

[Planning Code - Zoning – Parking in South of Market]

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, and 249.23 and ~~Part VII of Article 9~~ to 1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; 2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking, ~~(3) to make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts;~~ and ~~(4)~~ 3) 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.

NOTE: Additions are *single-underline italics Times New Roman*;
Deletions are *strike-through italics Times New Roman*.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 10-1350 and is incorporated herein by reference.

(b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code amendments will serve the public necessity, convenience, and welfare for the reasons set

Supervisor Kim
BOARD OF SUPERVISORS

1 forth in Planning Commission Resolution No. 18336 and the Board incorporates such reasons
2 herein by reference. A copy of Planning Commission Resolution No. 18336 is on file with the
3 Board of Supervisors in File No. 10-1350.

4 (c) This Board finds that these Planning Code amendments are consistent with the
5 General Plan and with the priority policies of Planning Code Section 101.1 for the reasons set
6 forth in Planning Commission Resolution No. 18336, and the Board hereby incorporates such
7 reasons herein by reference.

8
9 Section 2. The San Francisco Planning Code is hereby amended by amending Section
10 151, to read as follows:

11 **SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.**

12 (a) Applicability. Off-street parking spaces shall be provided in the minimum quantities
13 specified in ~~the following~~ Table 151, except as otherwise provided in Section 151.1 and Section
14 161 of this Code. Where the building or lot contains uses in more than one of the categories
15 listed, parking requirements shall be calculated in the manner provided in Section 153 of this
16 Code. Where off-street parking is provided which exceeds certain amounts in relation to the
17 quantities specified in ~~this~~ Table 151, as set forth in 204.5 of this Code, such parking shall be
18 classified not as accessory parking but as either a principal or a conditional use, depending
19 upon the use provisions applicable to the district in which the parking is located. In
20 considering an application for a conditional use for any such parking, due to the amount being
21 provided, the City Planning Commission shall consider the criteria set forth in Section 157 of
22 this Code.

23 (b) Minimum parking required.
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**Table 151
OFF-STREET PARKING SPACES REQUIRED**

Use or Activity	Number of Off-Street Parking Spaces Required
Dwelling, except as specified below, and except in the Bernal Heights Special Use District as provided in Section 242.	One for each dwelling unit.
Dwelling, in the Broadway and North Beach Neighborhood Commercial Districts and the Chinatown Mixed Use Districts	P up to one car for each two dwelling units; C up to .75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1 (f) (g); NP above 0.75 cars for each dwelling unit.
Dwelling, in the Telegraph Hill-North Beach Residential Special Use District	P up to three cars for each four dwelling units; C up to one car for each dwelling unit, subject to the criteria and procedures of Section 151.1 (f) (g); NP above one car for each dwelling unit.
Dwelling, RC-4, RSD except in the Van Ness Special Use District	One for each four dwelling units.
Dwelling, specifically designed for and occupied by senior	None in districts other than RH-1 and RH-2, except, for purposes of determining spaces required by this Code in Section 204.5 the number of spaces specified above for the

1 citizens, <u>as defined in</u> 2 <u>Section 102.6.1 of this</u> 3 <u>Code, or persons with</u> 4 <u>physical disabilities, as</u> 5 <u>defined and regulated by</u> 6 <u>Section 209.1(m) of this</u> 7 <u>Code</u>	district in which the dwelling is located. In RH-1 and RH-2 Districts, one-fifth the number of spaces specified above for the district in which the dwelling is located.
8 Dwelling, in an 9 affordable housing 10 project as defined by 11 Section 401 313.1 or 12 315.1 of this Code.	None in districts other than RH-1 and RH-2, except, for purposes of determining spaces required by this Code in Section 204.5, the number otherwise required in this Table 151 for a dwelling unit for the district in which the dwelling is located.
13 14 15 16 17 Group housing of any 18 kind	None in districts other than RH-2, except for purposes of determining spaces required by this Code in Section 204.5 one for each three bedrooms or for each six beds, whichever results in the greater requirements, plus one for the manager's dwelling unit if any, with a minimum of two spaces required. In RH-2 Districts, for each three bedrooms or for each six beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
22 23 SRO units 24 25	None, except for purposes of determining spaces, required by this Code in Section 204.5 in the South of Market base area, one for each 20 units, plus one for the manager's dwelling unit, if any, with a minimum of two spaces.

Hotel, inn or hostel in NC Districts	0.8 for each guest bedroom.
Hotel, inn or hostel in districts other than NC	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit, if any.
Motel	One for each guest unit, plus one for the manager's dwelling unit, if any.
Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.
Hospital or other inpatient medical institution	One for each 16 guest excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	None in districts other than RH-1 and RH-2, except for purposes of determining spaces required by this Code in Section 204.5. In RH-1 and RH-2 Districts, one for each 10 residents, where the number of residents exceeds nine.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each six classrooms.
Secondary school	One for each two classrooms.
Post-secondary educational institution	One for each two classrooms.
Church or other	One for each 20 seats by which the number of seats in the

1	religious institutions	main auditorium exceeds 200.
2		
3	Theater or auditorium	One for each eight seats up to 1,000 seats where the number
4		of seats exceeds 50 seats, plus one for each 10 seats in
5		excess of 1,000.
6	Stadium or sports arena	One for each 15 seats.
7	Medical or dental	
8	office or outpatient	One for each 300 square feet of occupied floor area, where
9	clinic	the occupied floor area exceeds 5,000 square feet.
10	Offices or studios of	
11	architects, engineers,	
12	interior designers and	One for each 1,000 square feet of occupied floor area, where
13	other design	the occupied floor area exceeds 5,000 square feet.
14	professionals and	
15	studios of graphic	
16	artists	
17		One for each 500 square feet of occupied floor area, where
18	Other business office	the occupied floor area exceeds 5,000 square feet, except one
19		for each 750 square feet within the SSO District, where the occupied
20		floor area exceeds 5,000 square feet.
21	Restaurant, bar,	
22	nightclub, pool hall,	One for each 200 square feet of occupied floor area, where
23	dancehall, bowling	the occupied floor area exceeds 5,000 square feet.
24	alley or other similar	
25	enterprise	

Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.
Service, repair or wholesale sales space, including personal, home or business service space in South of Market Districts.	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Mortuary	Five
Storage or warehouse space, and space devoted to any use first permitted in an M-2 District	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.

Arts activities and spaces except theater or auditorium spaces	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Live/work units	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except in RH or RM Districts, within which the requirement shall be one space for each live/work unit.

Section 3. The San Francisco Planning Code is hereby amended by amending Section 151.1, to read as follows:

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

(a) **Applicability.** This subsection shall apply only to DTR, NCT, Upper Market Street NCD, RTO, Eastern Neighborhood Mixed Use, South of Market Mixed Use, Mission Bay, M-1, PDR-1-D, and PDR-1-G, C-M, or C-3 Districts.

(b) **Controls.** Off-street accessory parking shall not be required for any use, and the quantities of off-street parking specified in Table 151.1 shall serve as the maximum amount of off-street parking that may be provided as accessory to the uses specified. For non-residential and non-office uses in the UMU, PDR-1-D, and PDR-1-G Districts, the maximum amount of off-street parking that may be provided as accessory shall be no more than 50% greater than that indicated in Table 151.1. Variances from accessory off-street parking limits, as described in this Section, may not be granted. Where off-street parking is provided that exceeds the quantities specified in Table 151.1 or as explicitly permitted by this Section, such

1 parking shall be classified not as accessory parking but as either a principally permitted or
2 conditional use, depending upon the use provisions applicable to the district in which the
3 parking is located. In considering an application for a conditional use for any such parking
4 due to the amount being provided, the Planning Commission shall consider the criteria set
5 forth in Section 157 and 157.1 of this Code.

6 (c) **Definition.** Where a number or ratio of spaces are described in Table 151.1, such
7 number or ratio shall refer to the total number of parked cars accommodated in the project
8 proposal, regardless of the arrangement of parking, and shall include all spaces accessed by
9 mechanical means, valet, or non-independently accessible means. For the purposes of
10 determining the total number of cars parked, the area of an individual parking space, except
11 for those spaces specifically designated for persons with physical disabilities, may not exceed
12 185 square feet, including spaces in tandem, or in parking lifts, elevators or other means of
13 vertical stacking. Any off-street surface area accessible to motor vehicles with a width of 7.5
14 feet and a length of 17 feet (127.5 square feet) not otherwise designated on plans as a
15 parking space may be considered and counted as an off-street parking space at the discretion
16 of the Zoning Administrator if the Zoning Administrator, in considering the possibility for
17 tandem and valet arrangements, determines that such area is likely to be used for parking a
18 vehicle on a regular basis and that such area is not necessary for the exclusive purpose of
19 vehicular circulation to the parking or loading facilities otherwise permitted.

20 (d) **Car-Share parking.** Any off-street parking space dedicated for use as a car-share
21 parking space, as defined in Section 166, shall not be credited toward the total parking
22 permitted as accessory in this Section.

