

File No. 151126

Committee Item No. 2

Board Item No. 55

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date November 30, 2015

Board of Supervisors Meeting

Date December 8, 2015

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 - Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 19497</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Notice of Public Hearing</u>                 |
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Completed by: Alisa Somera Date November 25, 2015

Completed by: Alisa Somera Date December 1, 2015

1 [Planning Code, Zoning Map - Establishing the Japantown Neighborhood Commercial District]

2  
3 **Ordinance amending the Planning Code to establish the Japantown Neighborhood**  
4 **Commercial District (NCD) for the area between Geary Boulevard and Post Street from**  
5 **Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to**  
6 **Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street**  
7 **and Bush Street; revising various Planning Code sections to make conforming and**  
8 **other technical changes; revising the Zoning Map to add the Japantown NCD; affirming**  
9 **the Planning Department's determination under the California Environmental Quality**  
10 **Act; and making findings of consistency with the General Plan, and the eight priority**  
11 **policies of Planning Code, Section 101.1, and findings of public necessity,**  
12 **convenience, and welfare under Planning Code, Section 302.**

13 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
14 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
15 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
16 **Board amendment additions** are in double-underlined Arial font.  
17 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
18 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
19 subsections or parts of tables.

20 Be it ordained by the People of the City and County of San Francisco:

21 Section 1. Findings.

22 (a) The Planning Department has determined that the actions contemplated in this  
23 ordinance comply with the California Environmental Quality Act (California Public Resources  
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
25 Supervisors in File No. 151126 and is incorporated herein by reference. The Board affirms  
this determination.

1 (b) On October 22, 2015, the Planning Commission, in Resolution No. 19497,  
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
5 the Board of Supervisors in File No. 151126, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that these  
7 Planning Code amendments will serve the public necessity, convenience, and welfare for the  
8 reasons set forth in Planning Commission Resolution No. 19497 and the Board hereby  
9 incorporates such reasons herein by reference.

10  
11 Section 2. The Planning Code is hereby amended by adding Sections 261.3 and 748,  
12 to read as follows:

13 **SEC. 261.3. ADDITIONAL HEIGHT LIMITS FOR THE JAPANTOWN NC DISTRICT.**

14 *(a) Purpose. Buchanan Street between Post Street and Sutter Street is a pedestrian-only*  
15 *thoroughfare lined with both neighborhood- and regional-serving retail uses. This block of Buchanan*  
16 *Street contains seating areas and culturally significant street furnishings, such as lighting and*  
17 *fountains. As such, it is important to allow for appropriate development heights while also maximizing*  
18 *light and air to the street.*

19 *(b) Controls. Along Buchanan Street between Post Street and Sutter Street, the portion of any*  
20 *building above 35 feet in height shall be set back one foot in height from the front property line for*  
21 *every foot above 35 feet, except for those exemptions listed in Section 260(b) of this Code.*

22  
23 **SEC. 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.**

24 *The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post*  
25 *Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to*

Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street. The character of these streets is largely commercial, including large malls, although there are some residential units above the ground story. Buildings are typically two- to four-stories, although there are two taller hotels. Geary Boulevard, Fillmore Street, and Sutter Street are important public transit corridors. The commercial district provides convenience goods and services to the surrounding neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from near and far.

The Japantown Neighborhood Commercial District controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses, as long as they do not create a nuisance. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses.

**Table 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

			<u>Japantown</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>			
<u>748.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102, 105, 106, 250 - 252, 260, 261.1, 261.3, 263.20, 270, 271</u>	<u>Generally 50-X, and 65-A along Fillmore Street. In the 50-X height district, an additional five feet height allowed for the ground floor for active uses (as defined in 145.1(b)). Upper story setback</u>

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			<i>of one foot for every foot above 35 feet in height from the front property line required along Buchanan Street between Post and Sutter. See Zoning Map.</i>
<u>748.11</u>	<u>Lot Size</u> <i>[Per Development]</i>	<u>§§ 121.1, 790.56</u>	<i>P up to 9,999 sq. ft.; C 10,000 sq. ft. and above</i>
<u>748.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<i>Required at residential levels § 134(a) and (e)</i>
<u>748.13</u>	<u>Street Frontage</u>	<u>§ 145.1</u>	<i>Required</i>
<u>748.13a</u>	<u>Street Frontage, Above Grade</u> <u>Parking Setback and Active Uses</u>	<u>§ 145.1</u>	<i>Minimum 25 feet on ground floor, 15 feet on floors above</i>
<u>748.13b</u>	<u>Street Frontage, Required</u> <u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<i>Requirements apply to Buchanan Street between Post Street and Sutter Street and Post Street between Fillmore Street and Laguna Street on the south side, between Webster Street and Laguna Street on the north side.</i>
<u>748.13c</u>	<u>Street Frontage, Parking and</u> <u>Loading Access Restrictions</u>	<u>§155(r)</u>	<i>Restrictions apply to the north side of Post Street from</i>

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			<u>Webster Street to Laguna Street; the south side of Post Street from Fillmore Street to Webster Street; and Buchanan Street from Post Street to Sutter Street.</u>
<u>748.14</u>	<u>Awning</u>	<u>§§ 102, 136.1(a)</u>	<u>P</u>
<u>748.15</u>	<u>Canopy</u>	<u>§§ 102, 136.1(b)</u>	<u>P</u>
<u>748.16</u>	<u>Marquee</u>	<u>§§ 102, 136.1(c)</u>	<u>P</u>
<u>748.17</u>	<u>Streetscape and Pedestrian Improvements</u>	<u>§ 138.1</u>	<u>Required</u>
<b><u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u></b>			
<u>748.20</u>	<u>Floor Area Ratio</u>	<u>§§ 102, 123</u>	<u>3.6 to 1</u> <u>§ 124(a) and (b)</u>
<u>748.21</u>	<u>Use Size</u> <u>[Non-Residential]</u>	<u>§§ 121.2, 790.130</u>	<u>P up to 2,499 sq. ft.;</u> <u>C 2,500 sq. ft. &amp; above</u>
<u>748.22</u>	<u>Off-Street Parking, Non-residential</u>	<u>§§ 145.1, 150, 151.1, 153 - 157, 159 - 160, 161(g), 204.5</u>	<u>None required. Maximum permitted as set forth in Section 151.1</u>
<u>748.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161(b), 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft.</u>
<u>748.24</u>	<u>Outdoor Activity Area</u>	<u>§§ 145.2(a), 790.70</u>	<u>P if located in front; C if located elsewhere</u>

