

BOARD of SUPERVISORS



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MEMORANDUM

Date: June 13, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 240637
Planning Code, Zoning Map - Central Neighborhoods Large Residence SUD, Corona Heights Large Residence SUD

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

1 [Planning Code, Zoning Map - Central Neighborhoods Large Residence SUD, Corona Heights
2 Large Residence SUD]

3 **Ordinance amending the Planning Code to expand the boundaries of the Central**
4 **Neighborhoods Large Residence Special Use District (SUD), and to apply its controls**
5 **to all lots within the SUD, with some exceptions; to delete the Corona Heights Large**
6 **Residence SUD, and as a result to merge it into the Central Neighborhoods Large**
7 **Residence SUD; amending the Zoning Map to reflect the deletion and boundary**
8 **expansion; affirming the Planning Department's determination under the California**
9 **Environmental Quality Act; and making public necessity, convenience, and welfare**
10 **findings under Planning Code, Section 302, and findings of consistency with the**
11 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

19 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. ____ and is incorporated herein by reference. The Board affirms this
25 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 for the reasons set
8 forth in Planning Commission Resolution No. _____, and the Board adopts such
9 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
10 Supervisors in File No. _____ and is incorporated herein by reference.

11
12 Section 2. Article 2 of the Planning Code is hereby amended by deleting Section
13 249.77 and revising Section 249.92, to read as follows:

14 ~~**SEC. 249.77. CORONA HEIGHTS LARGE RESIDENCE SPECIAL USE DISTRICT.**~~

15 ~~(a) General. A special use district entitled the "Corona Heights Large Residence Special Use~~
16 ~~District," consisting of the area within a perimeter established by Market Street, Clayton Street,~~
17 ~~Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of parcel~~
18 ~~2620/063, the eastern property line of parcel 2619/001A, and Douglass Street; and in addition, all~~
19 ~~additional parcels fronting States Street, which includes RH-1, RH-2, and RH-3 Use Districts, is hereby~~
20 ~~established for the purposes set forth below. The boundaries of the Corona Heights Large Residence~~
21 ~~Special Use District are designated on Sectional Maps No. SU06 and No. SU07 of the Zoning Map of~~
22 ~~the City and County of San Francisco.~~

23 ~~(b) Purpose. To protect and enhance existing neighborhood character, encourage new infill~~
24 ~~housing at compatible densities and scale, and provide for thorough assessment of proposed large-~~
25 ~~scale residences that could adversely impact the area and affordable housing opportunities, the~~

1 following controls in subsections (c)-(f) are imposed in the Corona Heights Large Residence Special
2 Use District.

3 (c) ~~Controls. All applicable provisions of the Planning Code shall continue to apply in the~~
4 ~~Corona Heights Large Residence Special Use District, except as otherwise provided in this Section~~
5 ~~249.77.~~

6 (d) ~~Conditional Use Authorizations. For all parcels zoned RH-1, RH-2, or RH-3 within the~~
7 ~~Corona Heights Large Residence Special Use District, the following developments shall require a~~
8 ~~Conditional Use authorization:~~

9 (1) ~~Development of Vacant Property. Residential development on a vacant parcel that~~
10 ~~will result in total gross floor area exceeding 3,000 square feet;~~

11 (2) ~~Expansion of Large Existing Development. Residential development on a developed~~
12 ~~parcel that will result in total gross floor area in excess of 3,000 square feet if that expansion results in~~
13 ~~more than 75% increase in gross square feet of development on the parcel (as it existed at any time in~~
14 ~~the last five years prior to application), and does not increase that number of legal dwelling units on~~
15 ~~the parcel. The total gross square footage calculation shall also include all development performed on~~
16 ~~the parcel within the last five years;~~

17 (3) ~~Expansion of Large Existing Development Plus Additional Dwelling Units.~~
18 ~~Residential development on a developed parcel that will result in total gross square floor area in excess~~
19 ~~of 3,000 gross square feet, if that expansion results in more than 100% increase in gross square feet of~~
20 ~~development, and increases the existing legal unit count on the parcel;~~

21 (4) ~~Residential development, either as an addition to an existing building or as a new~~
22 ~~building, that results in less than 45% rear yard depth.~~

23 (e) ~~In acting on any application for Conditional Use authorization within the Corona Heights~~
24 ~~Large Residence Special Use District, the Commission shall consider the Conditional Use~~

25

1 ~~authorization requirements set forth in subsection 303(c) and, in addition, shall consider whether facts~~
2 ~~are presented to establish, based on the record before the Commission, one or more of the following:~~

3 ~~(1) The proposed project promotes housing affordability by increasing housing supply;~~

