

1 [Planning Code, Zoning Map - Alexandria Theater Special Use District]

2

3 **Ordinance amending the Planning Code and Zoning Map to establish the Alexandria**
4 **Theater Special Use District (SUD), at the northwest corner of Geary Boulevard**
5 **and 18th Avenue, allowing a density bonus and modifications to existing zoning**
6 **controls for a residential project in the SUD, subject to specified conditions; affirming**
7 **the Planning Department’s determination under the California Environmental Quality**
8 **Act; making findings of consistency with the General Plan, and the eight priority**
9 **policies of Planning Code, Section 101.1; and making findings of public necessity,**
10 **convenience, and welfare pursuant to Planning Code, Section 302.**

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

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

19

20 Section 1. Environmental and Land Use Findings.

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

(b) On _____, the Planning Commission, in Resolution No. _____,
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
5 amendments will serve the public necessity, convenience, and welfare for the reasons set
6 forth in Planning Commission Resolution No. _____, and the Board incorporates such
7 reasons herein by reference. A copy of said resolution is on file with the Clerk of the Board of
8 Supervisors in File No. _____.

9
10 Section 2. General Findings.

11 (a) California faces a severe crisis of housing affordability and availability, prompting
12 the Legislature to declare, in Section 65589.5 of the Government Code, that the state is
13 experiencing “a housing supply and affordability crisis of historic proportions. The
14 consequences of failing to effectively and aggressively confront this crisis are hurting millions
15 of Californians, robbing future generations of a chance to call California home, stifling
16 economic opportunities for workers and businesses, worsening poverty and homelessness,
17 and undermining the state’s environmental and climate objectives.”

18 (b) According to the Planning Department’s 2020 Housing Inventory, the cost of
19 housing in San Francisco has increased dramatically since the Great Recession
20 of 2008 2009, with the median sale price for a two-bedroom house more than tripling
21 from \$493,000 in 2011 to \$1,580,000 in 2021, including a 9% increase from 2019 to 2020
22 alone, even in the face of the COVID-19 pandemic. The median rental price for a two-
23 bedroom apartment saw similar although slightly smaller increases, nearly doubling
24 from \$2,570 to \$4,500 per month, from 2011 to 2019, before declining in 2020 due to the
25 pandemic.

1 (c) These housing cost trends follow decades of underproduction of housing in the Bay
2 Area, according to the Planning Department’s 2019 Housing Affordability Strategies Report.
3 The City’s Chief Economist has estimated that approximately 5,000 new market-rate housing
4 units per year would be required to keep housing prices in San Francisco aligned with the
5 general rate of inflation.

6 (d) San Francisco’s Regional Housing Needs Allocation (“RHNA”) in the
7 current 2023-2031 Housing Element cycle is 82,069 units over those eight years (46,598 of
8 which must be affordable to extremely low-, very low-, low-, and moderate-income
9 households), which is more than 2.5 times the allocation of the previous eight-year cycle.

10 (e) On January 31, 2023, the City adopted the 2022 Update of the Housing Element of
11 the General Plan (“2022 Housing Element”), as required by state law. The 2022 Housing
12 Element is San Francisco’s first housing plan that is centered on racial and social equity. It
13 articulates San Francisco’s commitment to recognizing housing as a right, increasing housing
14 affordability for low-income households and communities of color, opening small and mid-rise
15 multifamily buildings across all neighborhoods, and connecting housing to neighborhood
16 services like transportation, education, and economic opportunity.

17 (f) The 2022 Housing Element includes goals, objectives, policies, and implementing
18 programs that seek to guide development patterns and the allocation of resources to San
19 Francisco neighborhoods. Generally, it intends to shift an increased share of San Francisco’s
20 projected future housing growth to transit corridors and low-density residential districts within
21 “Well-Resourced Neighborhoods” (areas identified by the state as neighborhoods that provide
22 strong economic, health, and educational outcomes for its residents), while aiming to prevent
23 the potential displacement and adverse racial and social equity impacts of zoning changes,
24 planning processes, or public and private investments on populations and in areas that may
25 be vulnerable to displacement, such as “Priority Equity Geographies” (identified in the

1 Department of Public Health's Community Health Needs Assessment as Areas of
2 Vulnerability).

3 (g) Despite the need for additional housing, construction of new housing has slowed
4 dramatically in San Francisco in recent years due to increased construction costs and
5 decreased availability of financing. To incent housing development, the City has been
6 exploring modifications to existing zoning controls for projects seeking to convert existing
7 underutilized commercial spaces to residential uses.