1	<u>748.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>NP</u>		
2	<u>748.26</u>	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P</u>		
3	<u>748.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 2 a.m.;</u>		
4				<u>C 2 a.m. - 6 a.m.</u>		
5	<u>748.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602 - 604, 608,</u>	<u>NP</u>		
6			<u>609</u>			
7	<u>748.31</u>	<u>Business Sign</u>	<u>§§ 262, 602 - 604,</u>	<u>P#</u>		
8			<u>607.1(f)(2), 608, 609</u>			
9	<u>748.32</u>	<u>Other Signs</u>	<u>§§ 262, 602 - 604,</u>	<u>P</u>		
10			<u>607.1(c), (d), and (g),</u>			
11			<u>608, 609</u>			
12				<u>Japantown</u>		
13	<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls by Story#</u>		
14			<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
15	<u>748.38</u>	<u>Residential Conversion</u>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>
16	<u>748.39</u>	<u>Residential Demolition</u>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>
17	<u>Retail Sales and Services</u>					
18	<u>748.40</u>	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>	<u>C</u>
19		<u>[Not Listed Below]</u>				
20	<u>748.41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P#</u>	<u>C#</u>	<u>C#</u>
21	<u>748.43</u>	<u>Limited Restaurant</u>	<u>§ 790.90</u>	<u>P#</u>	<u>P#</u>	<u>C#</u>
22	<u>748.44</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P#</u>	<u>P#</u>	<u>C#</u>
23	<u>748.45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>P</u>	<u>C</u>	
24	<u>748.46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>	<u>P</u>	<u>P</u>	<u>P</u>
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748.47	<u>Adult Entertainment</u>	§ 790.36			
748.48	<u>Other Entertainment</u>	§ 790.38	<u>P#</u>	<u>P#</u>	<u>C#</u>
748.49	<u>Financial Service</u>	§ 790.110	<u>P#</u>	<u>C#</u>	<u>C#</u>
748.50	<u>Limited Financial Service</u>	§ 790.112	<u>C</u>	<u>P</u>	<u>P</u>
748.51	<u>Medical Service</u>	§ 790.114	<u>C</u>	<u>P</u>	<u>P</u>
748.52	<u>Personal Service</u>	§ 790.116	<u>P</u>	<u>P</u>	<u>C</u>
748.53	<u>Business or Professional Service</u>	§ 790.108	<u>C</u>	<u>P</u>	<u>P</u>
748.54	<u>Massage Establishment</u>	§ 790.60	<u>C</u>	<u>C</u>	<u>C</u>
		§§ 29.1 – 29.33 Health Code			
748.55	<u>Tourist Hotel</u>	§ 790.46	<u>C</u>	<u>C</u>	<u>C</u>
748.56	<u>Automobile Parking</u>	§§ 790.8, 145.1, 156, 160	<u>C</u>	<u>C</u>	<u>C</u>
748.57	<u>Automotive Gas Station</u>	§ 790.14			
748.58	<u>Automotive Service Station</u>	§ 790.17	<u>C</u>		
748.59	<u>Automotive Repair</u>	§ 790.15	<u>C</u>		
748.60	<u>Automotive Wash</u>	§ 790.18			
748.61	<u>Automobile Sale or Rental</u>	§ 790.12	<u>C</u>		
748.62	<u>Animal Hospital</u>	§ 790.6	<u>C</u>		
748.63	<u>Ambulance Service</u>	§ 790.2			
748.64	<u>Mortuary</u>	§ 790.62			
748.65	<u>Trade Shop</u>	§ 790.124	<u>P#</u>	<u>P#</u>	<u>P#</u>
748.66	<u>Storage</u>	§ 790.117			
748.68	<u>Fringe Financial Service</u>	§ 790.111			



1	748.69a	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
2		<u>Establishments</u>				
3	748.69b	<u>Amusement Game Arcade</u>	<u>§ 790.4</u>	<u>P#</u>	<u>P#</u>	<u>P#</u>
4		<u>(Mechanical Amusement Devices)</u>				
5	748.69c	<u>Neighborhood Agriculture</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	748.69d	<u>Large-Scale Urban Agriculture</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<b><u>Institutions and Non-Retail Sales and Services</u></b>					
8	748.70	<u>Administrative Service</u>	<u>§ 790.106</u>		<u>C</u>	<u>C</u>
9	748.80	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
10	748.81	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>P</u>	<u>P</u>
11	748.82	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>P</u>	<u>P</u>
12	748.83	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	748.84	<u>Medical Cannabis Dispensary</u>	<u>§ 790.141</u>			
14	748.85	<u>Philanthropic Administrative</u>	<u>§ 790.107</u>	<u>C</u>	<u>P</u>	<u>P</u>
15		<u>Service</u>				
16	<b><u>RESIDENTIAL STANDARDS AND USES</u></b>					
17	748.90	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
18	748.91	<u>Residential Density, Dwelling</u>	<u>§§ 207, 207.1, 207.4,</u>	<u>Generally, 1 unit per 400 sq.</u>		
19		<u>Units</u>	<u>790.88(a)</u>	<u>ft. lot area</u>		
20	748.92	<u>Residential Density, Group</u>	<u>§§ 207.1, 208, 790.88(b)</u>	<u>Generally, 1 bedroom per 210</u>		
21		<u>Housing</u>		<u>sq. ft. lot area</u>		
22	748.93	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>Generally, either 100 sq. ft. if</u>		
23		<u>[Per Residential Unit]</u>		<u>private, or 133 sq. ft. if</u>		
24				<u>common § 135(d)</u>		
25						

