

1 [Delivery Service for Large Retail Uses Within the Ocean Avenue Neighborhood Commercial
Transit District]

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3 **Ordinance amending the San Francisco Planning Code by amending Section 151.1 to**
4 **exclude large retail uses within the Ocean Avenue Neighborhood Commercial Transit**
5 **District (Ocean NCT) from the requirement to provide delivery or shuttle services when**
6 **such uses receive Conditional Use Authorization to provide a greater number of off-**
7 **street parking spaces.**

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

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

12 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
13 hereby finds and determines that:

14 (a) Much of the land surrounding the Ocean Avenue NCT is zoned RH-1 and RH-1(D).
15 These zoning classifications, which generally allow single family housing which in many cases
16 must be detached, have created relatively low-density neighborhoods.

17 (b)The remaining land surrounding the Ocean Avenue NCT is primarily zoned P
18 (Public) and occupied by City College. By virtue of City College’s operations, there is limited
19 residential use of the land and little demand for delivery services from nearby retail stores.
20 While there is a small cluster of RH-2 zoned land to the immediate southeast of the Ocean
21 Avenue NCT, this isolated two-family district is surrounded by single family districts and is not
22 of a scale to impact the overall low-density character of the greater neighborhood.

23 (c) A delivery service or shuttle bus service for large retail uses within the Ocean
24 Avenue NCT designed to serve the surrounding low-density neighborhood is neither feasible
25 nor does any information suggest that it would be in demand.

1 (d) Planning Code Section 151.1(f)(3)(B) requires that, as a condition of authorizing a
2 Conditional Use request in order to provide parking in excess of as-of-right amounts, retail
3 uses of more than 20,000 square feet must provide a delivery or shuttle bus service at no or
4 low cost.

5 (e) This Board of Supervisors finds that this Ordinance is consistent with the General
6 Plan and Priority Policies of Section 101.1(b) of the Planning Code for the reasons set forth in
7 the Planning Commission Resolution No. _____ and incorporates said Resolution
8 herein by reference. A copy of said resolution is on file with the Clerk of the Board of
9 Supervisors in File No. _____. Pursuant to Planning Code Section 302, this Board
10 of Supervisors finds that this Ordinance will serve the public necessity, convenience and
11 welfare for the reasons set forth in Planning Commission Resolution No. _____ and
12 incorporates said Resolution herein by reference. A copy of said resolution is on file with the
13 Clerk of the Board of Supervisors in File No. _____.

14 (f) The Planning Department has determined that the action contemplated in this
15 Ordinance is in compliance with the California Environmental Quality Act (California Public
16 Resources Code section 21000 et seq.). Said determination is on file with the Clerk of the
17 Board of Supervisors in File No. _____ and is incorporated herein by reference.

18
19 Section 2. The San Francisco Planning Code is hereby amended by amending Section 151.1
20 to read as follows:

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

23 (a) Applicability. This subsection shall apply only to DTR, NCT, RTO, Eastern
24 Neighborhood Mixed Use, PDR-1-D, and PDR-1-G or C-3 Districts.

1 (b) Controls. Off-street accessory parking shall not be required for any use, and the
2 quantities of off-street parking specified in Table 151.1 shall serve as the maximum amount of
3 off-street parking that may be provided as accessory to the uses specified. For non-residential
4 and non-office uses in the UMU, PDR-1-D, and PDR-1-G Districts, the maximum amount of
5 off-street parking that may be provided as accessory shall be no more than 50% greater than
6 that indicated in Table 151.1. Variances from accessory off-street parking limits, as described
7 in this Section, may not be granted. Where off-street parking is provided that exceeds the
8 quantities specified in Table 151.1 or as explicitly permitted by this Section, such parking shall
9 be classified not as accessory parking but as either a principally permitted or conditional use,
10 depending upon the use provisions applicable to the district in which the parking is located. In
11 considering an application for a conditional use for any such parking due to the amount being
12 provided, the Planning Commission shall consider the criteria set forth in Section 157 and
13 157.1 of this Code.