8 (h) The Alexandria Theater opened in 1923, on the northwest corner of Geary
9 Boulevard and 18th Avenue. The theater was designed by the Reid brothers, who also
10 designed the Cliff House and the Spreckels Temple of Music in Golden Gate Park. When it
11 opened, it was hailed as a monument to Egyptian design. The historic and architectural
12 features of the theater have been recognized by various publications. Over the years, the
13 theater underwent several changes in ownership, and some physical renovations, but
14 continuously operated as a movie palace until it finally shut down in 2004. Since then, the
15 Alexandria Theater has remained vacant.

16 (i) It is reasonable and in the public interest to increase the development potential of
17 the property where the Alexandria Theater is located by providing modifications to the
18 existing 40-foot height limit, the applicable dwelling unit density limit of one unit per 600
19 square feet of lot area, and similar requirements. It is also reasonable and appropriate for both
20 the Historic Preservation and Planning Commissions to hold informational hearings for the
21 development proposal to solicit public comments and recommendations.

22 (j) Large development projects in San Francisco often incorporate certain public
23 benefits, such as committing to local hiring, engaging a skilled and trained workforce, or
24 paying prevailing wage. These features of such projects can result in local jobs and economic
25 benefits to the community. The City and the project sponsor are evaluating the scope of public

1 benefits to be provided in connection with a project developed pursuant to this ordinance,
2 which public benefits may be memorialized in a separate agreement.

3
4 Section 3. Article 2 of the Planning Code is hereby amended by adding Section 249.4,
5 to read as follows:

6 **SEC. 249.4. ALEXANDRIA THEATER SPECIAL USE DISTRICT.**

7 (a) Purpose. The Alexandria Theater Special Use District is intended to promote the
8 development of much needed housing in the City, by allowing a housing development project with
9 additional density and height than otherwise allowed under existing zoning that also preserves the key
10 historic architectural features of the Alexandria Theater, a 1923 movie palace.

11 (b) Location. The Alexandria Theater Special Use District consists of Assessor’s Parcel Block
12 No. 1450, Lot No. 048. Its boundaries are shown on Special Use District Map SU03 of the Zoning Map,
13 and generally it consists of the parcel at the northwest corner of the intersection of 18th Avenue and
14 Geary Boulevard.

15 (c) Controls. Applicable provisions of the Planning Code shall apply to the Alexandria
16 Theater Special Use District except as otherwise provided in this Section 249.4. In the event of a
17 conflict between other provisions of the Planning Code and this Section, this Section shall control.

18 (d) Density Bonus. A residential development project that meets the eligibility criteria set
19 forth in subsection (e) shall be entitled to the density bonus and zoning modifications described in this
20 subsection (d).

21 (1) Form-Based Density. Notwithstanding any zoning designation to the contrary, the
22 density of the project shall not be limited by lot area but rather by the applicable requirements and
23 limitations set forth in this Code, as modified by this Section 249.4. Such requirements and limitations
24 include, but are not limited to, height, setbacks, exposure, and unit mix, as well as applicable design
25 guidelines, elements, and area plans of the General Plan and design review.

1 (2) **Height.** The maximum building height shall be 85 feet.

2 (3) **Rear Yard.** The minimum rear yard shall be 15 feet.

3 (4) **Dwelling Unit Exposure.** The minimum exposure for dwelling units facing the
4 reduced rear yard shall require qualifying windows to face an unobstructed open area that is no less
5 than 15 feet in every horizontal dimension.

6 (5) **Process Modification.** Conditional Use authorization pursuant to Section 202.4
7 shall not be required.

8 (e) **Applicability.** To be eligible for the density bonus and other zoning modifications provided
9 by subsection (d), a residential development project shall meet the criteria set forth in this subsection
10 (e).

11 (1) **Affordability.** The number of Affordable Units constructed on-site shall be at least
12 12% of all units constructed on the project site in accordance with this subsection (e)(1). The
13 capitalized terms in this subsection (e)(1) have the meanings set forth in the definitions of Sections 401
14 and 415.2.

15 (A) For any Ownership Housing Project, a minimum of 10% of the units shall be
16 affordable to low-income households and 2% of the units shall be affordable to moderate-income
17 households. Owned Units for low-income households shall have an affordable purchase price set at
18 80% of Area Median Income or less, with households earning up to 100% of Area Median Income
19 eligible to qualify for low-income units. Owned Units for moderate-income households shall have an
20 affordable purchase price set at 105% of Area Median Income or less, with households earning from
21 95% to 120% of Area Median Income eligible to qualify for moderate-income units.