1	748.94	<u>Off-Street Parking, Residential</u>	§§ 150, 151.1, 153 - 157,	<u>None required. P up to .75</u>		
2			159 - 160	<u>cars per unit, C up to 1.00</u>		
3				<u>cars per unit, NP above</u>		
4	748.95	<u>Community Residential Parking</u>	§ 790.10	<u>C</u>	<u>C</u>	<u>C</u>

**SPECIFIC PROVISIONS FOR THE JAPANTOWN  
NEIGHBORHOOD COMMERCIAL DISTRICT**

7	<u>Article 7</u>		
8	<u>Code</u>	<u>Other Code</u>	
9	<u>Section</u>	<u>Section</u>	<u>Zoning Controls</u>
10	§§748.31		<u>Business signs are also subject to the guidelines in the</u>
11			<u>"Commission Guide for Formula Retail"</u>
12	§§748.38 –		<u>The controls for the 1<sup>st</sup> story shall apply to all development on</u>
13	748.95		<u>Blocks 0700 and 0701.</u>
14	§§748.41,	§§2901,	<u>No noise or music associated with these uses shall exceed the</u>
15	748.43,	2909(b) of the	<u>low frequency ambient noise level defined in Section 2901(f) by</u>
16	748.44,	<u>Police Code</u>	<u>more than 8 dBC.</u>
17	748.48,		
18	748.65,		
19	748.69b		
20	§ 748.49	§ 790.110	<u>Only two Financial Services uses permitted on the ground floor</u>
21			<u>within the District. Above the ground floor, new Financial</u>
22			<u>Service uses are not permitted south of Post Street.</u>
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1 Section 3. The Planning Code is hereby amended by revising Sections 134, 145.4,  
2 151.1, 155, 201, 263.20, 607.1, and 702.1, to read as follows:

3 **SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-**  
4 **MX, RSD, SLR, SLI AND SSO DISTRICTS.**

5 \* \* \* \*

6 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the  
7 districts indicated:

8 (1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, ~~RC-1, RC-2~~, RC-3, RC-4, NC, C, M, MUG,**  
9 **WMUG, MUO, MUR, UMU, RED, RED-MX, SPD, RSD, SLR, SLI and SSO Districts.** The  
10 minimum rear yard depth shall be equal to 25% percent of the total depth of the lot on which  
11 the building is situated, but in no case less than 15 feet. For buildings containing only SRO  
12 units in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts, the  
13 minimum rear yard depth shall be equal to 25% percent of the total depth of the lot on which  
14 the building is situated, but the required rear yard of SRO buildings not exceeding a height of  
15 65 feet shall be reduced in specific situations as described in Subsection (c) below.

16 (A) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, ~~RC-1~~, NC-1, NCT-1, Inner Sunset,**  
17 **Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley, and**  
18 **West Portal Avenue Districts.** Rear yards shall be provided at grade level and at each  
19 succeeding level or story of the building.

20 \* \* \* \*

21 (C) ~~RC-2~~, RC-3, RC-4, NC-3, NCT-3, Broadway, Hayes-Gough NCT, Japantown,  
22 Upper Market Street, Upper Market Street NCT, SoMa NCT, Mission Street NCT, Polk Street,  
23 Pacific Avenue, C, M, SPD, RSD, SLR, SLI, SSO, MUR, MUG, MUO, and UMU Districts.  
24 Rear yards shall be provided at the lowest story containing a dwelling unit, and at each  
25 succeeding level or story of the building. In the Hayes-Gough NCT, lots fronting the east side

1 of Octavia Boulevard between Linden and Market Streets (Central Freeway Parcels L, M, N,  
2 R, S, T, U, and V) are not required to provide rear yards at any level of the building, provided  
3 that the project fully meets the usable open space requirement for dwelling units per Section  
4 135 of this Code, the exposure requirements of Section 140, and gives adequate architectural  
5 consideration to the light and air needs of adjacent buildings given the constraints of the  
6 project site.

7 \* \* \* \*

8 **SEC. 145.4 REQUIRED GROUND FLOOR COMMERCIAL USES.**

9 (a) **Purpose.** To support active, pedestrian-oriented commercial uses on important  
10 commercial streets.

11 (b) **Applicability.** The requirements of this Section apply to the following street  
12 frontages.

13 \* \* \* \*

14 (22) Diamond Street, for the entirety of the Glen Park NCT District; *and*

15 (23) Chenery Street, for the entirety of the Glen Park NCT District;

16 (24) Buchanan Street, between Post Street and Sutter Street; and

17 (25) Post Street, between Fillmore Street and Laguna Street on the south side and between  
18 Webster Street and Laguna Street on the north side.

19 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**  
20 **SPECIFIED DISTRICTS.**

21 (a) **Applicability.** This Subsection shall apply only to NCT, RC, RCD, RTO, Mixed Use,  
22 M-1, PDR-1-D, PDR-1-G, and C-3 Districts, and to the Broadway, Excelsior Outer Mission  
23 Street, Japantown, North Beach, and Upper Market Neighborhood Commercial Districts.

24 \* \* \* \*

**Table 151.1  
OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
* * * *	* * * *
<u>Dwelling Units in the Japantown NC District</u>	<i>P up to 0.75 cars for each Dwelling Unit, C up to 1.0 cars for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(g); NP above.</i>
All non-residential uses in NCT, RSD, and SLR districts and the Broadway, <u>Japantown</u> , North Beach, and the Upper Market NCDs, except for retail grocery stores with over 20,000 gross square feet as specified below	For uses in Table 151 that are described as a ratio of occupied floor area, P up to 1 space per 1,500 square feet of occupied floor area or the quantity specified in Table 151, whichever is less, and subject to the conditions and criteria of Section 151.1(g) NP above.
Retail grocery store uses in NCT, RSD, and SLR districts and the Broadway, <u>Japantown</u> , North Beach, and Upper	P up to 1 space per 500 square feet of occupied floor area, and subject to the conditions and criteria of Section 151.1(g) C up to 1 space per 250 square feet of occupied floor area for that area in excess of 20,000 square feet, subject to the conditions and criteria of Section 151.1(g). NP above.