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

Use or Activity	Number of Off-Street Car Parking Spaces or Space
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	Devoted to Off-Street Car Parking Permitted
Dwelling units in RH-DTR Districts	P up to one car for each two dwelling units; up to one car for each dwelling unit, subject to the criteria and procedures of Section 151.1(e); NP above one space per unit.
Dwelling units in C-3 and SB-DTR, Districts, except as specified below	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(f); NP above 0.75 cars for each dwelling unit.
Dwelling units in C-3 and SB-DTR, Districts with at least 2 bedrooms and at least 1,000 square feet of occupied floor area	P up to one car for each four dwelling units; up to one car for each dwelling unit, subject to the criteria and procedures of Section 151.1(f); NP above one car for each dwelling unit.
Dwelling units in C-3 Districts and in the Van Ness and Market Downtown Residential Special Use District	P up to one car for each four dwelling units; C up to .5 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(f); NP above two cars for each four dwelling units.
Dwelling units and SRO units in <u>SLI, SSO</u> , MUG, MUR, MUO, SPD Districts, except as specified below	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.
Dwelling units in <u>SLI, SSO</u> , MUG, MUR, MUO, SPD Districts with at least 2 bedrooms and at least	P up to one car for each four dwelling units; up to one car for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP

1,000 square feet of occupied floor area	above one car for each dwelling unit.
Dwelling units <u>and SRO units</u> in NCT, <u>C-M</u> , <u>RSD</u> , and <u>SLR</u> Districts and the Upper Market NCD, except as specified below	P up to one car for each two dwelling units; C up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.
Dwelling units in the Mission Bay and Ocean Avenue NCT Districts	P up to one car for each unit; NP above. For Mission Bay Use Districts, see Section 960 of this Code.
Dwelling units <u>and SRO units</u> in RTO <u>and RED</u> Districts, except as specified below	P up to three cars for each four dwelling units; C up to one car for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above one car for each dwelling unit.
Dwelling units and SRO units in UMU Districts, except as specified below	P up to 0.75 cars for each dwelling unit and subject to the conditions of 151.1(g); NP above.
Dwelling units in UMU District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area	P up to 1 car for each dwelling unit and subject to the conditions of 151.1(g); NP above.
Group housing of any kind	P up to one car for each three bedrooms or for each six beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any. NP above.
All non-residential uses in C-3 <u>and</u>	Not to exceed 7% of gross floor area of such uses.

1	<u>C-M</u> Districts	See requirements in Section 204.5.
2	Hotel, inn, or hostel	P up to one for each 16 guest bedrooms, plus one for
3		the manager's dwelling unit, if any.
4	Motel	P up to one for each guest unit, plus one for the
5		manager's dwelling unit, if any.
6	Hospital or other inpatient medical	P up to one for each 8 guest beds excluding
7	institution	bassinets or for each 2,400 square feet of gross floor
8		area devoted to sleeping rooms, whichever results in
9		the lesser requirement
10	Residential care facility	P up to one for each 10 residents.
11	Child care facility	P up to one for each 25 children to be accommodated
12		at any one time.
13	Elementary school	P up to one for each six classrooms.
14	Secondary school	P up to one for each two classrooms.
15	Post-secondary educational	P up to one for each two classrooms.
16	institution	
17	Church or other religious	P up to one for each 20 seats.
18	institutions	
19	Theater or auditorium	P up to one for each eight seats up to 1,000 seats,
20		plus one for each 10 seats in excess of 1,000.
21	Stadium or sports arena	P up to one for each 15 seats.
22	Medical or dental office or	P up to one for each 300 square feet of occupied floor
23	outpatient clinic	area.
24	All office uses in C-3, DTR, <u>C-M</u> .	P up to seven percent of the gross floor area of such
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1	SLR, <u>SSO</u> , Mission Bay , SPD,	uses and subject to the pricing conditions of Section
2	MUG, MUR, and MUO Districts	155(g); NP above.
3	Office uses in <u>M-I</u> , UMU, PDR-1-	P up to one car per 1,000 square feet of gross floor
4	D, and PDR-1-G Districts, except	area and subject to the pricing conditions of Section
5	as specified below	155(g); NP above.
6	Office uses in <u>M-I</u> , UMU, PDR-1-	P up to one car per 500 square feet of gross floor
7	D, and PDR-1-G Districts where	area; NP above.
8	the entire parcel is greater than	
9	1/4-mile from Market, Mission, 3rd	
10	and 4th Streets	
11	Non-residential uses in RTO and	None permitted.
12	RM districts permitted under	
13	Section 231.	
14	All non-residential uses in NCT,	For uses in Table 151 that are described as a ratio of
15	<u>RSD</u> , and <u>SLR</u> , districts and the	occupied floor area, P up to 1 space per 1,500 square
16	Upper Market Street NCD, except	feet of occupied floor area or the quantity specified in
17	for retail grocery stores with over	Table 151, whichever is less, and subject to the
18	20,000 gross square feet as	conditions and criteria of Section 151.1(g). NP above.
19	specified below	
20	Retail grocery store uses in NCT,	P up 1 space per 500 square feet of occupied floor
21	<u>RSD</u> , and <u>SLR</u> districts and the	area, and subject to the conditions and criteria of
22	Upper Market Street NCD with	Section 151.1(g). C up to 1 space per 250 square feet
23	over 20,000 square feet of	of occupied floor area for that area in excess of
24	occupied floor area	20,000 square feet, subject to the conditions and
25		criteria of Section 151.1(g). NP above.

1	All retail in the Eastern	P up to one for each 1,500 square feet of gross floor
2	Neighborhoods Mixed Use	area.
3	Districts where any portion of the	
4	parcel is less than 1/4 mile from	
5	Market, Mission, 3rd and 4th	
6	Streets, except grocery stores of	
7	over 20,000 gross square feet.	
8	With the exception of Eastern	P up to one for each 200 square feet of occupied floor
9	Neighborhoods Mixed Use	area. <u>In South of Market Mixed Use Districts,</u>
10	Districts as set forth above, all	<u>participation in transportation programs may be required</u>
11	other restaurant, bar, nightclub,	<u>per Section 151.1(i).</u>
12	pool hall, dance hall, bowling alley	
13	or other similar enterprise	
14	With the exception of Eastern	P up to one for each 1,000 square feet of occupied
15	Neighborhoods Mixed Use	floor area.
16	Districts as set forth above, all	
17	other retail space devoted to the	
18	handling of bulky merchandise	
19	such as motor vehicles, machinery	
20	or furniture	
21	With the exception of Eastern	P up to one for each 4,000 square feet of occupied
22	Neighborhoods Mixed Use	floor area.
23	Districts as set forth above, all	
24	other greenhouse or plant nursery	
25	With the exception of Eastern	P up to one for each 500 square feet of gross floor

1	Neighborhoods Mixed Use	area up to 20,000 square feet, plus one for each 250
2	Districts as set forth above, all	square feet of gross floor area in excess of 20,000.
3	other retail space	
4	Service, repair or wholesale sales	P up to one for each 1,000 square feet of occupied
5	space, including personal, home or	floor area.
6	business service space in South of	
7	Market Districts	
8	Mortuary	P up to five.
9	Storage or warehouse space, and	P up to one for each 2,000 square feet of occupied
10	space devoted to any use first	floor area.
11	permitted in an M-2 District	
12	Arts activities and spaces except	P up to one for each 2,000 square feet of occupied
13	theater or auditorium spaces	floor area. <i>In South of Market Mixed Use Districts,</i>
14		<i>participation in transportation programs may be required</i>
15		<i>per Section 151.1(i).</i>
16	Laboratory	P up to one for each 1,500 square feet of occupied
17		floor area.
18	Small Enterprise Workspace	P up to one for each 1,500 square feet of occupied
19	Building	floor area.
20	Integrated PDR	P up to one for each 1,500 square feet of occupied
21		floor area.
22	Other manufacturing and industrial	P up to one for each 1,500 square feet of occupied
23	uses	floor area.
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1 (e) In DTR districts, any request for accessory parking in excess of what is permitted
2 by right shall be reviewed on a case-by-case basis by the Planning Commission, subject to
3 the procedures set forth in Section 309.1 of this Code.

4 (1) In granting approval for parking accessory to residential uses above that permitted
5 by right in Table 151.1, the Commission shall make the following affirmative findings:

6 (A) All parking in excess of that allowed by right is stored and accessed by mechanical
7 means, valet, or non-independently accessible method that maximizes space efficiency and
8 discourages use of vehicles for commuting or daily errands;

9 (B) Vehicle movement on or around the project site associated with the excess
10 accessory parking does not unduly impact pedestrian spaces or movement, transit service,
11 bicycle movement, or the overall traffic movement in the district;

12 (C) Accommodating excess accessory parking does not degrade the overall urban
13 design quality of the project proposal;

14 (D) All parking in the project is set back from facades facing streets and alleys and
15 lined with active uses, and that the project sponsor is not requesting any exceptions or
16 variances requiring such treatments elsewhere in this Code; and

17 (E) Excess accessory parking does not diminish the quality and viability of existing or
18 planned streetscape enhancements.

19 (2) Additionally, in granting approval for such accessory parking above that permitted
20 by right, the Commission may require the property owner to pay the annual membership fee
21 to a certified car-share organization, as defined in Section 166(b)(2), for any resident of the
22 project who so requests and who otherwise qualifies for such membership, provided that such
23 requirement shall be limited to one membership per dwelling unit, when the following findings
24 are made by the Commission:
25

1 (A) that the project encourages additional private-automobile use, thereby creating
2 localized transportation impacts for the neighborhood; and

3 (B) that these localized transportation impacts may be lessened for the neighborhood
4 by the provision of car-share memberships to residents.

5 (f) In C-3 Districts, any request for accessory parking in excess of what is permitted by
6 right in Table 151.1, shall be reviewed on a case-by-case basis by the Planning Commission,
7 subject to the procedures set forth in Section 309 of this Code.

8 (1) In granting approval for parking accessory to residential uses above that permitted
9 by right in Table 151.1, the Planning Commission shall make the following affirmative findings:

10 (A) For projects with 50 units or more, all residential accessory parking in excess of
11 0.5 parking spaces for each dwelling unit shall be stored and accessed by mechanical
12 stackers or lifts, valet, or other space-efficient means that allows more space above-ground
13 for housing, maximizes space efficiency and discourages use of vehicles for commuting or
14 daily errands. The Planning Commission may authorize the request for additional parking
15 notwithstanding that the project sponsor cannot fully satisfy this requirement provided that the
16 project sponsor demonstrates hardship or practical infeasibility (such as for retrofit of existing
17 buildings) in the use of space-efficient parking given the configuration of the parking floors
18 within the building and the number of independently accessible spaces above 0.5 spaces per
19 unit is de minimus and subsequent valet operation or other form of parking space
20 management could not significantly increase the capacity of the parking space above the
21 maximums in Table 151.1;

22 (B) For any project with residential accessory parking in excess of 0.375 parking
23 spaces for each dwelling unit, the project complies with the housing requirements of Sections
24 415.315 through 415.9315.9 of this Code except as follows: the inclusionary housing
25

1 requirements that apply to projects seeking conditional use authorization as designated in
2 Section ~~415.3~~ 315.3(a)(2) shall apply to the project.