14 (c) Where a number or ratio of spaces are described in Table 151.1, such number or
15 ratio shall refer to the total number of parked cars accommodated in the project proposal,
16 regardless of the arrangement of parking, and shall include all spaces accessed by
17 mechanical means, valet, or non-independently accessible means. For the purposes of
18 determining the total number of cars parked, the area of an individual parking space, except
19 for those spaces specifically designated for persons with physical disabilities, may not exceed
20 185 square feet, including spaces in tandem, or in parking lifts, elevators or other means of
21 vertical stacking. Any off-street surface area accessible to motor vehicles with a width of 7.5
22 feet and a length of 17 feet (127.5 square feet) not otherwise designated on plans as a
23 parking space may be considered and counted as an off-street parking space at the discretion
24 of the Zoning Administrator if the Zoning Administrator, in considering the possibility for
25 tandem and valet arrangements, determines that such area is likely to be used for parking a

1 vehicle on a regular basis and that such area is not necessary for the exclusive purpose of
 2 vehicular circulation to the parking or loading facilities otherwise permitted.

3 (d) Any off-street parking space dedicated for use as a car-share parking space, as
 4 defined in Section 166, shall not be credited toward the total parking permitted as accessory
 5 in this Section.

6 **Table 151.1**

7 **OFF-STREET PARKING PERMITTED AS ACCESSORY**

<u>Use or Activity</u>	<u>Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted</u>
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(de); 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(ef); 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(ef); NP above one car for each dwelling unit.

1 2 3 4 5 6	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(ef); NP above two cars for each four dwelling units.
7 8 9 10 11 12	Dwelling units and SRO units in 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(fg); NP above 0.75 cars for each dwelling unit.
13 14 15 16 17 18	Dwelling units in MUG, MUR, MUO, SPD 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 conditions and procedures of Section 151.1(fg); NP above one car for each dwelling unit.
19 20 21 22 23	Dwelling units in NCT Districts, 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(fg); NP above 0.75 cars for each dwelling unit.
24 25	Dwelling units in the Ocean Avenue NCT Districts	P up to one car for each unit; NP above.

1 2 3 4 5	Dwelling units in RTO 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(fg); NP above one car for each dwelling unit.
6 7 8	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(fg); NP above.
9 10 11	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(fg); NP above.
12 13 14 15 16 17	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.
18 19 20	All non-residential uses in C-3 Districts	Not to exceed 7% of gross floor area of such uses. See requirements in Section 204.5.
21 22 23	Hotel, inn, or hostel	P up to one for each 16 guest bedrooms, plus one for the manager's dwelling unit, if any.
24 25	Motel	P up to one for each guest unit, plus one for the manager's dwelling unit, if

1		any.
2	Hospital or other inpatient medical	P up to one for each 16 guest
3	institution	excluding bassinets or for each 2,400
4		square feet of gross floor area devoted
5		to sleeping rooms, whichever results in
6		the lesser requirement
7	Residential care facility	P up to one for each 10 residents.
8	Child care facility	P up to one for each 25 children to be
9		accommodated at any one time.
10	Elementary school	P up to one for each six classrooms.
11	Secondary school	P up to one for each two classrooms.
12	Post-secondary educational institution	P up to one for each two classrooms.
13	Church or other religious institutions	P up to one for each 20 seats.
14	Theater or auditorium	P up to one for each eight seats up to
15		1,000 seats, plus one for each 10 seats
16		in excess of 1,000.
17	Stadium or sports arena	P up to one for each 15 seats.
18	Medical or dental office or outpatient	P up to one for each 300 square feet of
19	clinic	occupied floor area.
20	All office uses in C-3, DTR, SPD, MUG,	P up to seven percent of the gross floor
21	MUR, and MUO Districts	area of such uses and subject to the
22		pricing conditions of Section 155(g);
23		NP above.
24	Office uses in UMU, PDR-1-D, and	P up to one car per 1,000 square feet
25	PDR-1-G Districts, except as specified	of gross floor area and subject to the