Market Street NCDs with over 20,000 square feet of occupied floor area	
* * * *	* * * *

\* \* \* \*

**SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the Bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Planning Department.

\* \* \* \*

**(r) Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In order to preserve the pedestrian character of certain downtown and neighborhood commercial districts and to minimize delays to transit service, garage entries, driveways or other vehicular access to off-street parking or loading (except for the creation of new publicly-accessible streets and alleys) shall be regulated on development lots as follows on the following street frontages:

1 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except as set  
2 forth in Section 827.

3 (2) Not permitted:

4 \* \* \* \*

5 (AA) The western (inland) side of the Embarcadero between Townsend and  
6 Jefferson Streets,-

7 (BB) Post Street, on the north side from Webster Street to Laguna Street and on the  
8 south side from Fillmore Street to Webster Street.

9 (CC) Buchanan Street from Post Street to Sutter Street.

10 \* \* \* \*

11 **SEC. 201. CLASSES OF USE DISTRICTS.**

12 In order to carry out the purposes and provisions of this Code, the City is hereby  
13 divided into the following classes of use districts:

14 \* \* \* \*

<b>Named Neighborhood Commercial Districts</b> (Defined in Sec. 702.1)
* * * *
<i>Japantown Neighborhood Commercial District (Defined in Sec. 748)</i>
* * * *

20 \* \* \* \*

21 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR**  
22 **ACTIVE GROUND FLOOR USES IN CERTAIN DISTRICTS.**

23 \* \* \* \*

24 (b) **Applicability.** The special height exception described in this section shall only  
25 apply to projects that meet all of the following criteria:

1 (1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as designated on  
2 the Zoning Map;

3 (2) project is located in one of the following districts:

4 \* \* \* \*

5 (B) in the Castro Street, Inner Clement Street, Outer Clement Street, Excelsior  
6 Outer Mission Street, Irving Street, Japantown, Judah Street, Noriega Street, Taraval Street,  
7 and 24th Street – Noe Valley NCDs;

8 \* \* \* \*

9 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**  
10 **DISTRICTS.**

11 \* \* \* \*

12 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in  
13 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set  
14 forth below.

15 \* \* \* \*

16 (2) RC, NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,  
17 Outer Clement Street, Divisadero Street, Excelsior Outer Mission Street, Fillmore  
18 Street, Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street,  
19 Haight Street, Hayes-Gough, Japantown, Judah Street, Upper Market Street, Noriega  
20 Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial  
21 District, Sacramento Street, SoMa, Taraval Street, Union Street, Valencia Street, 24th  
22 Street - Mission, 24th Street - Noe Valley, and West Portal Avenue Neighborhood  
23 Commercial Districts.



1                   (A) **Window Signs.** The total area of all window signs, as defined in  
2 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
3 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

4                   (B) **Wall Signs.** The area of all wall signs shall not exceed two square  
5 feet per foot of street frontage occupied by the use measured along the wall to which the  
6 signs are attached, or 100 square feet for each street frontage, whichever is less. The height  
7 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the  
8 height of the lowest of any residential windowsill on the wall to which the sign is attached,  
9 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

10                  (C) **Projecting Signs.** The number of projecting signs shall not exceed  
11 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24  
12 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which  
13 it is attached, or the height of the lowest of any residential windowsill on the wall to which the  
14 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of  
15 the horizontal distance from the street property line to the curbline, or six feet six inches,  
16 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
17 business hours, may be directly illuminated.

18                  (D) **Signs on Awnings and Marquees.** Sign copy may be located on  
19 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as  
20 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be  
21 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters  
22 or places of entertainment may be directly illuminated during business hours.

23                  (E) **Freestanding Signs and Sign Towers.** With the exception of  
24 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one  
25 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the

1 building or buildings are recessed from the street property line. The existence of a  
 2 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
 3 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
 4 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the  
 5 sign shall project more than 75 percent of the horizontal distance from the street property line  
 6 to the curblin, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
 7 illuminated; or during business hours, may be directly illuminated.

8 \* \* \* \*

9 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

10 (a) The following districts are established for the purpose of implementing the  
 11 Commerce and Industry element and other elements of the General Plan, according to the  
 12 objective and policies stated therein. Description and Purpose Statements outline the main  
 13 functions of each Neighborhood Commercial (NC) District in the Zoning Plan for San  
 14 Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

15 The description and purpose statements and land use controls applicable to each of  
 16 the general and individual area districts are set forth in this Code for each district class. The  
 17 boundaries of the various Neighborhood Commercial Districts are shown on the Zoning Map  
 18 referred to in Sections 105 and 106 of this Code, subject to the provisions of that Section.

* * * * <b>Named Neighborhood Commercial Districts</b>	<b>Section Number</b>
* * * *	* * * *
<i>Japantown Neighborhood Commercial District</i>	<u>§ 748</u>
* * * *	* * * *

24 \* \* \* \*

1 Section 4 Sheet ZN02 of the Zoning Map of the City and County of San Francisco is  
2 hereby amended, as follows:

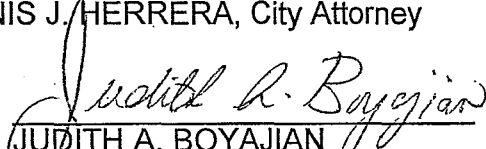
<u>Description of Property</u>	<u>Use District to be Superseded</u>	<u>Use District Hereby Approved</u>
3 All parcels zoned NC-3 4 on Blocks 0700 and 0701; 5 all parcels zoned NC-2 on 6 Blocks 0675, 0676, 0685, 7 and 0686. 8	NC-2 and NC-3	Japantown Neighborhood Commercial District

9  
10 Section 5. Effective Date. This ordinance shall become effective 30 days after  
11 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
12 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
13 of Supervisors overrides the Mayor's veto of the ordinance.

14  
15 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
16 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
17 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
18 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
19 additions, and Board amendment deletions in accordance with the "Note" that appears under  
20 the official title of the ordinance.