4 ~~(2) The proposed project maintains affordability of any existing housing unit; or~~

5 ~~(3) The proposed project is compatible with existing development.~~

6 ~~(f) In acting on any application for a Conditional Use Authorization where an additional new~~
7 ~~residential unit is proposed on a through lot on which there is already an existing building on the~~
8 ~~opposite street frontage, the Planning Commission shall only grant such authorization upon finding~~
9 ~~that it would be infeasible to add a unit to the already developed street frontage of the lot.~~

10 ~~(g) The Conditional Use requirement established by subsections (d)-(f) of this Section 249.77~~
11 ~~shall sunset on December 31, 2024. After that date, no residential development or expansion of an~~
12 ~~existing Residential Building shall be permitted in the Corona Heights Large Residence Special Use~~
13 ~~District that would result in any Dwelling Unit exceeding 3,000 square feet of Gross Floor Area, except~~
14 ~~where the total increase of gross floor area of any existing Dwelling Unit is less than 15%.~~

15
16 **SEC. 249.92. CENTRAL NEIGHBORHOODS LARGE RESIDENCE SPECIAL USE**
17 **DISTRICT.**

18 (a) **General.** A special use district entitled the “Central Neighborhoods Large
19 Residence Special Use District,” consisting of the area within a perimeter established by
20 Waller Street, Steiner Street, Hermann Street, Buchanan Street, Haight Street, Octavia Street, 13th
21 Street, Valencia Street, Duboce Avenue, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue,
22 29th Street, San Jose Avenue, Randall Street, Mission Street, Alemany Boulevard, Tingley Street,
23 crossing in a straight line over San Jose Avenue, I-280 Northbound, and I-280 Southbound to Monterey
24 Boulevard, proceeding northeasterly along Monterey Boulevard to Joost Avenue, Joost Avenue, Congo
25 Street, Bosworth Street, O’Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, following

1 the eastern fork of Twin Peaks Boulevard north, Clarendon Avenue, west along Clarendon Avenue to
2 the most westerly boundary of the Lands of Regents of the University of California, also known as
3 Block 2634A Lot 011 as shown on the City & County of San Francisco Assessor's Block Map 2634A,
4 north to the most southernly boundary of the Lands of City & County of San Francisco, also known as
5 Block 2634A Lot 003 as shown on the City & County of San Francisco Assessor's Block Map 2634A,
6 east to the most southeasterly corner of said Lot 003, following said Lot 003 boundaries north,
7 northwest, and southwesterly until the intersection with previously described Lot 011, northerly
8 following the eastern boundary of Lot 011, northerly along the eastern boundary of Lot 005 as shown
9 on Assessor's Block Map 2634A, to Parnassus Avenue, Hillway Avenue, Carl Street, Arguello
10 Boulevard, Frederick Street, Stanyan Street, Waller Street, Clayton Street, Frederick Street, Masonic
11 Avenue, Waller Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East, Waller
12 Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street,
13 Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard,
14 Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy
15 Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street,
16 Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East, is hereby established for the
17 purposes set forth in subsection (b), below. The boundaries of the Central Neighborhoods
18 Large Residence Special Use District are designated on Sectional Map Nos. ZN06, ZN07,
19 ZN11, and ZN12 of the Zoning Map of the City and County of San Francisco.

20 (b) **Purpose.** To protect and enhance existing neighborhood context, encourage new
21 infill housing at compatible densities and scale, and provide for thorough assessment of
22 proposed large *single-family* residences that could adversely impact neighborhood character
23 and affordable housing opportunities, the following controls, set forth in subsections (c)-(g),
24 below, are imposed in the Central Neighborhoods Large Residence Special Use District.

25 (c) **Applicability.**

1 (1) Except as provided in this subsection (c), the provisions of this Section
2 249.92 apply to all lots ~~in Residential, House (RH) zoning districts~~ located within the Central
3 Neighborhoods Large Residence Special Use District, in those instances where a complete
4 Development Application was submitted on or after January 1, 2022.

5 (2) All applicable provisions of the Planning Code shall continue to apply to
6 Residential Buildings, except as otherwise stated in this Section 249.92.

7 ~~(3) The provisions of this Section 249.92 shall not apply to any lot within the Corona~~
8 ~~Heights Large Residence Special Use District.~~

9 (3) The provisions of this Section 249.92 shall not apply to any applications that were
10 filed prior to June 4, 2024 for residential development or for an expansion of an existing Residential
11 Building on lots that on that date were not subject to the Corona Heights Large Residence Special Use
12 District (former Section 249.77) or this Special Use District.