3 (C) The findings of Section 151.1(e) ~~(d)~~(2), (e) ~~(d)~~(3) and (e) ~~(d)~~(5) are satisfied;

4 (D) All parking meets the active use and architectural screening requirements in
5 Sections 155(s)(1)(B) and 155(s)(1)(C) and the project sponsor is not requesting any
6 exceptions or variances requiring such treatments elsewhere in this Code.

7 (2) Additionally, in granting approval for such accessory parking above that permitted
8 by right, the Commission may require the property owner to pay the annual membership fee
9 to a certified car-share organization, as defined in Section 166(b)(2), for any resident of the
10 project who so requests and who otherwise qualifies for such membership, provided that such
11 requirement shall be limited to one membership per dwelling unit, when the findings set forth
12 in Section 151.1(d)(2) are made.

13 (g) In RTO, ~~and NCT, C-M and South of Market Mixed Use Districts, and the Upper Market~~
14 ~~Street NCD, and Mission Bay Use Use districts subject to Article 9 of this Code,~~ any request for
15 accessory parking in excess of what is principally permitted in Table 151.1, but which does
16 not exceed the maximum amount stated in Table 151.1, shall be reviewed by the Planning
17 Commission as a Conditional Use. In MUG, MUR, MUO, and SPD Districts, any project
18 subject to Section 329 and that requests residential accessory parking in excess of that which
19 is principally permitted in Table 151.1, but which does not exceed the maximum amount
20 stated in Table 151.1, shall be reviewed by the Planning Commission according to the
21 procedures of Section 329. Projects that are not subject to Section 329 shall be reviewed
22 under the procedures detailed in subsection (h) below.

23 (1) In granting such Conditional Use or exception per 329 for parking in excess of that
24 principally permitted in Table 151.1, the Planning Commission shall make the following
25 affirmative findings according to the uses to which the proposed parking is accessory:

1 **(A) Parking for all uses.**

2 (i) Vehicle movement on or around the project does not unduly impact pedestrian
3 spaces or movement, transit service, bicycle movement, or the overall traffic movement in the
4 district;

5 (ii) Accommodating excess accessory parking does not degrade the overall urban
6 design quality of the project proposal;

7 (iii) All above-grade parking is architecturally screened and, ~~where appropriate~~, lined
8 with active uses according to the standards of Section 145.1, and the project sponsor is not
9 requesting any exceptions or variances requiring such treatments elsewhere in this Code; and

10 (iv) Excess accessory parking does not diminish the quality and viability of existing or
11 planned streetscape enhancements.

12 **(B) Parking for Residential Uses.**

13 (i) For projects with 50 dwelling units or more, all residential accessory parking in
14 excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts,
15 valet, or other space-efficient means that reduces space used for parking and maneuvering,
16 and maximizes other uses.

17 **(C) Parking for Non-Residential Uses.**

18 (i) Projects that provide more than 10 spaces for non-residential uses must dedicate
19 5% of these spaces, rounded down to the nearest whole number, to short-term, transient use
20 by vehicles from certified car sharing organizations per Section 166, vanpool, rideshare, taxis,
21 or other co-operative auto programs. These spaces shall not be used for long-term storage
22 nor satisfy the requirement of Section 166, but rather to park them during trips to commercial
23 uses. These spaces may be used by shuttle or delivery vehicles used to satisfy subsection
24 (B).

1 (ii) Retail uses larger than 20,000 square feet, including but not limited to grocery,
2 hardware, furniture, consumer electronics, greenhouse or nursery, and appliance stores,
3 which sell merchandise that is bulky or difficult to carry by hand or by public transit, shall offer,
4 at minimal or no charge to its customers, door-to-door delivery service and/or shuttle service.
5 This is encouraged, but not required, for retail uses less than 20,000 square feet.

6 (iii) Parking shall be limited to short-term use only.

7 (iv) Parking shall be available to the general public at times when such parking is not
8 needed to serve the use or uses to which it is accessory.

9 Additionally, in granting approval for such accessory parking above that permitted by
10 right, the Commission may require the property owner to pay the annual membership fee to a
11 certified car-share organization, as defined in Section 166(b)(2), for any resident of the project
12 who so requests and who otherwise qualifies for such membership, provided that such
13 requirement shall be limited to one membership per dwelling unit, when the findings set forth
14 in Section 151.1(d)(2) are made.

15 (h) **Small residential projects in MUG, MUR, MUO, and SPD Districts.** Any project
16 that is not subject to the requirements of Section 329 and that requests residential accessory
17 parking in excess of what is principally permitted in Table 151.1 shall be reviewed by the
18 Zoning Administrator subject to Section 307(h). The Zoning Administrator may grant parking
19 in excess of what is principally permitted in Table 151.1, not to exceed the maximum amount
20 stated in Table 151.1, only if the Zoning Administrator determines that all of the following
21 conditions are met:

22 (A) all the conditions of subsection (g)(1)(A) above have been met.

23 (B) parking is not accessed from any protected Transit or Pedestrian Street described
24 in Section 155(r), and
25

1 (C) where more than ten spaces are proposed at least half of them, rounded down to
2 the nearest whole number, are stored and accessed by mechanical stackers or lifts, valet, or
3 other space-efficient means that reduces space used for parking and maneuvering, and
4 maximizes other uses.

5 (i) Transportation programs in South of Market Mixed Use Districts. Within the South of
6 Market Mixed Use Districts, upon approval by the Zoning Administrator pursuant to Section 307(g),
7 bars, restaurants, arts, nighttime entertainment, and pool halls with an area greater than 10,000
8 gross square feet and neighborhood-serving retail or personal service activities may be
9 required to participate in a Transportation Management Program approved by the Zoning
10 Administrator which may include, but need not be limited to, participation in a coordinated off-site
11 satellite parking facilities program, shuttle service, bicycle parking, projects and programs to improve
12 parking management, specified signage, and designated advertising procedures.

13
14 Section 4. The San Francisco Planning Code is hereby amended by amending Section
15 155, to read as follows:

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

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

1 furtherance of the stated provisions of this Code shall, however, rest with the Planning
2 Department.

3 (a) Every required off-street parking or loading space shall be located on the same lot
4 as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

5 (b) Every required off-street parking or loading space shall be located in its entirety
6 within the lot lines of private property.

7 (c) Every off-street parking or loading space shall have adequate means of ingress
8 from and egress to a street or alley. Access to off-street loading spaces shall be from alleys in
9 preference to streets, except where otherwise specified in this Code.

10 Adequate reservoir space shall be provided on private property for entrance of vehicles to off-
11 street parking and loading spaces, except with respect to spaces independently accessible
12 directly from the street.

13 (1) For residential uses, independently accessible off-street parking spaces shall
14 include spaces accessed by automated garages, or car elevators, lifts or other space-efficient
15 parking as defined in Section 154(a)(4) and Section 154(a)(5) provided that no more than one
16 car needs to be moved under its own power to access any one space.

17 (d) All off-street freight loading and service vehicle spaces in the C-3, DTR, MUO,
18 MUG, MUR, and South of Market Mixed Use Districts shall be completely enclosed and
19 access from a public street or alley shall be provided by means of a private service driveway,
20 which is totally contained within the structure. Such a private service driveway shall include
21 adequate space to maneuver trucks and service vehicles into and out of all provided spaces,
22 and shall be designed so as to facilitate access to the subject property while minimizing
23 interference with street and sidewalk circulation. Any such private service driveway shall be
24 of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic
25 lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an adjacent street

1 or alley is determined by the Zoning Administrator to be primarily used for building service, up
2 to four off-street freight or loading spaces may be allowed to be individually accessible directly
3 from such a street or alley, pursuant to the provisions of Section 309 in a C-3 District, the
4 provisions of Section 307(g) in a South of Market Mixed Use District, the provisions of Section
5 309.1 in a DTR District, the provisions of Section 329 for projects subject to Section 329 in a
6 MUO, MUG, or MUR District, or by administrative decision of the Zoning Administrator for
7 projects that do are not subject to Section 329 in a MUO, MUG, or MUR District.

8 (e) In a C-3 or South of Market District, where site constraints would make a
9 consolidated freight loading and service vehicle facility impractical, service vehicle spaces
10 required by Sections 153(a)(6) and 154(b)(3) of this Code may be located in a parking garage
11 for the structure or other location separate from freight loading spaces.

12 (f) In a C-3, Eastern Neighborhood Mixed Use District or South of Market Mixed Use
13 District, whenever off-street freight loading spaces are provided, freight elevators immediately
14 accessible from the loading dock shall be provided to all floors which contain uses that are
15 included in the calculation of required number of freight loading spaces. If freight loading
16 facilities are subterranean, the location and operation of freight elevators shall be designed,
17 where feasible, to discourage use of freight elevators for deliveries from the ground floor.
18 Directories of building tenants shall be provided at all freight elevators. A raised loading dock
19 or receiving area shall be provided with sufficient dimensions to provide for short-term storage
20 of goods. All required freight loading and service vehicle spaces shall be made available only
21 to those vehicles at all times, and provision shall be made to minimize interference between
22 freight loading and service operations, and garbage dumpster operations and storage.