21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:

  
24 JUDITH A. BOYAJIAN  
Deputy City Attorney

25 n:\legana\as2015\1600119\01051381.doc

**LEGISLATIVE DIGEST**

[Planning Code, Zoning Map - Establishing the Japantown Neighborhood Commercial District]

**Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street, revise various Planning Code sections to make conforming and other technical changes, and revise the Zoning Map to add the Japantown NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Section 302.**

Existing Law

Article 7 of the Planning Code establishes a number of Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts in defined areas of San Francisco in order to address the area's particular land use concerns. The zoning controls specific to a particular area are set forth in a Zoning Control Table.

Amendments to Current Law

The proposed legislation would establish a Japantown Neighborhood Commercial District (NCD) for the areas that are currently zoned NC-2 and NC-3 between Geary and Post Streets from Fillmore Street to Laguna Street, the north side of Post Street from Webster to Laguna Streets, and Buchanan Street from Post Street to mid-way between Sutter and Bush Streets. The controls in the Zoning Control Table are designed to encourage and promote development that enhances the walkable, commercial character of Japantown and supports its local and regional role.

Most neighborhood- and visitor-serving businesses are strongly encouraged. Active uses are required on the ground floor; an additional five feet in height is allowed for such uses with a required upper story setback. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses. Within the NCD, only two Financial Services are permitted on the ground floor and are not permitted south of Post Street. In addition to the applicable Code requirements, Business Signs are also subject to the guidelines in the "Commission Guide for Formula Retail." The permitted residential density is one unit per 400 square foot of lot area. New curb cuts are limited and there are maximum residential parking requirements; a Conditional Use authorization is needed for parking up to one car for each Dwelling Unit and parking above one car for each Dwelling Unit is prohibited.

Background Information

The creation of a Japantown NCD is a recommendation in the Japantown Economic and Social Heritage Strategy (JCHESS) developed by the community. The policy recommendations contained in the JCHESS were endorsed by the Planning Commission, Historic Preservation Commission, and Board of Supervisors in September and October of 2013. The proposed legislation received unanimous support from the Japantown Task Force at a meeting held on August 19, 2015.

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# SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
OCT 27 2015 11:13

October 27, 2015

Ms. Angela Calvillo, Clerk  
Supervisor London Breed  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Re: Transmittal of Planning Case No. 2013.0735TZ  
Planning Code and Zoning Map Amendments relating to creation of a Japantown  
Neighborhood Commercial District  
Planning Commission Recommendation: *Recommend Approval with Modifications*

Dear Ms. Calvillo and Supervisor Breed:

On October 22, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider a proposed Ordinance that would amend the San Francisco Planning Code and Zoning Map by: 1) adding Section 748 to establish the Japantown Neighborhood Commercial District for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; 2) adding Section 261.3 and revising Sections 134, 145.4, 151.1, 155, 201, 263.20, 607.1, and 702.1 to make conforming and other technical changes; 3) amending Sheet ZN02 of the Zoning Map to rezone specified properties to the Japantown Neighborhood Commercial District.

At the hearing, the Planning Commission voted to recommend *approval with modifications* of the proposed Ordinance. The requested modification is "to require the five foot bonus along the full retail street frontage for a minimum depth of 25 feet". Upon further staff review, it was determined that this language already exists via the draft ordinance.<sup>1</sup>

The proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA"), per the General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) that state states that CEQA applies only to projects that have the potential to cause a significant effect on the environment.

Upon completion of the Commission hearing, Board President Breed has indicated a desire to assume sponsorship of the Ordinance.

Please find attached documents relating to the Commission's action. A hard copy of the redlined version of this Ordinance along with two copies will be delivered to the Clerk of the Board's office later today. If you have any questions or require further information please do not hesitate to contact me.

<sup>1</sup> The proposed ordinance accomplishes the Commission request through the combination of required street-facing retail (proposed Planning Code Section 748.13b) and the rules limiting five foot bonuses to active uses (existing Planning Code Section 145.1)

Sincerely,

A handwritten signature in black ink, appearing to read "AM-Rodgers", followed by a horizontal line.

AnMarie Rodgers  
Senior Policy Advisor

cc:

Conor Johnston, Aide to Supervisor Breed  
Alisa Somera, Assistant Clerk  
John Carroll, Legislative Clerk  
Judy Boyajian, Deputy City Attorney

Attachments [one copy of each of the following]

Planning Commission Resolution Number 19497  
Executive Summary for October 22<sup>nd</sup> Planning Commission Hearing  
Proposed Ordinance



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Resolution 19497

HEARING DATE: OCTOBER 22, 2015

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District  
*Case Number:* 2013.0735TZ  
*Initiated by:* Planning Department  
*Staff Contact:* Steve Wertheim, Citywide Planning  
steve.wertheim@sfgov.org, 415-558-6612  
*Reviewed by:* Joshua Switzky, Manager of Community Planning  
joshua.switzky@sfgov.org, 415-575-6815  
*Recommendation:* Recommend Approval

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT FOR THE AREA BETWEEN GEARY BOULEVARD AND POST STREET FROM FILLMORE STREET TO LAGUNA STREET, THE NORTH SIDE OF POST STREET FROM WEBSTER STREET TO LAGUNA STREET, AND BUCHANAN STREET FROM POST STREET TO MID-WAY BETWEEN SUTTER STREET AND BUSH STREET, REVISE VARIOUS PLANNING CODE SECTIONS TO MAKE CONFORMING AND OTHER TECHNICAL CHANGES, REVISE THE ZONING MAP TO ADD THE JAPANTOWN NCD, AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

### PREAMBLE

WHEREAS, on September 19, 2013 the Planning Commission has adopted Resolution No. 18965 in support of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHES); and

WHEREAS, the JCHES includes a number of recommendations intended to fulfill the vision that Japantown will thrive as a culturally rich, authentic, and economically vibrant neighborhood, which will serve as the cultural heart of the Japanese and Japanese American communities for generations to come; and

