

LEGISLATIVE DIGEST

[Zoning – Consistent Street Frontages.]

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 209.8, 210.3, 212, 231, 243, 253, and 253.2, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, and 249.26 to create comprehensive and consistent street frontage controls for residential districts, to create consistent ground floor controls for industrial districts, to permit certain small corner commercial uses in RM-3 and RM-4 districts, to modify floor area ratio controls in the Van Ness Special Use District, to modify conditional use requirements for buildings over 40 feet in RM and RC districts, to amend the procedure for certain exceptions from off-street parking and loading requirements, and permit parking and loading exceptions to preserve historic buildings and landmark trees, and to make certain Planning Code controls consistent across C-3 Districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Existing Law

Planning Code Section 124 sets basic floor area ratio (FAR) limits in most zoning districts, and provides for exceptions in certain districts.

Section 132.2 establishes the North of Market Residential Special Use District.
Section 243 establishes the Van Ness Special Use District.

Sections 144, 145, 145.1, and 145.5 regulate street frontage and ground-floor requirements in certain zoning districts to ensure that they are attractive, pedestrian-oriented, and compatible with existing buildings. Section 144 limits the amount of frontage used for off-street parking entrances in RH-2, RH-3, RTO, RTO-M, RM-1, and RM-2 districts and requires a percentage of the ground story of dwellings to be devoted to windows, entrances, landscaping, and other architectural features. Section 145 imposes controls on parking and loading entrances, and requires building heights and walls to be stepped and otherwise moderated to provide interest in RM-1 and RM-2 districts. Section 145.1 establishes ground floor ceiling height, limits the amount of frontage used for off-street parking and loading entrances, and requires "active uses" on the ground floor and other features (such as gates, transparency and fenestration) for street-fronting spaces in NC, DTR, RC, CM and the Chinatown, South of Market and Eastern Neighborhoods Mixed Use Districts. Section 145.5 establishes a minimum ceiling height for ground floor spaces in new buildings constructed in PDR Districts.

Sections 150, 151.1, 155, and 161 establish off-street parking and loading requirements for all zoning districts and establish general standards as to location and arrangement of off-street parking, freight loading, and service vehicle facilities. Section 155 also regulates garage entries, driveways or other vehicular access to off-street parking or loading on development

lots on the frontages of specified streets in order to preserve the pedestrian character of downtown and neighborhood commercial districts and to minimize delays to transit service.

Sections 175.1, 175.2, 175.3, and 175.4 were adopted in 1985; they provide for an orderly transition from prior zoning to implementation of the Downtown Plan by grandfathering certain pipeline projects and Redevelopment Project Areas from specific provisions of the Planning Code. Section 175.5, adopted in 1987, provides for a similar transition to Neighborhood Commercial rezoning. Section 249.26 establishes a Downtown Housing Demonstration Special Use District on an 11,000 square foot lot at the corner of Market Street, Kearny Street, and Geary Avenue to demonstrate the effects of reducing the constraints placed on residential housing in the Downtown Core; this SUD sunsetted in 2008.

Section 186 regulates existing non-conforming commercial uses in Residential districts.

Section 209.8 establishes controls for Commercial Establishments in RH, RM, RTO, and RC zoning districts. Section 210.3 describes four Downtown Commercial C-3) districts. Section 212 establishes additional requirements for some permitted uses in certain C and M districts. Section 231 establishes controls on the location, permitted uses, size, parking, and operation of corner stores in RTO zoning districts.

Section 253 requires conditional use authorization for buildings over 40 feet in Residential districts other than RTO districts. Section 253.2 describes building setbacks which the Planning Commission may require for buildings exceeding 40 feet along certain streets in the Van Ness SUD.

Amendments to Current Law

Planning Code Section 124 is amended to, remove the FAR exemption for nonaccessory parking in NC districts and slightly increase the FAR limit in the Van Ness Special Use District to match the limit for other RC-4 districts. Section 243 is amended to delete the basic FAR exception in the Van Ness SUD for nonaccessory off-street parking, driveways, and maneuvering areas and to delete the requirement that a small self-service restaurant is only allowed as a conditional use.

Sections 132.2, 253, and 253.2 are amended to increase the height of a building which can be built without conditional use from 40 feet to 50 feet in RM and RC districts, and leave it unchanged at 40 feet for RH districts. This ordinance does not amend existing height or bulk limits. In the Van Ness and North of Market Special Use district, the guidelines for building setbacks are amended to include consideration of sunlight to narrow alleyways.