23 (g) In order to discourage long-term commuter parking, any off-street parking spaces
24 provided for a structure or use other than residential or hotel in a C-3, C-M, DTR, SLR, SSO,
25 SPD, MUG, MUR, or MUO District, ~~or a Mission Bay Use District~~ subject to Article 9 of this

1 Code, whether classified as an accessory or conditional use, which are otherwise available for
2 use for long-term parking by downtown workers shall maintain a rate or fee structure for their
3 use such that the rate charge for four hours of parking duration is no more than four times the
4 rate charge for the first hour, and the rate charge for eight or more hours of parking duration is
5 no less than 10 times the rate charge for the first hour. Additionally, no discounted parking
6 rate shall be permitted for weekly, monthly or similar time-specific periods.

7 (h) The internal layout of off-street parking and loading spaces, driveways, aisles and
8 maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly
9 marked.

10 (i) For each 25 off-street parking spaces provided, one such space shall be designed
11 and designated for *handicapped* persons with disabilities.

12 (j) Except as provided by Section 155.1 and Section 155.2 below, for each 20 off-
13 street parking spaces provided, one or more spaces shall be provided for parking of a bicycle.
14 The most restrictive provisions of 155(j) or 155.4 shall prevail.

15 (k) Off-street parking and loading facilities shall be arranged, designed and operated
16 so as to prevent encroachments upon sidewalk areas, bicycle lanes, transit-only lanes and
17 adjacent properties, in the maneuvering, standing, queuing and storage of vehicles, by means
18 of the layout and operation of facilities and by use of bumper or wheel guards or such other
19 devices as are necessary.

20 (l) Driveways crossing sidewalks shall be no wider than necessary for ingress and
21 egress, and shall be arranged, to the extent practical, so as to minimize the width and
22 frequency of curb cuts, to maximize the number and size of on-street parking spaces available
23 to the public, and to minimize conflicts with pedestrian and transit movements.

24 (m) Every off-street parking or loading facility shall be suitably graded, surfaced,
25 drained and maintained.

1 (n) Off-street parking and loading spaces shall not occupy any required open space,
2 except as specified in Section 136 of this Code.

3 (o) No area credited as all or part of a required off-street parking space shall also be
4 credited as all or part of a required off-street loading space, or used as all or part of an
5 unrequired off-street loading space. No area credited as all or part of a required off-street
6 loading space shall also be credited as all or part of a required off-street parking space, or
7 used as all or part of an unrequired off-street parking space.

8 (p) Any off-street freight loading area located within 50 feet of any R District shall be
9 completely enclosed within a building if such freight loading area is used in regular night
10 operation.

11 (q) Rooftop parking shall be screened as provided in Section 141(d) of this Code.

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

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

20 (2) Not permitted:

21 (A) The entire portion of Market Street from The Embarcadero to Castro Street,

22 (B) Hayes Street from Franklin Street to Laguna Street, Church Street in the NCT-3
23 and Upper Market NCT Districts,

24 (C) Van Ness Avenue from Hayes Street to Mission Street,

25 (D) Mission Street from 10th Street to Division Street,

- 1 (E) Octavia Street from Hayes Street to Fell Street,
2 (F) Embarcadero in the DTR Districts,
3 (G) 22nd Street between 3rd Street and Minnesota Streets within the NCT-2 District,
4 (H) Valencia Street between 15th and 23rd Streets in the Valencia Street NCT District,
5 (I) Mission Street for the entirety of the Mission Street NCT District,
6 (J) 24th Street for the entirety of the 24th Street-Mission NCT,
7 (K) 16th Street between Guerrero and Capp Streets within the Valencia Street NCT
8 and Mission Street NCT Districts,
9 (L) 16th Street between Kansas and Mississippi Streets in the UMU and PDR-1-D
10 Districts,
11 (M) 6th Street for its entirety within the SoMa NCT District,
12 (N) 3rd Street, in the UMU districts for 100 feet north and south of Mariposa and 100
13 feet north and south of 20th Streets, and 4th Street between Bryant and Townsend in the SLI
14 and MUO District,
15 (O) Ocean Avenue within the Ocean Avenue NCT District,
16 (P) Geneva Avenue from I-280 to San Jose Avenue within the NCT-2 District,
17 (Q) Columbus Avenue between Washington and North Point Streets,
18 (R) Broadway from the Embarcadero on the east to Mason Street on the west, and
19 (S) All alleyways in the Chinatown Mixed Use Districts.
20 (3) Not permitted except with a Conditional Use authorization:
21 (A) The entire portion of California Street,
22 (B) The Embarcadero, Folsom Street, Geary Street, Mission Street, Powell Street and
23 Stockton Street in the C-3 Districts,
24 (C) Grant Avenue from Market Street to Bush Street,
25 (D) Montgomery Street from Market Street to Columbus Avenue,

- 1 (E) Haight Street from Market Street to Webster Street,
2 (F) Church Street and 16th Street in the RTO District,
3 (G) Duboce Street from Noe Street to Market Street, and
4 (H) Octavia Street from Fell Street to Market Street.

5 (4) In C-3, NCT and RTO Districts, no curb cuts accessing off-street parking or loading
6 shall be created or utilized on street frontages identified along any Transit Preferential,
7 Citywide Pedestrian Network or Neighborhood Commercial Streets as designated in the
8 Transportation Element of the General Plan or official City bicycle routes or bicycle lanes,
9 where an alternative frontage is available. For bicycle lanes, the prohibition on curb cuts
10 applies to the side or sides of the street where bicycle lanes are located; for one-way bicycle
11 routes or lanes, the prohibition on curb cuts shall apply to the right side of the street only,
12 unless the officially adopted alignment is along the left side of the street. Where an alternative
13 frontage is not available, parking or loading access along any Transit Preferential, Citywide
14 Pedestrian Network or Neighborhood Commercial Streets as designated in the Transportation
15 Element of the General Plan or official City bicycle lane or bicycle route, may be allowed on
16 streets not listed in subsection (2) above as an exception in the manner provided in Section
17 309 for C-3 Districts and in Section 303 for NCT and RTO Districts in cases where it can be
18 clearly demonstrated that the final design of the parking access minimizes negative impacts to
19 transit movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.

20 (5) A "development lot" shall mean any lot containing a proposal for new construction,
21 building alterations which would increase the gross square footage of a structure by 20
22 percent or more, or change of use of more than 50 percent of the gross floor area of a
23 structure containing parking. Pre-existing access to off-street parking and loading on
24 development lots that violates the restrictions of this Section 155(r) may not be maintained.
25

1 (s) **Off-Street Parking and Loading in C-3 Districts.** In C-3 Districts, restrictions on
2 the design and location of off-street parking and loading and access to off-street parking and
3 loading are necessary to reduce their negative impacts on neighborhood quality and the
4 pedestrian environment.

5 (1) Ground floor or below-grade parking and street frontages with active uses.

6 (A) All off-street parking in C-3 Districts (both as accessory and principal uses) shall be
7 built no higher than the ground-level (up to a maximum ceiling height of 20 feet from grade)
8 unless an exception to this requirement is granted in accordance with Section 309 and
9 subsection 155(s)(2) or a conditional use is authorized in accordance with Section 303 and
10 subsections 155(s)(2) or 155(s)(3) below.

11 (B) Parking located at or above ground level shall conform to the street frontage
12 requirements of Section 145.1(c), and shall be lined with active uses, as defined by Section
13 145.4(e), to a depth of at least 25 feet along all ground-level street frontages, except for space
14 allowed for parking and loading access, building egress, and access to mechanical systems.

15 (i) Where a non-accessory off-street parking garage permitted under Section 223(m)-
16 (p) is located in the Mid-Market area described below in subsection 155(s)(3)(B) and fronts
17 more than one street of less than 45 feet in width, a conditional use may be granted in
18 accordance with Section 303 that allows an exception to this requirement for one of the street
19 frontages. The above provision authorizing such conditional use shall sunset eight years from
20 the effective date of the ordinance enacting this subsection 155(s)(1)(A)(i).

21 (C) Parking allowed above the ground-level in accordance with an exception under
22 Section 309 or a conditional use in accordance with Section 303 as authorized by subsections
23 155(s)(2) or 155(s)(3) shall be entirely screened from public rights-of-way in a manner that
24 accentuates ground floor retail and other uses, minimizes louvers and other mechanical
25 features and is in keeping with the overall massing and architectural vocabulary of the

1 building's lower floors. So as not to preclude conversion of parking space to other uses in the
2 future, parking allowed above the ground-level shall not be sloped and shall have a minimum
3 clear ceiling height of nine feet.

4 (2) Residential accessory parking. For residential accessory off-street parking in C-3
5 Districts, two additional floors of above-grade parking beyond the at-grade parking allowed by
6 Section 155(s)(1), to a maximum ceiling height of 35 feet from grade, may be permitted
7 subject to the provisions of subsections 155(s)(2)(A) or 155(s)(2)(B) below:

8 (A) In a manner provided in Section 309 of this Code provided it can be clearly
9 demonstrated that transportation easements or contaminated soil conditions make it
10 practically infeasible to build parking below-ground. The determination of practical infeasibility
11 shall be made based on an independent, third-party geotechnical assessment conducted by a
12 licensed professional and funded by the project sponsor. The Planning Director shall make a
13 determination as to the objectivity of the study prior to the Planning Commission's
14 consideration of the exception application under Section 309.

15 (B) As a conditional use in accordance with the criteria set forth in Section 303 of this
16 Code, provided it can be clearly demonstrated that constructing the parking above-grade
17 instead of underground would allow the proposed housing to meet affordability levels for
18 which actual production has not met ABAG production targets as identified in the Housing
19 Element of the General Plan.