WHEREAS, one of the recommendations of the JCHES is to create a Japantown Neighborhood Commercial District (NCD) to help reflect the particular characteristics of the neighborhood and community goals; and

WHEREAS, staff has drafted an ordinance amending the Planning Code to create the proposed Japantown NCD ("the Ordinance"), created in collaboration with the Japantown community and as a first step in fulfilling the recommendation and vision of the JCHES; and



WHEREAS, the proposed Japantown NCD controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses; and

WHEREAS, the Planning Department (hereinafter "Department"), determined that the Project is not subject to CEQA, per the General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) that states that CEQA applies only to projects that have the potential to cause a significant effect on the environment; and

WHEREAS, the Planning Commission (hereinafter "Commission"), after a duly noticed public hearing at a regularly scheduled meeting as required by Planning Code Section 302(b), initiated the Ordinance through Resolution 18966 on September 19, 2013; and

WHEREAS, the Commission has reviewed the proposed Ordinance, and heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all the pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and now therefore be it:

**RESOLVED**, that the Commission hereby recommends that the Board of Supervisors recommends approval of the proposed Ordinance, as amended to require the five foot bonus along the full retail street frontage for a minimum depth of 25 feet, and adopts the attached Resolution to that effect.

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- Individually named neighborhood commercial districts help to preserve and enhance the character of a neighborhood and a sense of identity.
- The Japantown NCD has been contemplated for a number of years by the Japantown community, which is interested in tailoring the zoning of their commercial district in a way that is not possible with the current NC-2 and NC-3 zoning.
- The Commission supports the rezoning of the NC-2 and NC-3 zoning in Japantown to the Japantown NC District because the creation of a Japantown NCD is a recommendation of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHSS), whose policy recommendations were adopted by the Planning Commission, Historic Preservation Commission, and Board of Supervisors in September and October of 2013.

1. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

**COMMERCE & INDUSTRY ELEMENT**

THE COMMERCE AND INDUSTRY ELEMENT OF THE GENERAL PLAN SETS FORTH OBJECTIVES AND POLICIES THAT ADDRESS THE BROAD RANGE OF ECONOMIC ACTIVITIES, FACILITIES AND SUPPORT SYSTEMS THAT CONSTITUTE SAN FRANCISCO'S EMPLOYMENT AND SERVICE BASE.

**OBJECTIVE 4**

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

**Policy 6.2**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

*The proposed legislation would create an individually named Neighborhood Commercial Districts in Japantown, which helps to preserve and enhance the character of a neighborhood and create a sense of identity. The proposed changes will also allow these areas to more easily respond to economic and technological innovation in the marketplace and society.*

**Policy 6.6**

Adopt specific zoning districts, which conform to a generalized neighborhood commercial land use and density plan.

*The Ordinance involves the creation of a zoning district that conforms to the neighborhood commercial land use and density.*

2. The proposed project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
  - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed Ordinance is intended to help preserve and enhance Japantown's neighborhood-serving retail uses. It will not have a negative impact on future opportunities for resident employment in and ownership of such businesses.*
  - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed Ordinance is intended to conserve and protect the neighborhood character by preserving the cultural and economic diversity of the neighborhood.*
  - C) The City's supply of affordable housing will be preserved and enhanced:

*The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.*
  - D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

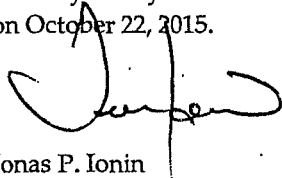
*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinance. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

G) That landmark and historic buildings will be preserved:  
*Landmarks and historic buildings would be unaffected by the proposed Ordinance. Should a proposed use be located within a landmark or historic building, such site would be evaluated under typical Planning Code provisions and comprehensive Planning Department policies.*

H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.*

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on October 22, 2015.



Jonas P. Ionin  
Commission Secretary

AYES: Fong, Antonini, Hillis, Johnson, Wu

NOES:

ABSENT: Moore, Richards



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Zoning Map & Planning Code Text Change HEARING DATE: OCTOBER 22, 2015

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District  
*Case Number:* 2013.0735TZ  
*Initiated by:* Planning Department  
*Staff Contact:* Steve Wertheim, Citywide Planning  
steve.wertheim@sfgov.org, 415-558-6612  
*Reviewed by:* Joshua Switzky, Manager of Community Planning  
joshua.switzky@sfgov.org, 415-575-6815  
*Recommendation:* **Recommend Approval**

### PLANNING CODE AMENDMENT

The proposed Ordinance, if adopted, would amend the San Francisco Planning Code and Zoning Map by: 1) adding Section 748 to establish the Japantown Neighborhood Commercial District for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; 2) adding Section 261.3 and revising Sections 134, 145.4, 151.1, 155, 201, 263.20, 607.1, and 702.1 to make conforming and other technical changes; 3) amending Sheet ZN02 of the Zoning Map to rezone specified properties to the Japantown Neighborhood Commercial District; and 4) adopting 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. The proposed Ordinance was initiated by the Planning Commission on September 19, 2013.

#### The Way It Is Now:

- There is a Neighborhood Commercial, Moderate-Scale (NC-3) zoning district that runs between Geary and Post Street from Fillmore Street to Laguna Street, and a Neighborhood Commercial, Small-Scale (NC-2) zoning district that runs along the north side of Post Street from Webster Street to Laguna Street, and along Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street.
- NC-2 and NC-3 Zoning Districts have minimum parking requirements that are outlined in Planning Code Section 151.
- Residential density in the NC-2 portion is one unit per 800 square feet of lot area, and for the NC-3 portion is one unit per 600 square feet of lot area.

#### The Proposed Ordinance:

The proposed legislation would:

- Create a new named Japantown Neighborhood Commercial District (NCD) between Geary Street and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street
- Institute maximum parking allowances within the Japantown NCD, as outlined under Section 151.1. The new controls would permit up to 0.75 parking space for each dwelling unit, require Conditional Use authorization for up to 1 parking space for each dwelling unit, and prohibit more than 1 parking space for each dwelling unit. Commercial uses would be governed by the standard maximum parking controls in Section 151.1.
- Provide up to a 5-foot height bonus for properties zoned 40-X within the Japantown NCD for developments that provide ground floor ceiling heights in excess of 10 feet.
- Require ground floor commercial and ban new curb cuts on Buchanan Street between Post Street and Sutter Street, on the south side of Post Street between Fillmore Street and Laguna Street, and on the north side of Post Street between Webster Street and Laguna Street.
- Allow residential density of up to one unit per 400 square feet of lot area.
- Generally tailor the allowed uses to the character and vision of the community, consistent with the goals of the JCHESS.

## ISSUES AND CONSIDERATIONS

### JCHESS and Named Neighborhood Commercial Districts

The Japantown Economic and Social Heritage Strategy (JCHESS), endorsed by the Planning Commission and Board of Supervisors in 2013, includes multiple recommendations for preserving and supporting Japantown's social heritage and stimulating its economy. One of these recommendations is to consider the creation of a Japantown Neighborhood Commercial District (NCD) along those portions of Post and Buchanan Streets that are reflective of Japanese and Japanese American culture and commerce. The JCHESS recommends the creation of a Japantown NCD because named NCDs allow for tailored controls that help to protect or enhance unique characteristics associated with a neighborhood, as compared to generic NC Districts, such as NC-2 and NC-3, which apply citywide. Additionally, creating a single NCD creates consistent controls across the commercial portion of Japantown. There are currently 32 named NCDs in the City, and there is a trend toward creating more individually named NCDs throughout the City.

### NCD Height Controls

San Francisco's height districts were historically based on multiples of 10 feet, such as 40 and 50. Such height districts tend to result in lower ground floor commercial spaces, generally not more than 10 feet, in order to maximize the number of developable floors. These low-ceiling spaces are less inviting for pedestrians, shoppers and for retail tenants. To rectify this, the City has increasingly sought to encourage more active and attractive ground floor space by allowing an additional 5-feet of height for those projects that provide ground floor spaces with more generous clear ceiling heights (in excess of 10 feet) for uses that meet the definition of "active" uses.<sup>1</sup> The proposed Ordinance would allow for a similar

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<sup>1</sup> Note that most of the base height limits in mixed-use portions of these plan areas were rezoned to increase the base height limit by 5 feet (i.e. 45, 55, 65, 85) rather than granting an optional 5-foot bonus. In many of these areas ground floor commercial uses are required and minimum ground floor ceiling heights were established. Where commercial

opportunity. Since the additional five foot height can only be used on the ground floor, the height limit still can only accommodate the same number of floors, and so does not represent an intensification of uses.

### **Parking Requirements**

A recent study done by Michael Manville at UCLA found that there is a strong correlation between the elimination of parking mandates and increased housing supply<sup>2</sup>. The study found that when minimum parking requirements are removed, developers provide more housing because a site's housing capacity is less constrained by the significant space needed to park cars, and also that developers provide a wider variety of housing types in a wider range of neighborhoods, including housing in older buildings, in previously disinvested areas, and housing marketed toward non-drivers (in San Francisco approximately 30% of households do not own a car). Minimum parking requirements result in more space being dedicated to parking than is needed, more than is reflective of existing car ownership patterns, and often more than is desirable from a traffic management standpoint. As the typical off-street parking space (including maneuvering space) consumes over 300 square feet of space (not much less than the typical studio-apartment), it is clear that linking the production of housing to the ability to store cars sharply limits housing opportunity. In a commercial area such as the Japantown NCD, it can be assumed that such parking requirements would also result in the loss of commercial space and the degradation of the commercial district, as access to off-street parking would displace ground-level commercial spaces and chop-up the continuity of the pedestrian experience and retail environment. Further, parking in newer buildings is typically provided underground, and underground parking spaces are expensive to construct, costing at least \$50,000 each or more. These costs are passed on to residents and businesses, which further decreases the affordability of new housing and commercial space.

### **Changes Since Initiation**

The changes to the proposed Japantown NCD since its Initiation in 2013 reflect input from the community, Supervisor's office, and Planning Department. The substantial changes proposed include:

- Reducing the use size allowed before a Conditional Use is required from 4,000 square feet to 2,500 square feet (Section 748.21)
- Requiring Business Signs to be subject to the guidelines in the "Commission Guide for Formula Retail" (Section 748.31)
- Not allowing noise or music associated with restaurants, bars, entertainment, trade shops, or amusement arcades to exceed low frequency ambient noise levels by more than 8 dBC (Section 748.41, 43, 44, 48, 65, and 69b).

### **REQUIRED COMMISSION ACTION**

The proposed Resolution is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

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uses were not deemed to be mandatory (but still possible), ground floor walk-up townhouses that are elevated from the sidewalk are expected. In some areas, height limits were left at 40 and 50 feet and buildings are eligible for a 5-foot height bonus by meeting the same ceiling height and use standards.

<sup>2</sup> [http://www.its.ucla.edu/research/rpubs/manville\\_aro\\_dec\\_2010.pdf](http://www.its.ucla.edu/research/rpubs/manville_aro_dec_2010.pdf)

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

As discussed above, the creation of a Japantown NCD is a recommendation of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHES), whose policy recommendations were adopted by the Planning Commission, Historic Preservation Commission, and Board of Supervisors in September and October of 2013. This NCD has been contemplated for a number of years by the Japantown community, which is interested in tailoring the zoning of their commercial district in a way that is not possible with the current NC-2 and NC-3 zoning. The proposed legislation received unanimous support from the Japantown Task Force at a meeting on August 19, 2015.

## ENVIRONMENTAL REVIEW

The project is not subject to CEQA, per the General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) that state states that CEQA applies only to projects that have the potential to cause a significant effect on the environment.

## PUBLIC COMMENT

The Japantown NCD has been discussed within the Japantown community for a number of years, including the two years since the Initiation of this legislation. The content of the proposed legislation is a reflection of that conversation between the community and the Planning Department.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
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### Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Map of Proposed District
- Exhibit C: Draft Ordinance

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Monday, November 30, 2015

**Time:** 1:30 p.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** File No. 151126. Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; revising various Planning Code sections to make conforming and other technical changes; revising the Zoning Map to add the Japantown NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Wednesday, November 25, 2015.

  
Angela Calvillo  
Clerk of the Board

DATED: November 19, 2015  
POSTED/PUBLISHED: November 20, 2015



BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTIFICACIÓN DE AUDIENCIA PÚBLICA

### JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO COMITÉ SOBRE USO DE SUELOS Y TRANSPORTE

- Fecha:** Lunes, 30 de noviembre de 2015
- Hora:** 1:30 p.m.
- Lugar:** Cámara Legislativa, Salón 250, localizada dentro del Ayuntamiento  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Asunto:** **Nº de Expediente 151126.** Ordenanza que enmienda el Código de Planificación para establecer el Distrito Comercial del Vecindario Japonés/Japantown (*Neighborhood Commercial District, NCD*) para el área entre el Bulevar de Geary y la Calle Post desde la Calle Fillmore hasta la Calle Laguna, por el lado norte de la calle Post desde la Calle Webster hasta la Calle Laguna y por la Calle Buchanan desde la Calle Post hasta un punto a medio camino entre la Calle Sutter y la Calle Bush; actualiza varias secciones del Código de Planificación para realizar cambios coherentes y otros cambios técnicos, actualiza el Mapa de Zonificación para agregar el Distrito Comercial del Vecindario Japonés/Japantown (*NCD*); afirma la determinación del Departamento de Planificación conforme con la Ley de Calidad Medioambiental de California; y realiza hallazgos coherentes con la Sección 101.1 del Plan General, y las ocho políticas prioritarias del Código de Planificación; y realiza hallazgos de necesidad, comodidad y bienestar público de acuerdo con la Sección 302 del Código de Planificación.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo  
Secretaria de la Junta

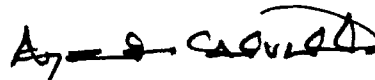
FECHADO: 19 de noviembre de 2015  
PUBLICADO/ANUNCIADO: 20 de noviembre de 2015



公聽會通知

三藩市市及縣市參事委員會  
土地使用與交通運輸委員會

- 日期: 2015年11月30日星期一
- 時間: 下午1時30分
- 地點: 市政廳，立法會議廳 250 室，1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
- 議題: 檔案號碼 151126。該項條例修訂規劃規例，以設立日本埠鄰里商業區（NCD），範圍包括從Fillmore 街至Laguna 街的Geary大道與Post街之間的區域、從Webster街至Laguna街之間Post街的北面區域，以及從Post街至Sutter街與Bush街之間中位置的Buchanan街區域；修改多條規劃規例，以作出符合要求和技術性變更，並修改區域劃分圖以增加日本埠NCD部分；依據「加州環境質量法」（California Environmental Quality Act）確定規劃部門的決定；並作出與總體計劃，及規劃規例第101.1條的八項優先政策相一致的裁斷，以及依據第302條作出有關公共需求、利便及福利設施的裁斷。

  
Angela Calvillo  
市參事委員會書記

日期: November 19, 2015  
張貼/公佈: November 20, 2015

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Alisa Somera  
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)  
1 DR CARLTON B GOODLETT PL #244  
SAN FRANCISCO, CA 94102

**COPY OF NOTICE**

Notice Type: GPN GOVT PUBLIC NOTICE  
Ad Description AS - 11.30.15 Land Use - 151126 Zoning Map

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

11/20/2015

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$318.75
Publication	\$-31.88
Total	\$286.87

EXM# 2818623

**NOTICE OF PUBLIC HEARING**  
**BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**  
**LAND USE AND TRANSPORTATION COMMITTEE**  
**MONDAY, NOVEMBER 30, 2015 - 1:30 PM**  
**LEGISLATIVE CHAMBER, ROOM 250, CITY HALL**  
**1 DR. CARLTON B. GOODLETT PLACE**  
**SAN FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 151126. Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; revising various Planning Code sections to make conforming and other technical changes; revising the Zoning Map to add the Japantown NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for

public review on Wednesday, November 25, 2015. - Angela Calvillo, Clerk of the Board



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BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
Small Business Commission, City Hall, Room 448

FROM: *S* Alisa Somera, Assistant Clerk  
Land Use and Transportation Committee

DATE: November 10, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 151126**

Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; revising various Planning Code sections to make conforming and other technical changes; revising the Zoning Map to add the Japantown NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
Chairperson, Small Business Commission


BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: John Rahaim, Director, Planning Department  
Tom Hui, Director, Director, Department of Building Inspection  
Ed Reiskin, Executive Director, Municipal Transportation Agency  
Mohammed Nuru, Director, Public Works

FROM:  Alisa Somera, Assistant Clerk  
Land Use and Transportation Committee

DATE: November 10, 2015

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by President Breed on October 27, 2015:

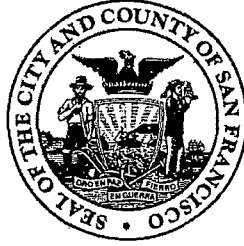
**File No. 151126**

Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; revising various Planning Code sections to make conforming and other technical changes; revising the Zoning Map to add the Japantown NCD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: Scott Sanchez, Planning Department  
Sarah Jones, Planning Department  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Joy Navarrete, Planning Department  
Jeanie Poling, Planning Department  
William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection  
Dillon Auyoung, Municipal Transportation Agency  
Kate Breen, Municipal Transportation Agency  
Janet Martinsen, Municipal Transportation Agency  
Frank Lee, Public Works

Ln Clerk, BOS-11,  
Leg Aides, COB,  
Leg Dep-



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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File 151126

President, District 5  
BOARD of SUPERVISORS

London Breed

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**PRESIDENTIAL ACTION**

Date: 11/10/15

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 151126 Breed  
(Primary Sponsor)

Title. Establish the Japantown Neighborhood Comm

Transferring (Board Rule No. 3.3)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

From: \_\_\_\_\_ Committee

To: \_\_\_\_\_ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

London Breed, President  
Board of Supervisors