NCD.

Planning Code Section 803.2 sets forth the uses permitted in the Chinatown Mixed Use Districts. Table 810 provides the Zoning Control Table for the Chinatown Community Business District.

Article 1.5 sets forth the Planning Code's off-street parking and loading requirements. Table 151 has a schedule of the number of required off-street parking spaces for different types of uses; Section 155 sets forth general standards as to the location and arrangement of off-street parking, freight loading and service vehicle facilities; and Section 161 sets forth the exemptions from off-street parking, freight loading and service vehicle requirements.

Public Works Code Section 723.2 sets forth the requirements and procedures for minor sidewalk encroachments. Among other things, it prohibits such encroachments from occupying more than 10% of the sidewalk area fronting the property or more than 25% of the width of the sidewalk unless the Director of Public Works determines that such restrictions are not applicable due to the nature of the encroachment.

Amendments to Current Law

For the Broadway and North Beach NCDs, Tables 714 and 722 are amended to add new off-street parking controls to the Residential Standards and Uses section. Sections 714.94 722.94 are amended to permit parking for up to one car for each two dwelling units and require a conditional use for up to .75 cars for each dwelling unit; parking for more than .75 cars for each dwelling unit is not permitted. Language has been added to the specific zoning control provisions at the end of each of the Tables to authorize installing a garage in an existing residential building as a conditional use provided that in acting on an application for the conditional use, the Planning Commission specifically finds that: (1) the installation is consistent with the priority policies of Planning Code Section 101.1, the Better Streets Policy in Chapter 98 of the Administrative Code, and the Planning Department's Residential Design Guidelines, (2) the garage would not decrease sidewalk accessibility, (3) the garage would not front on a public right-of-way narrower than 41 feet, and (4) there have been no "no-fault" evictions, as defined in Section 37.9(a)(7)-(13) of the Administrative Code within the past 10 years.

For the Chinatown Mixed Used Districts, Section 803.2 is amended to require that installing a garage in an existing residential building requires a conditional use. In acting on an application for a conditional use, the Planning Commission must make the same findings as are required for the Broadway and North Beach NCDs. Table 810 is amended to add the same requirements.

Section 249.46 is added to the Planning Code to establish a new special use district entitled the "Telegraph Hill – North Beach Residential Special Use District" that includes the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West. This special use district permits up to three cars for each four dwelling units; up to one car is authorized with a conditional use; and above one car for each dwelling unit is not permitted. Installation of a parking garage in an existing residential building requires a conditional use, and in acting on an application for a conditional use the Planning Commission must make the findings required for the Broadway and North Beach NCDs and for the Chinatown Mixed Use Districts.

Table 151 is amended to add off-street parking requirements for the Broadway and North Beach NCDs and the Telegraph Hill – North Beach SUD. Section 155 is amended to add Columbus Avenue between Washington and North Point Streets to the list of Protected

Pedestrian- and Transit-Oriented Street Frontages; Section 161 is amended to provide that a conditional use is required to install a garage in an existing residential building in the North Beach NCD, the North Beach – Telegraph Hill SUD, the Chinatown Mixed-Use Districts, and the Chinatown Community Business District. In acting upon an application for a conditional use, the Planning Commission must make the special findings noted above.

Section 723.2 of the Public Works Code is amended to prohibit the Director of Public Works from approving a minor sidewalk encroachment that would facilitate the addition of a parking garage in a residential structure.

Background Information

This legislation is proposes to regulate off-street parking and the installation of garages in existing residential structures in manner that ensures Section 803.2 sets forth the uses permitted in the Chinatown Mixed Use Districts. Table 810 sets forth they do not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way. It is also intended to prevent the ability to add parking from providing an incentive to convert existing residential buildings from rental buildings to tenancies-in-common.