20 (3) Non-accessory off-street parking garages. For non-accessory off-street parking
21 garages in C-3 Districts permitted under Section 223(m)-(p), two additional floors of above-
22 grade parking beyond the at-grade parking allowed by Section 155(s)(1), to a maximum
23 ceiling height of 35 feet from grade, may be permitted subject to the provisions of subsections
24 155(s)(3)(A) or 155(s)(3)(B) below:
25

1 (A) As a conditional use in accordance with the criteria set forth in Section 303,
2 provided it can be clearly demonstrated that transportation easements or contaminated soil
3 conditions make it practically infeasible to build parking below-ground. The determination of
4 practical infeasibility shall be made based on an independent, third-party geotechnical
5 assessment conducted by a licensed professional and funded by the project sponsor. The
6 Planning Director shall make a determination as to the objectivity of the study prior to the
7 Planning Commission's consideration of the conditional use permit application.

8 (B) As a conditional use in accordance with the criteria set forth in Section 303,
9 provided the site contains an existing non-accessory off-street surface parking lot with valid
10 permits for such parking as of the effective date of the ordinance enacting this subsection and
11 the site is located in the following Mid-Market area: Assessor's Block 0341, Lots 4 through 9
12 and 13; Block 0342, Lots 1, 2, 4, 7, 11, 12 and 13; Block 0350, Lots 1 through 4; Block 0355,
13 Lots 3 through 12 and 15; Block 3507, Lot 39; Block 3508, Lots 1, 13, 18, 19, 22, 24 through
14 27, 39 and 40; Block 3509, Lots 18, 19, 36, 37 and 40 through 43; Block 3510, Lot 1; Block
15 3701, Lots 5, 8, 10, 11, 12, 20 through 24, 53, 59, 60, 63 and 64; Block 3702, Lots 1, 2, 37,
16 38, 39, 44, 44A, 45, 46, 47, 48, 48A, 51, 52, 53, 54, 56; Block 3703, Lots 1, 2, 3, 7, 10, 11, 12,
17 25, 26, 33, 40, 41, 50, 53, 56 through 68, 70, 74, 75, 76, 78 through 81, 84, 85 and 86; Block
18 3704, Lots 1, 3, 6, 9 through 13, 15, 17 through 22, 24, 35, 38, 39, 42, 43, 45, 62 and 67
19 through 79, Block 3725, Lot 78, 82, 86 through 91 and 93; Block 3727, Lot 1, 91, 94, 96, 97,
20 109, 117, 118, 120, 134, 168 and 173; Block 3728, Lot 1, 72, 75, 76, 81, 82, 83, 89, 103 and
21 105; and Block 0351, Lots 1, 22, 32, 33, 37, 39, 41, 43, 46, 47, 49, 50 and 51 This subsection
22 155(s)(3)(B) shall sunset on July 22, 2014.

23 (4) Parking lots permitted in C-3 Districts as temporary uses according to Section
24 156(h) and expansions of existing above-grade publicly accessible parking facilities are not
25 subject to the requirements of subsections 155(s)(1)-(3).

1 (5) Parking and Loading Access.

2 (A) Width of openings. Any single development is limited to a total of two facade
3 openings of no more than 11 feet wide each or one opening of no more than 22 feet wide for
4 access to off-street parking and one facade opening of no more than 15 feet wide for access
5 to off-street loading. Shared openings for parking and loading are encouraged. The
6 maximum permitted width of a shared parking and loading garage opening is 27 feet.

7 (B) Porte cocheres to accommodate passenger loading and unloading are not
8 permitted except as part of a hotel, inn or hostel use. For the purpose of this Section, a "porte
9 cochere" is defined as an off-street driveway, either covered or uncovered, for the purpose of
10 passenger loading or unloading, situated between the ground floor facade of the building and
11 the sidewalk.

12
13 Section 5. The San Francisco Planning Code is hereby amended by amending Section
14 161, to read as follows:

15 **SEC. 161. EXEMPTIONS FROM OFF-STREET PARKING, FREIGHT LOADING AND**
16 **SERVICE VEHICLE REQUIREMENTS.**

17 The following exemptions shall apply to the requirements for off-street parking and
18 loading spaces set forth in Sections 151 through 155 of this Code. These provisions, as
19 exemptions, shall be narrowly construed.

20 (a) **Topography.** No off-street parking shall be required for a one-family or two-family
21 dwelling where the lot on which such dwelling is located is entirely inaccessible by automobile
22 because of topographic conditions.

23 (b) **Loading across very wide sidewalks.** No off-street loading shall be required
24 where access to the lot cannot be provided other than by means of a driveway across a
25

1 sidewalk 25 feet or more in width from the curb to the front lot line which would cause serious
2 disruption to pedestrian traffic.

3 (c) **Uses other than dwellings in CVR and CRNC Districts.** In recognition of the
4 compact and congested nature of portions of Chinatown, the accessibility of this area by
5 public transit, and programs for provision of public parking facilities on an organized basis at
6 specific locations, no off-street parking shall be required for any use other than dwellings units
7 where a requirement is specified, in Chinatown Visitor Retail, or Chinatown Residential
8 Neighborhood Commercial Districts.

9 (d) **Uses other than dwellings in the CCB and Washington-Broadway Districts.**
10 In recognition of the small scale of development, the desirability of retention and conversion of
11 many existing buildings of established character, the need to relieve congestion, and the
12 provision of public parking facilities on an organized basis at specific locations, no off-street
13 parking shall be required for any use other than dwellings in the Washington Broadway
14 Special Use District Numbers 1 and 2 as described in Section 239 of this Code and in the
15 Chinatown Community Business District, where the size of the lot does not exceed 20,000
16 square feet.

17 (e) **RC-4 Districts.** In recognition of the close neighborhood orientation of the uses
18 provided for in Residential-Commercial Combined Districts of high density, no off-street
19 parking shall be required for any principal use in an RC-4 District for which the form of
20 measurement is occupied floor area, where the occupied floor area of such use does not
21 exceed 10,000 square feet.

22 (f) **Waterfront SUDs.** In recognition of the policies set forth in the Northeastern
23 Waterfront Plan, a part of the General Plan, the unique nature of the area and the difficulty of
24 providing vehicular access thereto, the Zoning Administrator or Planning Commission in
25 specific cases may determine an appropriate reduction in off-street parking requirements in

1 Waterfront Special Use District Numbers 1 and 3 as described in Sections 240.1 and 240.3 of
2 this Code, in authorizing any principal or conditional use, respectively, under those sections.
3 In considering any such reduction, the Zoning Administrator for principal uses, and the
4 Planning Commission for conditional uses, shall consider the criteria set forth in Section 307(i)
5 of this Code.

6 (g) **Public parking in lieu of required parking in NC Districts.** In instances in which
7 all public agencies involved have certified by resolution that the requirements of this Code (i)
8 will be satisfied in whole or in part by public off-street parking facilities constructed or
9 authorized to be constructed for a special assessment district or upon any other basis or (ii) in
10 NC Districts will be satisfied by a requirement of a cash contribution in an amount deemed
11 sufficient to provide for the future construction of the required number of parking stalls, or by
12 projects and programs which improve the management of on-street parking in the vicinity or which
13 reduce demand for parking, off-street parking required for individual buildings and uses may be
14 correspondingly reduced if the total off-street parking supply in the area will nevertheless meet
15 the requirements of this Code for all buildings and uses in the area.

16 (h) **North of Market Residential SUD.** There shall be no minimum off-street parking
17 requirements in the North of Market Residential Special Use District described in Section
18 249.5 of this Code.

19 (i) **Freight loading and service vehicle spaces in C-3 Districts.** In recognition of
20 the fact that site constraints in C-3 Districts may make provision of required freight loading
21 and service vehicle spaces impractical or undesirable, a reduction in or waiver of the provision
22 of freight loading and service vehicle spaces for uses in C-3 Districts may be permitted, in
23 accordance with the provisions of Section 309 of this Code. In considering any such
24 reduction or waiver, the following criteria shall be considered:
25

1 (1) Provision of freight loading and service vehicle spaces cannot be accomplished
2 underground because site constraints will not permit ramps, elevators, turntables and
3 maneuvering areas with reasonable safety;

4 (2) Provision of the required number of freight loading and service vehicle spaces on-
5 site would result in the use of an unreasonable percentage of ground-floor area, and thereby
6 preclude more desirable use of the ground floor for retail, pedestrian circulation or open space
7 uses;

8 (3) A jointly used underground facility with access to a number of separate buildings
9 and meeting the collective needs for freight loading and service vehicles for all uses in the
10 buildings involved, cannot be provided; and

11 (4) Spaces for delivery functions can be provided at the adjacent curb without adverse
12 effect on pedestrian circulation, transit operations or general traffic circulation, and off-street
13 space permanently reserved for service vehicles is provided either on-site or in the immediate
14 vicinity of the building.

15 (j) **NC and RC Districts.** The Zoning Administrator may reduce the off-street parking
16 requirements in NC Districts, as described in Article 7 of this Code, and in RC Districts
17 pursuant to the procedures and criteria of Sections 307(g) and (i) of this Code.

18 ~~(k) Arts Activities in South of Market Mixed-Use Districts. For arts activities in the RED, RSD,~~
19 ~~SLR, SLI or SSO Districts which will operate primarily during evenings and weekends, the Zoning~~
20 ~~Administrator may reduce or waive the off-street parking requirement when he or she determines~~
21 ~~pursuant to Section 307(g) that within an 800 foot walking distance from the site the anticipated~~
22 ~~demand from the proposed project, in combination with the existing nighttime and/or weekend demand~~
23 ~~for parking within the same geographic area at the time of the permit application, would not exceed 90~~
24 ~~percent of the on-street or off-street parking spaces available to the public within the subject area. The~~
25 ~~applicant shall provide to the Zoning Administrator an acceptable parking survey and study which~~

1 shows evidence of existing parking resources and demand and anticipated demand generated by the
2 proposed project and nearby land uses. The Zoning Administrator may impose conditions on reduction
3 or waiver of the requirement, including, but not limited to, advertising of nearby transit and parking
4 facilities, requiring valet parking services and/or leasing parking spaces on nearby lots during
5 performance or exhibition activities.