13 (d) **Maximum Size of Dwelling Units.** ~~For all lots zoned RH w~~ Within the Central
14 Neighborhoods Large Residence Special Use District, no residential development or
15 expansion of an existing Residential Building shall be permitted that would result in any
16 Dwelling Unit exceeding 4,000 square feet of Gross Floor Area, except where the total
17 increase of Gross Floor Area of any existing Dwelling Unit is less than 15%.

18 (e) **Conditional Use Authorizations.** ~~For all lots zoned RH w~~ Within the Central
19 Neighborhoods Large Residence Special Use District, a Conditional Use authorization shall
20 be required for any residential development or expansion of a Residential Building that would
21 result in any Dwelling Unit with a Gross Floor Area exceeding the equivalent of a 1.2:1 Floor
22 Area Ratio, or would result in any Dwelling Unit exceeding 3,000 square feet of Gross Floor
23 Area, except where the total increase of gross floor area of any existing Dwelling Unit is less
24 than 15%.

1 (f) **Conditional Use Findings.** In addition to the criteria outlined in Planning Code
2 Section 303(c)(1), in acting upon an application for Conditional Use authorization within the
3 Central Neighborhoods Large Residence Special Use District the Planning Commission shall
4 also consider whether facts are presented to establish, based on the record before the
5 Commission, that the following criteria are met:

6 (1) the proposed project is contextual with the neighborhood, meets applicable
7 Residential Design Guidelines, and seeks to retain any existing design elements;

8 (2) the proposed project does not remove Rental Units subject to the Residential
9 Rent Stabilization and Arbitration Ordinance;

10 (3) the proposed project increases the number of Dwelling Units on the lot;

11 (4) no Dwelling Unit is less than one-third the gross floor area of the largest
12 Dwelling Unit in a Residential Building;

13 (5) the proposed project does not negatively impact the historic integrity of the
14 property or any existing structure on a lot that is listed in or formally eligible for listing in the
15 California Register of Historic Resources, or has been determined to appear eligible for listing
16 in the California Register of Historic Resources or to qualify as a “historical resource” under
17 CEQA; and

18 (6) the project does not negatively impact the historic integrity of any existing
19 structure on a lot that has been adopted as a local landmark or a contributor to a local historic
20 district under Articles 10 or 11 of this Code, or would render the property ineligible for historic
21 designation as an individual or contributing resource.

22 * * * *

23 (h) The Conditional Use requirement established by subsections (e)-(f) of this Section
24 249.92 shall sunset on December 31, 2024. After that date, ~~for all lots zoned RH within the~~
25 ~~Central Neighborhoods Large Residence Special Use District,~~ no residential development or

1 expansion of an existing Residential Building shall be permitted *within the Central*
 2 *Neighborhoods Large Residence Special Use District* that would result in any Dwelling Unit
 3 exceeding 3,000 square feet of Gross Floor Area, except where the total increase of gross
 4 floor area of any existing Dwelling Unit is less than 15%.

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 6 Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, Sectional Map
 7 Sheet Nos. ZN06, ZN07, ZN11, and ZN12 of the Zoning Map of the City and County of San
 8 Francisco are hereby amended, as follows:

<p>9 10 Corona Heights Large Residence Special Use District Herein Deleted</p>
<p>11 12 Perimeter established by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, 13 Roosevelt Way, Museum Way, the eastern property line of parcel 2620/063, the eastern 14 property line of parcel 2619/001A, and Douglass Street; and in addition, all additional 15 parcels fronting States Street, which includes RH-1, RH-2, and RH-3 Use Districts.</p>

<p>16 17 Central Neighborhoods Large Residence 18 Special Use District Boundaries Herein 19 Superseded</p>	<p>17 18 Central Neighborhoods Large Residence 19 Special Use District Boundaries Herein 20 Established</p>
<p>20 21 Perimeter established by Waller Street, 22 Steiner Street, Duboce Avenue, Sanchez 23 Street, 16th Street, Guerrero Street, 20th 24 Street, Valencia Street, Tiffany Avenue, 29th 25 Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street,</p>	<p>20 21 Perimeter established by Waller Street, 22 Steiner Street, Hermann Street, Buchanan 23 Street, Haight Street, Octavia Street, 13th 24 Street, Valencia Street, Duboce Avenue, 25 Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San</p>