1	below	pricing conditions of Section 155(g);
2		NP above.
3	Office uses in UMU, PDR-1-D, and	P up to one car per 500 square feet of
4	PDR-1-G Districts where the entire	gross floor area; NP above.
5	parcel is greater than ¼-mile from	
6	Market, Mission, 3rd and 4th Streets	
7	Non-residential uses in RTO districts	None permitted.
8	permitted under Sections 209.8(e) and	
9	231.	
10	All non-residential uses in NCT districts	For uses in Table 151 that are
11	except as specified below	described as a ratio of occupied floor
12		area, P up to 1 space per 1,500 square
13		feet of occupied floor area or the
14		quantity specified in Table 151,
15		whichever is less, and subject to the
16		conditions and criteria of Section
17		151.1(<i>f</i> _g). NP above.
18	Retail grocery store uses in NCT	P up 1 space per 500 square feet of
19	districts with over 20,000 square feet of	occupied floor area, and subject to the
20	occupied floor area	conditions and criteria of Section
21		151.1(<i>f</i> _g). C up to 1 space per 250
22		square feet of occupied floor area for
23		that area in excess of 20,000 square
24		feet, subject to the conditions and
25		criteria of Section 151.1(<i>f</i> _g). NP above.

1	All retail in the Eastern Neighborhoods	P up to one for each 1,500 square feet
2	Mixed Use Districts where any portion	of gross floor area.
3	of the parcel is less than ¼ mile from	
4	Market, Mission, 3rd and 4th Streets,	
5	except grocery stores of over 20,000	
6	gross square feet.	
7	With the exception of Eastern	P up to one for each 200 square feet of
8	Neighborhoods Mixed Use Districts as	occupied floor area.
9	set forth above, all other restaurant,	
10	bar, nightclub, pool hall, dance hall,	
11	bowling alley or other similar enterprise	
12	With the exception of Eastern	P up to one for each 1,000 square feet
13	Neighborhoods Mixed Use Districts as	of occupied floor area.
14	set forth above, all other retail space	
15	devoted to the handling of bulky	
16	merchandise such as motor vehicles,	
17	machinery or furniture	
18	With the exception of Eastern	P up to one for each 4,000 square feet
19	Neighborhoods Mixed Use Districts as	of occupied floor area.
20	set forth above, all other greenhouse or	
21	plant nursery	
22	With the exception of Eastern	P up to one for each 500 square feet of
23	Neighborhoods Mixed Use Districts as	gross floor area up to 20,000 square
24	set forth above, all other retail space	feet, plus one for each 250 square feet
25		of gross floor area in excess of 20,000.

1	Service, repair or wholesale sales	P up to one for each 1,000 square feet
2	space, including personal, home or	of occupied floor area.
3	business service space in South of	
4	Market Districts	
5	Mortuary	P up to five.
6	Storage or warehouse space, and	P up to one for each 2,000 square feet
7	space devoted to any use first	of occupied floor area.
8	permitted in an M-2 District	
9	Arts activities and spaces except	P up to one for each 2,000 square feet
10	theater or auditorium spaces	of occupied floor area.
11	Laboratory	P up to one for each 1,500 square feet
12		of occupied floor area.
13	Small Enterprise Workspace Building	P up to one for each 1,500 square feet
14		of occupied floor area.
15	Integrated PDR	P up to one for each 1,500 square feet
16		of occupied floor area.
17	Other manufacturing and industrial	P up to one for each 1,500 square feet
18	uses	of occupied floor area.

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20 (~~de~~) In DTR districts, any request for accessory parking in excess of what is permitted by right

21 shall be reviewed on a case-by-case basis by the Planning Commission, subject to the

22 procedures set forth in Section 309.1 of this Code. In granting approval for parking accessory

23 to residential uses above that permitted by right in Table 151.1, the Commission shall make

24 the following affirmative findings:

25

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

4 (2) Vehicle movement on or around the project site associated with the excess
5 accessory parking does not unduly impact pedestrian spaces or movement, transit service,
6 bicycle movement, or the overall traffic movement in the district;

7 (3) Accommodating excess accessory parking does not degrade the overall urban
8 design quality of the project proposal;

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

12 (5) Excess accessory parking does not diminish the quality and viability of existing or
13 planned streetscape enhancements.