6 ~~(1) Non-residential uses in South of Market Mixed Use Districts.~~ Beginning on the effective
7 date of Ordinance No. 412-88 (effective October 10, 1988), within any South of Market Mixed Use
8 District, the Zoning Administrator, upon application pursuant to Section 307(g), may waive or reduce
9 the required off-street parking for any nonresidential use where he or she determines that: (1) sufficient
10 spaces to replace the waived or modified requirement will be provided within a parking facility open to
11 the public sponsored by the San Francisco Parking Authority or the City and County of San Francisco;
12 (2) it is anticipated that the replacement spaces will be available not more than 10 years after the
13 parking would otherwise first be required to be available; (3) the facility in question is within a walking
14 distance, as defined in Section 159(d), of one-half mile; and (4) the applicant agrees to pay a one-time
15 fee of \$15,000.00 (this amount shall be adjusted annually effective April 1st of each calendar year by
16 the percentage of change in the Building Cost Index used by the San Francisco Department of Building
17 Inspection) for each space as to which the requirement is waived or modified, which fee shall be
18 deposited to the Off-Street Parking Fund for the purpose of acquiring property or rights to property,
19 through lease, purchase, or other means, and design, improvement and maintenance of property, for
20 the general purpose of providing publicly accessible parking within the South of Market Mixed Use
21 District, as defined in Planning Code Section 820 and identified on Sectional Map 3SU of the Zoning
22 Map of the City and County of San Francisco, which parking is reasonably expected to be used by
23 persons who live, work, shop, do business or visit in the South of Market Mixed Use District. Said fee,
24 and any interest accrued by such fee, shall be used for the purposes stated herein unless it is
25

1 *demonstrated that it is no longer needed. This payment shall be paid in full to the City prior to the*
2 *issuance of any temporary or other certificate of occupancy for the subject property.*

3 (k)(m) **Historic Buildings.** There shall be no minimum off-street parking or loading
4 requirements for any principal or conditional use located in (A) a landmark building designated
5 per Article 10 of this Code, (B) a contributing building located within a designated historic
6 district per Article 10, (C) any building designated Category I-IV per Article 11 of this Code, or
7 (D) buildings listed on the National Register and/or California Register.

8 (l) (n) **Dwellings in Chinatown Mixed-Use Districts.** With respect to dwelling units in
9 the Chinatown Mixed Use Districts, the parking requirement may be reduced to not less than
10 one space for each four dwelling units, if the Zoning Administrator determines pursuant to
11 Section 307(g) that the reduced parking requirement is sufficient to serve the reasonably
12 anticipated auto ownership by residents of and auto usage by visitors to the project.

13 ~~(o) **Parking Management Programs in South of Market Mixed-Use Districts.** Within the South~~
14 ~~of Market Mixed Use District, upon approval by the Zoning Administrator pursuant to Section 307(g),~~
15 ~~the required off-street parking for bars, restaurants, arts, nighttime entertainment, pool halls, and~~
16 ~~neighborhood-serving retail or personal service activities may be modified, reduced or waived through~~
17 ~~participation in a Parking Management Program approved by the Zoning Administrator which may~~
18 ~~include, but need not be limited to, participation in a coordinated off-site satellite parking facilities~~
19 ~~program, shuttle service, specified signage and designated advertising procedures.~~

20 (m) **Landmark and Significant Trees.** The required off-street parking and loading may be
21 reduced or waived if the Zoning Administrator determines that provision of required off-street parking
22 or loading would result in the loss of or damage to a designated Landmark Tree or Significant Tree, as
23 defined in the Public Works Code. The Zoning Administrator's decision shall be governed by
24 Section 307(i) and shall require either (i) the recommendation of the Department of Public
25

1 Works Bureau of Urban Forestry, or its successor agency, or (ii) the recommendation of a
2 certified arborist as documented in the subject tree's required tree protection plan.

3 (n) **Geologic hazards.** No off-street parking or loading shall be required where the Planning
4 Department finds that required parking or loading cannot practically be provided without
5 compromising the earthquake safety or geologic stability of a building and/or neighboring structures
6 and properties.

7 (o) **Protected street frontages and transit stops.** The Planning Commission may reduce or
8 waive required parking or loading for a project if it finds that:

9 (1) The only feasible street frontage for a driveway or entrance to off-street parking or loading
10 is located on a protected pedestrian-, cycling-, and transit-oriented street frontage, as defined in
11 Section 155(r), or;

12 (2) The only feasible street frontage for a driveway or entrance to off-street parking or loading
13 is located at a transit stop; and

14 (3) The reduced or waived parking and loading can meet the reasonably anticipated mobility
15 needs of residents of, workers in, and visitors to the project.

16 **(p) Garage additions in the North Beach NCD Neighborhood Commercial District,**
17 **North Beach-Telegraph Hill Special Use District, and Chinatown Mixed-Use Districts.**

18 Notwithstanding any other provision of this Code to the contrary, a mandatory discretionary
19 hearing by the Planning Commission is required in order to install a garage in an existing
20 residential structure of four units or more in the North Beach NCD, the North Beach-Telegraph
21 Hill Special Use District, and the Chinatown Mixed Use Districts; Section 311 notice is
22 required for a building of less than four units.

23 In approving installation of the garage, the Commission shall find that: (1) the proposed
24 garage opening/addition of off-street parking will not cause the "removal" or "conversion of
25 residential unit," as those terms are defined in Section 317 of this Code; (2) the proposed

1 garage opening/addition of off-street parking will not substantially decrease the livability of a
2 dwelling unit without increasing the floor area in a commensurate amount; (3) the building has
3 not had two or more evictions with each eviction associated with a separate unit(s) within the
4 past ten years, and (4) the proposed garage/addition of off-street parking installation is
5 consistent with the Priority Policies of Section 101.1 of this Code. Prior to the Planning
6 Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code,
7 the Planning Department shall require a signed affidavit by the project sponsor attesting to (1),
8 (2), and (3) above, which the Department shall independently verify. The Department shall
9 also have made a determination that the project complies with (4) above.

10 ~~(q) **Protected Trees: Street Trees, Significant Trees and Landmark Trees.** The required off-~~
11 ~~street parking and loading may be reduced or waived by the Zoning Administrator Pursuant to Section~~
12 ~~307(i) of this Code upon either (i) the recommendation of the Department of Public Works Bureau of~~
13 ~~Urban Forestry, or its successor agency, or (ii) the recommendation of a certified arborist as~~
14 ~~documented in the subject tree's required tree protection plan.~~

15 Section 6. The San Francisco Planning Code is hereby amended by amending Section
16 249.1, to read as follows:

17 **SEC. 249.1. FOLSOM AND MAIN RESIDENTIAL/COMMERCIAL SPECIAL USE**
18 **DISTRICT.**

19 (a) **Purpose.** In order to convert an under-utilized and outmoded industrial area to a
20 unique residential neighborhood close to downtown which will contribute significantly to the
21 City's housing supply, create tapered residential buildings, provide an appropriate mixture of
22 retail sales and personal services to support new residential development, provide a buffer of
23 office and parking use between the bridge and freeway ramps and the housing sites, and
24 allow the existing industrial, service and office uses to remain, there shall be the Folsom and
25 Main Residential/Commercial Special Use District as designated on Sectional Map 1SU of the

1 Zoning Map.

2 (b) **Controls.** The following zoning controls are applicable in the
3 Residential/Commercial Special Use District.

4 (1) **Reduction of Ground-Level Wind Currents.**

5 (A) **Requirement.** New buildings and additions to existing buildings shall be shaped,
6 or other wind-baffling measures shall be adopted, so that the developments will not cause
7 ground-level wind currents to exceed, more than 10 percent of the time year-round, between
8 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of
9 substantial pedestrian use and seven m.p.h. equivalent wind speed in public seating areas.
10 The term "equivalent wind speed" shall mean an hourly mean wind speed adjusted to
11 incorporate the effects of gustiness or turbulence on pedestrians.

12 When preexisting ambient wind speeds exceed the comfort level, or when a proposed
13 building or addition may cause ambient wind speeds to exceed the comfort level, the building
14 shall be designed to reduce the ambient wind speeds to meet the requirements. The
15 provisions of this Section 249.1(b)(3) shall not apply to any buildings or additions to existing
16 buildings for which a draft EIR has been published prior to January 1, 1985.

17 (B) **Exception.** The Zoning Administrator may allow the building or addition to add to the
18 amount of time the comfort level is exceeded by the least practical amount if (1) it can be
19 shown that a building or addition cannot be shaped and other wind-baffling measures cannot
20 be adopted to meet the foregoing requirements without creating an unattractive and ungainly
21 building form and without unduly restricting the development potential of the building site in
22 question, and (2) it is concluded that, because of the limited amount by which the comfort
23 level is exceeded, the limited location in which the comfort level is exceeded, or the limited
24 time during which the comfort level is exceeded, the addition is insubstantial.

25 The Zoning Administrator shall not grant an exception and no building or addition shall

1 be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26
2 miles per hour for a single hour of the year.

3 (C) **Procedures.** Procedures and methodologies for implementing this Section shall
4 be specified by the Office of Environmental Review of the Planning Department ~~of City~~
5 Planning.

6 (2) **Uses.**

7 (A) Permitted uses are (i) those listed in Sections 209.1 and 209.2 of this Code and (ii)
8 those permitted in an RC-4 District, plus the uses listed in subsection (e)(1)(B) below;
9 provided that, for newly constructed buildings or additions of twenty percent (20%) or more of
10 an existing building's gross floor area, at least six net square feet of residential use is provided
11 for each one net square foot of non-residential use on any lot. Additions of less than twenty
12 percent (20%) of a building's gross floor area are exempt from the six to one residential
13 requirements. Once granted, this exemption from the residential development requirement for
14 building additions may not be repeated for any single property. Any addition of more than
15 twenty percent (20%) of gross square feet of building area shall be required to provide the
16 housing on a 6 to 1 basis for all of the additional building area. All areas used for parking for
17 either residential or non-residential uses shall be excluded in the calculation of the
18 residential/non-residential ratio. For the purposes of application of this 6 to 1 ratio, hotels,
19 inns or hostels as defined under Section 209.2(d) and (e) shall be considered a non-
20 residential rather than a residential use.

