

**REVISED LEGISLATIVE DIGEST**

(11/9/2015, Amended in Committee)

[Planning Code, Zoning Map - Fifth and Mission Special Use District]

**Ordinance amending the Planning Code to add Section 249.74 to create the Fifth and Mission Special Use District; amending Zoning Sectional Maps ZN001, SU001, and HT001 to reflect the Fifth and Mission Special Use District; and making environmental findings, including a statement of overriding considerations, and findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and findings pursuant to Planning Code, Section 302.**

Existing Law

There currently is no Fifth and Mission Special Use District (“5M SUD”) in the San Francisco Planning Code. The proposed 5M SUD area is now zoned a mix of C-3-S (Downtown Commercial-Downtown Support District) and RSD (Residential/Service Mixed-Use District) zoning districts. The area is a mix of 40-X/85-B, 90-X, and 160-F Height and Bulk Districts.

Amendments to Current Law

The proposed ordinance would amend the Planning Code and the Zoning Maps of the City and County of San Francisco to create the 5M SUD, which would generally be bounded by Mission Street to the north, Fifth Street to the east, Howard Street to the south, and include parcels along both sides of Mary Street. The proposed SUD incorporates by reference a Design for Development, which includes design standards and guidelines applicable to the SUD area. The Design for Development may be amended by the Planning Commission upon application by the owner.

Under the proposed legislation, the entire site would now be zoned C-3-S, with the special provisions of the 5M SUD overlaying that zoning designation. Among other changes, the 5M SUD: includes amendments to the site’s building bulk requirements; allows for variations in building height and articulation and vertical projects beyond the zoned height limit; provides standards for tower separation, permitted ground-floor uses, ground-floor window transparency requirements, and dwelling unit density; eliminates certain rear yard requirements; amends dwelling unit exposure requirements, maximum residential parking rations, locations of required bicycle parking; establishes maximum ground-level wind current levels for the entire project site; and prohibits the use of TDR to or from the Project.

The proposed legislation requires that all development applications be reviewed and approved through the conditional use permitting (“CU”) process, rather than Section 309 of the Planning Code, which is usually applicable to projects in the C-3 zoning districts. Once a CU has been

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approved for a given project, the Planning Department shall review the subsequent building permit applications for consistency with the approvals and the adopted Design for Development, but further Planning Commission review would not be required unless an amendment to the CU were required. No requests for discretionary review may be heard within the District.

The proposed legislation also amends the Zoning Maps to, among other changes, reflect the proposed heights of 85-X, 90-X, 200-S, 365-X, and 450-S.

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