Section 144 is amended to extend street frontage controls similar to those which exist for RTO districts to all RH and RM districts. The maximum amount of street frontage used for off-street parking ingress/egress set at one-third, although a garage entrance of at least eight feet

are permitted on all street frontages Individual garage entrances cannot exceed 20 feet in width. Controls are added for street-facing garage structures and garage doors. Garage entrances are prohibited within six feet of a building corner located at The exception for upsloping or downsloping lots is extended to all RM and RH districts, and allows for modification or waiver of the requirements. Section 145 is renumbered as Section 144.1.

Section 145.1 is amended to impose additional controls on parking/loading entrances and street-facing garage structures and garage doors in districts which allow mix of uses. Requirements for above-ground parking in C-3 districts are modified to ensure that new parking be built to facilitate conversion to other uses in the future. Section 145.5 is expanded to include all industrial districts, and amended to provide that in existing buildings, a minimum clear ceiling height of 15 feet shall be retained where currently existing and, in buildings undergoing major renovations or changes of use, restored where feasible.

In both Residential districts and districts which allow a mix of uses, entrances to garages are not permitted within six feet of a street corner, in order to increase pedestrian safety, foster active uses at prominent street corners, and facilitate the construction of street corner sidewalk bulb-outs as called for in the General Plan.

Section 150 is amended to refer to walking, cycling, and goods movement and to delete the provision authorizing the Planning Commission to require additional off-street parking and loading when authorizing a conditional use; the definition of "major addition" is amended to increase the number of off-street parking spaces from one to two. The Table in Section 151.1 is amended to provide that a retail grocery store with over 20,000 gross square feet in NCT districts, which has a specific parking requirement, is not subject to the requirement for non-residential uses. Section 155 is amended to provide that parking located above the ground level in C-3 districts must conform to the street frontage requirements of Section 145.1. Section 161 is amended to authorize the Planning Commission to reduce the off-street parking requirements in RC and NC zoning districts, including the North of Market SUD, without the requirement for a conditional use. The Zoning Administrator's authority to modify or waive parking requirements for historic buildings within the South of Market Mixed Use District is extended to all districts. This authority to reduce or waive parking requirements is extended to protect landmark or significant trees.

Sections 209.8 and 231 are amended to permit certain small, street-corner commercial establishments in all RM-3 and RM-4 districts under certain conditions, and Sections 209.8 and 186 are amended to establish street frontage controls for all commercial uses in Residential districts. Section 210.3 is amended to update the description of the C-3-S District. Section 212 is amended to add a purpose section for the ground-floor commercial frontage requirement in C-3 zoning districts, to extend the ground level active commercial use requirements on building frontages in C-3-R districts to include Destination Alleyway street frontage (as defined in the Downtown Streetscape Plan), and along any street frontage facing Market Street except for the Van Ness and Market Downtown Residential SUD. "Art spaces"

has been added to the permitted uses allowed to face the street on the ground story of any building.

Sections 175.1, 175.2, 175.3, 175.4, 175.5, and 249.26 are repealed.

Background Information

In April 2010, the Board passed Ordinance No. 85-10, which amended several sections of the Planning Code to create a comprehensive and consistent set of street frontage controls for most use districts in San Francisco that allow a mix of uses. The goal of that legislation was to provide more consistency in the Planning Code by extending controls across use districts of a similar type and to simplify the Code by consolidating and harmonizing varying Code requirements governing certain building features.

This ordinance proposes additional amendments to the Planning Code that would further this goal, by creating more consistent street frontage requirements in the City's Residential and Industrial districts

Since most of San Francisco developed before the widespread use of the automobile and before the existence of Planning Codes that geographically segregated land uses, many San Francisco neighborhoods have a dense, walkable character, with a mix of primary uses. The Planning Code includes a number of use districts that allow a mix of uses, and these use districts have changed and multiplied over time. The General Plan, in its Urban Design and Transportation Elements, strongly emphasizes the importance of active, human-scaled, and pedestrian-oriented building fronts, and of maintaining neighborhood character. Recently created zoning districts, like the RTO and PDR districts, sought to codify these policies into zoning controls. This ordinance seeks to further the goals of the general plan by expanding these controls to older use districts that permit similar uses.