21 (B) The use provisions applicable to an RC-4 District shall be applicable to the
22 "Residential/Commercial" Subdistrict with the following modifications or additions:

23 (i) all uses listed under Section 209.3 ("Institutions") shall be permitted as of right as
24 principal uses;

25 (ii) all uses listed under Section 209.4 ("Community Facilities") shall be permitted as of

1 right as principal uses;

2 (iii) utility uses listed in Section 209.6 shall be permitted as conditional uses, with such
3 utility uses to include telecommunications and internet communication co-location, web-
4 hosting and other similar facilities, provided such uses are primarily conducted within
5 enclosed buildings;

6 (iv) in lieu of Section 209.7, automotive uses shall be those permitted in Section
7 223(a), Section 223(m) (except that such use shall be permitted as a principal use for only five
8 (5) years after the construction of the building, after which a conditional use authorization shall
9 be required), and Section 223(p) (except that such parking lot shall be a conditional use
10 limited to two years per each conditional use authorization);

11 (v) Section 209.8 shall not be applicable;

12 (vi) all uses listed in Section 218 shall be permitted as of right as principal uses;

13 (vii) all uses listed in Section 219(c) shall be permitted as of right above the ground
14 floor or below the ground floor, and all office uses listed in Section 219(c) shall be permitted
15 on the ground floor as conditional uses;

16 (viii) all uses listed in Section 222 shall be permitted as of right above or below the
17 ground level, and shall be conditional uses at the ground level

18 (ix) all uses listed in Section 221(a)—(f) shall be permitted as of right as principal uses;

19 (x) all uses listed in Section 224(a) shall be permitted as conditional uses;

20 (xi) all uses listed in Section 225(b) shall be permitted as of right as principal uses;

21 (xii) all uses listed in Section 226(a) shall be permitted as of right as principal uses;

22 (xiii) commercial wireless facilities as per Section 227(h) or (i) shall be permitted as
23 conditional uses;

24 (xiv) all uses listed in Section 227(r) shall be permitted as of right as principal uses.

25 (C) A nonconforming use may be changed to any equally or more conforming use without

1 providing the 6 to 1 ratio of required residential space.

2 (D) No use, even though listed as a permitted use or otherwise allowed, shall be
3 permitted in the Residential/Commercial Subdistrict which, by reason of its nature or manner
4 of operation, creates conditions that are hazardous, noxious, or offensive through the
5 emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried
6 waste, or excessive noise.

7 (3) **Density.**

8 (A) **Residential Density.** There shall be no density limit for residential uses in the
9 Residential/Commercial Subdistrict. The provisions of Sections 207.1 and 208 related to
10 residential density shall not apply.

11 (B) **Non-residential Density.** There shall be a density limit for non-residential uses,
12 which shall be measured as a Floor Area Ratio (FAR), as defined by Section 102.9, 102.10,
13 102.11 and 124 of this Code. The maximum nonresidential FAR for newly constructed
14 buildings or additions of twenty percent (20%) or more of an existing building shall be 0.75.
15 Otherwise the FAR for the Residential/Commercial Subdistrict shall be 5 to 1. The provisions
16 of Section 123, 124, 125 and 127 relating to Floor Area Ratio shall apply.

17 (C) Area used for parking for commercial uses or residential uses including parking
18 permitted as of right or by conditional use shall not be considered as commercial FAR.

19 (4) **Open Space.**

20 (A) Open space shall be provided at the ratio of thirty-six net square feet of open
21 space for each dwelling unit if all private, with a ratio of 1.33 of common usable open space
22 that may be substituted for private; open space shall be provided at the ratio of one square
23 foot of open space per 50 square feet of gross floor area for all other uses.

24 (B) The open space requirement for residential use may be met by providing one or
25 more of the following types of open space: private usable open space as set forth below;

1 common open space, including an unenclosed park or plaza at grade or above, or an
2 enclosed or partly enclosed pool or a health club, accessible to residents and guests of
3 residents and not to the general public, and "publicly accessible open space" as set forth in
4 (C)(i) below. Where any publicly accessible open space is used to satisfy the open space
5 requirements for both residential and non-residential use, the open space area must be of an
6 area at least equal to the sum of the separate open space requirements to be satisfied by that
7 open space. Up to forty percent (40%) of the open space requirement for residential uses
8 may be met by providing private open spaces, provided that any such private open space
9 counted toward a portion of the open space requirement has a minimum area of 36 square
10 feet, with a minimum dimension of four feet in any direction.

11 (C) The open space requirement for non-residential uses shall be met by providing
12 "publicly accessible open space," which is defined as open space situated in such locations
13 and which provides such ingress and egress as will make the area accessible to the general
14 public and which is open to the public daily for at least twelve daylight hours.

15 (i) **Publicly accessible open space.** One or more of the following types of open
16 space shall satisfy the definition of publicly accessible open space:

17 (AA) An unenclosed park or garden at grade or above;

18 (BB) An unenclosed plaza with seating areas and landscaping and no more than ten
19 percent (10%) of the floor area devoted to food or beverage service;

20 (CC) An enclosed pedestrian pathway, which extends through the building, which is
21 accessed from a public street at grade, which is landscaped and has access to natural light
22 and ventilation, and in which retail space may face the pedestrian path inside the building
23 provided that no more than twenty percent (20%) of the floor area of the required open space
24 may be devoted to seating areas within the pedestrian path;

25 (DD) A sun terrace or solarium with landscaping;

- 1 (EE) Sidewalk widening following a regular pattern of setbacks;
- 2 (FF) A recreation facility on the roof of a parking garage;
- 3 (GG) An unenclosed pedestrian street that traverses a large block in an east-west
- 4 direction;
- 5 (HH) A publicly-accessible area with a scenic overlook;
- 6 (II) A publicly-accessible area within 900 feet of the site;
- 7 (JJ) Streetscapes on surrounding streets, as approved by the Planning Department; or
- 8 (KK) Other similar open space features as more particularly defined in the Recreation
- 9 and Open Space Section of the Rincon Hill Plan, a part of the General Plan. If a sidewalk
- 10 widening is used to meet the open space requirement, the Planning Commission shall require
- 11 approval of the open space proposal by the Department of Public Works prior to Planning
- 12 Commission approval of the project.
- 13 (ii) The required publicly accessible open space shall, as determined by the Zoning
- 14 Administrator:
- 15 (AA) Be in such locations and provide such ingress and egress as will make the area
- 16 convenient, safe, secure and easily accessible to the general public;
- 17 (BB) Be appropriately landscaped;
- 18 (CC) Be accessible to public water and toilet facilities;
- 19 (DD) Be protected from uncomfortable winds;
- 20 (EE) Incorporate ample seating and, if appropriate, access to limited amounts of food
- 21 and beverage service, which will enhance public use of the area;
- 22 (FF) Be well signed and accessible to the public during daylight hours;
- 23 (GG) Have adequate access to sunlight if sunlight access is appropriate to the type of
- 24 area;
- 25 (HH) Be well lighted if the area is of the type requiring artificial illumination;

1 (II) Be designed to enhance user safety and security;
2 (JJ) Be of sufficient size to be attractive and practical for its intended use; and
3 (KK) The owner of the property on which the open space is located shall maintain it by
4 keeping the area clean and free of litter and keeping in a healthy state any plant material that
5 is provided. The Zoning Administrator shall have authority to require a property owner to hold
6 harmless the City and County of San Francisco, its officers, agents and employees, from any
7 damage or injury caused by the design, construction or maintenance of open space, and to
8 require the owner or owners or subsequent owner or owners of the property to be solely liable
9 for any damage or loss occasioned by an act or neglect in respect to the design, construction
10 or maintenance of the open space.

11 (D) The provisions of Section 135 concerning usable open space shall not apply.

12 (5) **Parking Requirements.** Parking requirements in the Special Use District shall be those
13 of a Downtown Residential (DTR) District, as defined in Section 151.1 of this code.

14 ~~(A) There shall be no more than one parking space for each dwelling unit. Parking in excess of~~
15 ~~one parking space for each dwelling unit shall not be classified as an accessory use, notwithstanding~~
16 ~~the provisions of Section 204.5(c) of this Code.~~

17 ~~(B) Parking for retail uses shall be provided at a ratio of one space for each 500 occupied~~
18 ~~square feet of retail space for the first 60,000 occupied square feet of retail space on any project site;~~
19 ~~any parking for retail square footage in excess of 60,000 square feet per project shall not exceed a~~
20 ~~ratio of one space per each 1,500 occupied square feet of retail space.~~

21 ~~(C) Parking for all office uses and any other non-retail commercial use shall be provided at a~~
22 ~~ratio of one space for each 1,500 occupied square feet of space.~~

23 ~~(D) At street level, parking shall not front on Folsom Street, and within 25 feet horizontal~~
24 ~~distance from other street rights of way cannot occupy more than twenty percent (20%) at street level~~
25 ~~of the cumulative street frontage in the Residential/Commercial Subdistrict.~~

1 ~~(E) In addition to the amounts of parking set forth above, additional parking shall be allowed~~
2 ~~as of right for any project that submitted an application for environmental review prior to December~~
3 ~~31, 2001, where such parking is necessary to replace parking for any agency or department of the~~
4 ~~United States Federal Government that is located on, or immediately adjacent to, a development site.~~

5 **(6) Street-facing Use Requirements.**

6 (A) Ground floor retail space (including personal service and restaurants) and space
7 devoted to building and pedestrian circulation is required along the street frontage for a
8 minimum of fifty percent (50%) of the street frontage; exceptions to this standard may be
9 granted administratively by the Zoning Administrator if (s)he deems the exception to provide a
10 more attractive, usable and visually interesting pedestrian streetscape.

11 (B) Uses along a street frontage at grade level shall be visually interesting and
12 attractive to pedestrians. Curb cuts shall be minimized. No parking ingress or egress shall be
13 permitted that would disrupt or delay transit service.

14 **(7) Site Coverage.** There shall be no limit on site coverage. One hundred percent
15 (100%) site coverage shall be permitted.

16 **(8) Dwelling Unit Exposure.** In light of the high-density nature of the
17 Residential/Commercial Subdistrict, the dwelling unit exposure requirements of Section 140
18 shall not apply.

19 **(9) Height and Tower Separation Standards.**

20 (A) There shall be an 85-foot maximum height for the podium/base of a building.

21 (B) There shall be an overall height limit of 400 feet in the Residential/Commercial
22 Subdistrict.

23 (C) There shall be a 50 foot minimum tower height differential between towers on the
24 same development site.

25 (D) In the Residential/Commercial Subdistrict, there shall be a minimum 82½ foot

1 separation between towers.

2 (E) All space above the 200-foot height level shall be devoted to residential use.

3 (10) **Bulk Standards.** The Residential/Commercial Subdistrict shall be subject to "W"
4 Bulk District controls, as follows:

5 (A) Base (0—85 feet): Unlimited. The site coverage limitations of Section 249.1(b)(1)
6 shall not apply.

7 (B)

8 (i) ~~(1)~~ Buildings over 85 in height, but less than 300 feet in height, shall be limited to a
9 maximum plan length of 100 feet and a maximum diagonal length of 125 feet.

10 (ii) ~~(2)~~ Buildings over 300 feet in height shall not exceed a maximum plan length of 115
11 feet and a maximum diagonal length of 145 feet.

12 (iii) ~~(3)~~ Minor increases in Plan length for the purposes of improved design may be
13 approved pursuant to Section 271.

14 (C) A 10% volume reduction is required for the upper tower of any building that is 300
15 feet in height or taller. The upper tower is defined as the top one-third portion of a free
16 standing tower; for a tower that sits atop a podium or base, the upper tower is defined as the
17 top one-third of the height of the tower as measured from the top of the podium or base.

18 (D) Folsom Street Setback: Above the 85 foot base, at least 50% of the entire Folsom
19 Street frontage shall be set back a minimum of 12½ feet. No setback will be required for any
20 portion of the frontage occupied by a tower with a height in excess of 85 feet, unless that
21 tower or towers occupies more than 50% of the total Folsom Street frontage.

22 (E) The floor plates on either tower shall not exceed an average of 11,000 gross
23 square feet over the entire tower.
24
25

1 Section 7. The San Francisco Planning Code is hereby amended by amending Section
2 249.23, to read as follows:

3 **SEC. 249.23. FOURTH AND FREELON STREETS SPECIAL USE DISTRICT.**

4 There shall be a special use district known as the Fourth Street, Freelon Street, Zoe
5 Street and Welsh Street, as designated on Sectional Map No. 1SU of the Zoning Map of the
6 City and County of San Francisco. The following controls shall apply within this Special Use
7 District.

8 (a) **Conversion of Previously Approved But Not Yet Constructed Live/Work Units**
9 **to Market-Rate Housing.** The developer of previously approved but not yet constructed
10 live/work units may convert the units to market-rate residential units and construct additional
11 new market-rate residential units on the site provided that (i) the developer, at his, her or its
12 sole expense, constructs affordable housing off-site with square footage equal to 15% of the
13 total residential units proposed to be constructed offsetting the developer's site acquisition
14 costs against the costs of construction, and (ii) the affordable housing is constructed of similar
15 high quality construction to the market rate units on land owned or purchased by the
16 developer and is located in the South of Market Area or the North of Market Residential
17 Special Use District, (iii) the off-site affordable housing building shall contain a minimum of 56
18 dwellings of no less than 400 square feet each, (iv) the off-site affordable units shall be rental
19 units, (v) the off-site affordable rental units shall be marketed and monitored in accordance
20 with the requirements of the Procedures Manual approved under Section 401 315.1(33) of ~~the~~
21 ~~Planning this~~ Code, except that the owner shall, to the extent permitted by law, give top priority
22 to current Single Room Occupancy tenants and families with low- and very-low income, (vi)
23 the affordable rental units shall remain subject to the affordability requirements of the
24 Procedures Manual for a period of 50 years from their date of initial occupancy, (vii) upon
25 completion, the land title shall be transferred to and the off-site affordable housing building

1 shall be owned, managed and operated by a nonprofit housing organization, and (viii) the
2 deed to the off-site affordable housing building and the associated land shall be transferred to
3 a non-profit affordable housing organization selected by the Mayor's Office of Housing if the
4 original nonprofit housing organization is dissolved. If no such nonprofit housing organization
5 can be found, the off-site affordable housing building and the associated land shall revert to
6 the City. The off-site affordable housing building and the associated land shall not be sold or
7 transferred without the consent of the Mayor's Office of Housing. The nonprofit housing
8 organization shall be responsible for securing all required City approvals and permits for the
9 affordable housing project, with the cost of securing such approvals and permits borne by the
10 developer as its costs of development.

11 For purposes of this section, "affordable" shall be defined as affordable to low- and
12 lower-income households with income not exceeding 50% of San Francisco's median income.
13 The developer shall pay to the San Francisco School District School Fees for the new market
14 rate units less the amount of school fees already paid to the District for the previously
15 approved live/work units.

16 (b) **Principal Permitted Uses.** The principal permitted uses in this Special Use
17 District shall be a residential and retail mixed-use development. Office use is not allowed,
18 except for office use accessory to a permitted retail use. Live/work is not permitted in this
19 Special Use District. The construction of market-rate residential units is permitted only if the
20 provisions of Subsection (a) above are met.

21 (c) **Dwelling Unit Density.** The dwelling unit density shall be governed by the
22 allowable building envelope.

23 (d) **Rear Yard.** The rear yard requirement shall be 15% of the lot depth. However, the
24 Zoning Administrator may administratively modify the location of the required rear yard,
25 provided that a comparable amount of open space is provided elsewhere in this Special Use

1 District or within the development where it is more accessible to the residents of the
2 development.

3 (e) **Usable Open Space.** The usable open space shall be 36 square feet per unit for
4 private usable open space, or 48 square feet per unit for common usable open space.

5 (f) **Sunlight and Dwelling Unit Exposure Requirements.** The Planning Commission
6 may grant an exception to Section 135(g)(2) and Section 140 of this Code pursuant to
7 Subsection 249.23(j) of this Ordinance.

8 (g) ~~**Off-Street Parking.** No more than one off-street parking space shall be provided for each~~
9 ~~dwelling unit. The off-street parking space shall meet the standards set forth in Section 154 of this~~
10 ~~Code.~~

11 ~~(h)~~ **Height and Bulk Restrictions.** The base height and bulk applicable to this
12 Special Use District is 50-X. An exception to the height requirement up to a maximum of 85
13 feet may be approved pursuant to Subsection (j) of this Section.

14 ~~(h)~~ (i) **Yards.** No front or side yard shall be required in this Special Use District

15 ~~(i)~~ ~~(j)~~ **Project Approval.** The Planning Commission shall conduct a duly noticed
16 public hearing on the application for an alteration to the previously approved live/work project.
17 Conditional use authorization is required for a project in this Special Use District meeting the
18 requirements set forth in Subsection (a) of this Section. The Planning Commission may grant
19 an exception to the 50 height limit up to 85 feet and may approve the project, provided that
20 the Commission finds that (i) the height of the building or structure does not exceed 85 feet,
21 (ii) the project complies with the provisions of subsection (a) of this Section, (iii) the proposed
22 project meets the additional criteria set forth in Section 303(c) of this Code, and (iv) the project
23 sponsor has provided evidence that a mechanism will be in place to assure completion and
24 maintenance of the off-site affordable housing and insurance against construction defects.
25 The creation of this Special Use District shall not limit the discretion vested in the Planning

Commission in its review including but not limited to height, building scale, required setbacks and street frontage treatments of the projects.

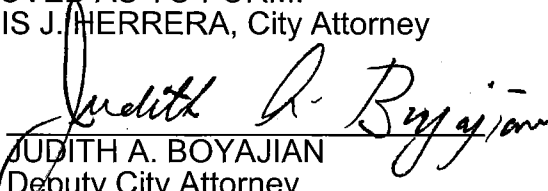
(j) ~~(k)~~ **Timing of Construction.** The project applicant shall insure that the off-site units are constructed, completed, and ready for occupancy no later than the market rate units in the principal project. The off-site inclusionary units requirements shall be met on-site pursuant to the provisions of Section 415.5 ~~315.4~~ of this Code in the event that no off-site project is built by the project applicant.

(k) ~~(l)~~ **Notice.** Upon receipt of an alteration permit application for a residential development meeting the requirements of subsection (a) of this Section, the Planning Department shall provide notice of the development to property owners and occupants within a 300 foot radius of this Special Use District.

~~Section 8. The San Francisco Planning Code is hereby amended by amending Article 9, Part VII, to read as follows:~~ Note: All changes to Article 9 have been withdrawn.

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

By:


JUDITH A. BOYAJIAN
Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101350

Date Passed: June 21, 2011

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, and 249.23 to: 1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; 2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and 3) 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.

June 06, 2011 Land Use and Economic Development Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 06, 2011 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

June 14, 2011 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

June 21, 2011 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 101350

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
6/21/2011 by the Board of Supervisors of the
City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

6/29/11

Date Approved