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<p>Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East.</p>	<p>Jose Avenue, Randall Street, Mission Street, Alemany Boulevard, Tingley Street, crossing in a straight line over San Jose Avenue, I-280 Northbound, and I-280 Southbound to Monterey Boulevard, proceeding northeasterly along Monterey Boulevard to Joost Avenue, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, following the eastern fork of Twin Peaks Boulevard north, Clarendon Avenue, west along Clarendon Avenue to the most westerly boundary of the Lands of Regents of the University of California, also known as Block 2634A Lot 011 as shown on the City & County of San Francisco Assessor's Block Map 2634A, north to the most southernly boundary of the Lands of City & County of San Francisco, also known as Block 2634A Lot 003 as shown on the City & County of San Francisco Assessor's Block Map 2634A, east to the most southeasterly corner of said Lot 003, following said Lot 003 boundaries north, northwest, and southwesterly until the intersection with previously described Lot</p>
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1 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

7

8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Andrea Ruiz-Esquide
11 ANDREA RUIZ-ESQUIDE
 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - Central Neighborhoods Large Residence SUD, Corona Heights Large Residence SUD]

Ordinance amending the Planning Code to expand the boundaries of the Central Neighborhoods Large Residence Special Use District (SUD), and to apply its controls to all lots within the SUD, with some exceptions; to delete the Corona Heights Large Residence SUD, and as a result to merge it into the Central Neighborhoods Large Residence SUD; amending the Zoning Map to reflect the deletion and boundary expansion; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

The Planning Code sets forth different zoning districts, including Special Use Districts, throughout the City, where different uses are permitted, conditionally permitted, or prohibited, and where various controls (such as density, height and bulk standards, rear yard, and open space requirements) apply.

The Central Neighborhoods Large Residence Special Use District (SUD) was established in 2022. Its purpose is “to protect and enhance existing neighborhood context, encourage new infill housing at compatible densities and scale, and provide for thorough assessment of proposed large single-family residences that could adversely impact neighborhood character and affordable housing opportunities.”

The SUD applies to all lots in Residential, House (RH) zoning districts within its geographical boundaries, except for any lots within the Corona Heights Large Residence Special Use District. The SUD establishes a 4,000 square feet maximum gross floor area for dwelling units within its boundaries, except where the total increase of gross floor area of any existing dwelling unit is less than 15%. Additionally, it requires a Conditional Use Authorization (CU) for any residential development that would result in a dwelling unit larger than 3,000 square feet of gross floor area, or exceeding a 1.2:1 floor area ratio, except where the total increase of gross floor area of any existing dwelling unit is less than 15%.

The CU requirement will sunset on December 31, 2024. The SUD establishes that after that date, no residential development or expansion of an existing residential building shall be permitted that would result in any dwelling unit exceeding 3,000 square feet of gross floor area, except where the total increase of gross floor area of any existing dwelling unit is less than 15%.

The Corona Heights Large Residence SUD was established in 2017. Its boundaries are the perimeter established by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of parcel 2620/063, the eastern property line of parcel 2619/001A, and Douglass Street. In addition, all additional parcels fronting States Street, which includes RH-1, RH-2, and RH-3 Use Districts are also part of the SUD. Its intent and controls are similar to the Central Neighborhoods Large Residence SUD: it also requires a CU for residential developments over 3,000 square feet, and its CU is also set to sunset at the end of 2024.

Amendments to Current Law

This Ordinance deletes the Corona Heights Large Residence SUD, and amends the Central Neighborhoods Large Residence SUD in two ways:

- It expands its geographical boundaries, to encompass all the lots that were formerly covered by the Corona Heights Large Residence SUD, and also other lots that were covered by neither of the SUDs;
- It expands its applicability to all lots within the expanded geographical boundaries, not just those in RH zoning districts.

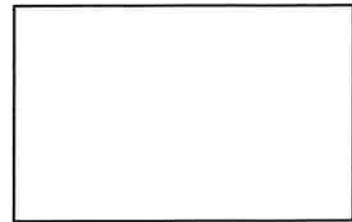
However, the Ordinance exempts from the SUD applicability any applications that were filed prior to June 4, 2024 for new residential development or for an expansion of existing residential development on lots that on that date were not subject to the Corona Heights Large Residence Special Use District or the Central Neighborhoods Large Residence SUD.

The Ordinance also amends the Zoning Map, to reflect the deletion of the Corona Heights Large Residence SUD and the expanded boundaries of the Central Neighborhoods Large Residence SUD.

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquires..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Mandelman

Subject:

[Planning Code, Zoning Map - Central Neighborhoods Large Residence SUD, Corona Heights Large Residence SUD]

Long Title or text listed:

Ordinance amending the Planning Code to expand the boundaries of the Central Neighborhoods Large Residence Special Use District (SUD), and to apply its controls to all lots within the SUD, with some exceptions; to delete the Corona Heights Large Residence SUD, and as a result to merge it into the Central Neighborhoods Large Residence SUD; amending the Zoning Map to reflect the deletion and boundary expansion; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Signature of Sponsoring Supervisor: