

1 [Planning Code - Density Controls in ~~Community Business Districts~~ Three Historic Districts]

2
3 **Ordinance amending the Planning Code to modify density limits in C-2 Districts,**
4 **~~Community Business, east of Columbus Avenue and north of Washington Street~~ the**
5 **Northeast Waterfront Historic District, the Jackson Square Historic District, and the**
6 **Jackson Square Historic District Extension, except for projects in those areas using**
7 **the Commercial to Residential Adaptive Reuse Program; creating an exception to**
8 **numerical density in those areas for certain projects; affirming the Planning**
9 **Commission’s determination under the California Environmental Quality Act; making**
10 **public necessity, convenience, and welfare findings under Planning Code, Section 302;**
11 **and making findings of consistency with the General Plan and the eight priority**
12 **policies of Planning Code, Section 101.1.**

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.

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

20 Section 1. Environmental and Land Use Findings

21 (a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 240170 and is incorporated herein by reference. The Board affirms
25 this determination.

1 (b) On _____, the Planning Commission, in Resolution No. _____,
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. _____, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
7 amendments will serve the public necessity, convenience, and welfare, and makes other
8 findings required by the California Government Code, for the reasons set forth in Planning
9 Commission Resolution No. _____, and the Board adopts such reasons as its own. A copy
10 of said resolution is on file with the Clerk of the Board of Supervisors in File No. _____
11 and is incorporated herein by reference.

12
13 Section 2. Article 2 of the Planning Code is hereby amended by revising Sections
14 210.1 and 210.5, to read as follows:

15
16 **SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.**

17 These districts serve several functions. They provide convenience goods and services
18 to Residential areas of the City, both in outlying sections and in closer-in, more densely built
19 communities. In addition, some C-2 Districts provide comparison shopping goods and
20 services on a general or specialized basis to a Citywide or a regional market area,
21 complementing the main area for such types of trade in downtown San Francisco. The extent
22 of these districts varies from smaller clusters of stores to larger concentrated areas, including
23 both shopping centers and strip developments along major thoroughfares, and in each case
24 the character and intensity of commercial development are intended to be consistent with the
25 character of other uses in the adjacent areas. The emphasis in C-2 Districts is upon

1 compatible retail uses, but the district also allows a wider variety of goods and services to suit
 2 the longer-term needs of customers and a greater latitude is given for the provision of
 3 automobile-oriented uses.

4
 5 **Table 210.1**
 6 **ZONING CONTROL TABLE FOR C-2 DISTRICTS**

7 * * * *

8 * * * *		
9 Residential Standards and Uses		
10 Zoning Category	11 § References	12 C-2
13 * * * *		
14 Residential Uses		
15 Residential Density, Dwelling 16 Units (5)	17 § 207	18 P at a density ratio not 19 exceeding the number of 20 dwelling units permitted in 21 the nearest R District, with 22 the distance to such R 23 District measured from the 24 midpoint of the front lot line 25 or from a point directly across the street therefrom, whichever permits the greater density; provided, that the maximum density

		ratio shall in no case be less than one unit for each 800 square feet of lot area. NP above. (8)
* * * *		

* * * *

(8) In C-2 zoning districts east of or fronting Franklin Street/13th Street and west of Columbus Avenue, and north of Townsend Street and south of Washington Street, except for parcels within the Northeast Waterfront Historic District, the Jackson Square Historic District, and the Jackson Square Historic District Extension, there is no density limit. The Jackson Square Historic District Extension shall include parcels within the area bounded by the northern boundary of the Jackson Square Historic District and the centerline of Sansome Street, Kearny Street, and Broadway there is no density limit. On parcels with no density limit, density Density is regulated by the permitted height and bulk, and required setbacks, exposure, open space, and other Code requirements applicable to each development lot.

SEC. 210.5. COMMERCIAL TO RESIDENTIAL ADAPTIVE REUSE PROGRAM.

(a) **Purpose and Findings.** This Section 210.5 describes the Commercial to Residential Adaptive Reuse Program. The purpose of the Program is to facilitate the adaptive reuse of non-residential buildings to support the City’s housing needs by allowing for conversion, but not the demolition, of those buildings to residential use.

* * * *

1 (d) **Controls.** Applicable provisions of the Planning Code shall control except as
2 otherwise provided in this Section 210.5. If there is a conflict between other provisions of the
3 Planning Code and this Section 210.5, this Section shall prevail; provided that this Section
4 does not alter, amend, or modify Section 249.93 (Group Housing Special Use District). For
5 Commercial to Residential Adaptive Reuse projects, the following zoning controls shall be
6 waived or modified, as described:

7 * * * *

8 (13) **Density Limits.** No density limit for projects located within the Northeast
9 Waterfront Historic District, the Jackson Square Historic District, and the Jackson Square
10 Historic District Extension. The Jackson Square Historic District Extension shall include
11 parcels within the area bounded by the northern boundary of the Jackson Square Historic
12 District and the centerline of Sansome Street, Kearny Street, and Broadway. Density in those
13 areas shall be regulated by the permitted height and bulk, and required setbacks, exposure,
14 open space, and other Code requirements applicable to each development lot.

15 * * * *

16 Section 3. Article 2 of the Planning Code is hereby amended by revising Section 207
17 to read as follows:

18
19 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

20 * * * *

21 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
22 under this Section 207 shall be made in the following circumstances:

23 * * * *

1 (10) Density Exception for lots within the Northeast Waterfront Historic
2 District, the Jackson Square Historic District, and the Jackson Square Historic District
3 Extension.

4 (A) Eligibility. A Project must meet all of the following criteria:

5 (i) is located on a lot within the Northeast Waterfront Historic
6 District, the Jackson Square Historic District, and the Jackson Square Historic District
7 Extension. The Jackson Square Historic District Extension shall include parcels within the
8 area bounded by the northern boundary of the Jackson Square Historic District and the
9 centerline of Sansome Street, Kearny Street, and Broadway; and,

10 (ii) is not seeking and receiving a density bonus under the
11 provisions of California Government Code Sections 65915 of more than 50% additional
12 density; and

13 (iii) except as provided in subsection (c)(10)(A)(ii), is not seeking
14 or receiving a density or other development bonus under Planning Code Section 206, any
15 other density exception in this Planning Code Section 207, Section 124(f), Section 202.2(f),
16 Section 304, or other State or local program that provides additional density.

17 (B) Density Exception. Projects that meet the eligibility criteria in
18 subsection (c)(10)(A) are exempt from the residential density limits otherwise applicable in the
19 zoning district where the project is located. Density shall be regulated by the permitted height
20 and bulk, and required setbacks, exposure, open space, and any adopted design standards or
21 guidelines for each parcel as a Principally Permitted Use.

22 (C) Other Planning Code Requirements. Except as otherwise noted in
23 this subsection (c)(10), all applicable Planning Code requirements shall continue to apply.

1 Section 34. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor’s veto of the ordinance.

5
6 Section 45. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the “Note” that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DAVID CHIU, City Attorney

15 By: /s/ Audrey Pearson
16 AUDREY PEARSON
17 Deputy City Attorney

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