14 (ef) In C-3 Districts, any request for accessory parking in excess of what is permitted by
15 right in Table 151.1, shall be reviewed on a case-by-case basis by the Planning Commission,
16 subject to the procedures set forth in Section 309 of this Code. In granting approval for
17 parking accessory to residential uses above that permitted by right in Table 151.1, the
18 Planning Commission shall make the following affirmative findings:

19 (1) For projects with 50 units or more, all residential accessory parking in excess of 0.5
20 parking spaces for each dwelling unit shall be stored and accessed by mechanical stackers or
21 lifts, valet, or other space-efficient means that allows more space above-ground for housing,
22 maximizes space efficiency and discourages use of vehicles for commuting or daily errands.
23 The Planning Commission may authorize the request for additional parking notwithstanding
24 that the project sponsor cannot fully satisfy this requirement provided that the project sponsor
25 demonstrates hardship or practical infeasibility (such as for retrofit of existing buildings) in the

1 use of space-efficient parking given the configuration of the parking floors within the building
2 and the number of independently accessible spaces above 0.5 spaces per unit is de minimus
3 and subsequent valet operation or other form of parking space management could not
4 significantly increase the capacity of the parking space above the maximums in Table 151.1;

5 (2) For any project with residential accessory parking in excess of 0.375 parking
6 spaces for each dwelling unit, the project complies with the housing requirements of Sections
7 315 through 315.9 of this Code except as follows: the inclusionary housing requirements that
8 apply to projects seeking conditional use authorization as designated in Section 315.3(a)(2)
9 shall apply to the project.

10 (3) The findings of Section 151.1(~~de~~)(2), (~~de~~)(3) and (~~de~~)(5) are satisfied;

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

14 (~~fg~~) In RTO and NCT districts, any request for accessory parking in excess of what is
15 principally permitted in Table 151.1, but which does not exceed the maximum amount stated
16 in Table 151.1, shall be reviewed by the Planning Commission as a Conditional Use. In MUG,
17 MUR, MUO, and SPD Districts, any project subject to Section 329 and that requests
18 residential accessory parking in excess of that which is principally permitted in Table 151.1,
19 but which does not exceed the maximum amount stated in Table 151.1, shall be reviewed by
20 the Planning Commission according to the procedures of Section 329. Projects that are not
21 subject to Section 329 shall be reviewed under the procedures detailed in subsection (~~gh~~),
22 below. In granting such Conditional Use or exception per 329 for parking in excess of that
23 principally permitted in Table 151.1, the Planning Commission shall make the following
24 affirmative findings according to the uses to which the proposed parking is accessory:

25 (1) **Parking for all uses**

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

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

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

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

12 (2) **Parking for Residential Uses**

13 (A) For projects with 50 dwelling units or more, all residential accessory parking
14 in 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 (3) **Parking for Non-Residential Uses**

18 (A) Projects that provide more than 10 spaces for non-residential uses must
19 dedicate 5% of these spaces, rounded down to the nearest whole number, to short-term,
20 transient use by vehicles from certified car sharing organizations per Section 166, vanpool,
21 rideshare, taxis, or other co-operative auto programs. These spaces shall not be used for
22 long-term storage nor satisfy the requirement of Section 166, but rather to park them during
23 trips to commercial uses. These spaces may be used by shuttle or delivery vehicles used to
24 satisfy subsection (B).
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1 (B) Retail uses, except as provided in this subsection (B), larger than 20,000 square
2 ~~feet~~ including but not limited to grocery, hardware, furniture, consumer electronics,
3 greenhouse or nursery, and appliance stores, which sell merchandise that is bulky or difficult
4 to carry by hand or by public transit, shall offer, at minimal or no charge to its customers, door-
5 to-door delivery service and/or shuttle service. This is encouraged, but not required, for retail
6 uses less than 20,000 square feet and all retail uses within the Ocean Avenue NCT.

7 (C) Parking shall be limited to short-term use only.

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

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

17 (A) all the conditions of subsection (~~f~~g)(1) above have been met.

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

20 (C) where more than ten spaces are proposed at least half of them, rounded down to
21 the

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1 nearest whole number, are stored and accessed by mechanical stackers or lifts, valet, or
2 other space-efficient means that reduces space used for parking and maneuvering, and
3 maximizes other uses.

4
5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

7 By: _____
8 KATE HERRMANN STACY
9 Deputy City Attorney

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