22 (B) For any Rental Housing Project, a minimum of 10% of the units shall be
23 affordable to low-income households and 2% of the units shall be affordable to moderate-income
24 households. Rental Units for low-income households shall have an affordable rent set at 55% of Area
25 Median Income or less, with households earning up to 65% of Area Median Income eligible to qualify

1 for low-income units. Rental Units for moderate-income households shall have an affordable rent set at
2 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median
3 Income eligible to qualify for moderate-income units.

4 (2) **Dwelling Unit Mix.** The project shall provide the following dwelling unit mix:

5 (A) No less than 60% of the total number of proposed dwelling units shall
6 contain at least two bedrooms, provided that any fraction resulting from this calculation shall be
7 rounded up to the next whole number of Dwelling Units; and

8 (B) No less than 20% of the total number of proposed dwelling units shall
9 contain at least three bedrooms, provided that any fraction resulting from this calculation shall be
10 rounded up to the next whole number of Dwelling Units.

11 (3) **Historic Preservation.** The historic character-defining features of the existing
12 theater listed in this subsection (e)(3) shall be preserved as follows:

13 (A) The exterior blade sign shall be preserved, reconstructed, and reinstalled on
14 the exterior of the residential development project;

15 (B) The exterior marquee shall be preserved and incorporated into the exterior
16 of the residential development project;

17 (C) The interior sunburst chandelier shall be preserved and incorporated into a
18 common area in the interior of the residential development project;

19 (D) The interior Art Deco murals and bas-relief panels shall be preserved and
20 incorporated into a common area in the interior of the residential development project. Provided,
21 however, that the extent of preservation required by this subsection (e)(3)(D) may be reduced in
22 accordance with a preservation strategy and plan established by the Planning Department's
23 Preservation Staff in consultation with a qualified conservator; and

1 (E) For the purposes of this subsection (e)(3), the term “preserved” means kept
2 and repaired or replaced in kind to match the feature’s material, dimensions, finish, profile, and
3 details.

4 **(f) Hearings.**

5 (1) Hearings. The Historic Preservation and Planning Commissions each shall hold an
6 informational public hearing for all projects proposed pursuant to subsections (d) and (e). At the
7 hearings, the Planning Director shall review key issues related to the project, any proposed zoning
8 modifications pursuant to subsection (d), and the project’s compliance with the requirements and
9 standards of subsections (d) and (e).

10 (2) Notice of Hearing. Notice of such hearings shall be provided as required by
11 Section 333 of this Code.

12 (3) No Discretionary Review. No requests for discretionary review shall be accepted
13 by the Planning Department or heard by the Planning Commission for projects subject to this Section
14 249.4.

15 **(g) Relationship to State or Local Density Bonus Programs. Any residential project**
16 developed pursuant to subsection (d) shall not be eligible for additional density or concessions,
17 waivers, or other modifications to development standards pursuant to any state or local law, including
18 but not limited to the State Density Bonus Law (California Government Code Section 65915 et seq.),
19 the Affordable Housing Bonus Program (Planning Code Section 206 et seq.), and Planning Code
20 Section 207.

21 **(h) Implementation Timeline. The sponsor of any residential development project approved**
22 pursuant to subsection (d) shall obtain a building permit or, in the case of a site permit, an addendum
23 that authorizes construction of the development, within three years of the effective date of the ordinance
24 in Board File No. 241198, enacting this Section 249.4. If the sponsor does not obtain said permit or
25

1 addendum within three years, this Section 249.4 shall expire by operation of law. In the event of its
2 expiration, the City Attorney is authorized to cause this Section to be removed from this Code.

3
4 Section 4. Article 2.5 of the Planning Code is hereby amended by adding
5 Section 263.14, to read as follows:

6 **SEC. 263.14. SPECIAL HEIGHT EXCEPTIONS: PERMITTED BUILDING HEIGHT IN**
7 **THE ALEXANDRIA THEATER SPECIAL USE DISTRICT.**

8 In the 40-X Height and Bulk District, as designated on Section Map HT03 of the Zoning Map,
9 located within the boundaries of the Alexandria Theater Special Use District, height above the
10 maximum height limit may be approved for a residential project in accordance with the procedures and
11 criteria set forth in Section 249.4.

12
13 Section 5. Zoning Map. The Planning Code is hereby amended by revising Special
14 Use District Map SU03 of the Zoning Map of the City and County of San Francisco, as follows:

15

Description of Property	Special Use District Hereby Approved
Assessor's Parcel Block No. 1450, Lot No. 048	Alexandria Theater

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19 Section 6. Expiration Date.

20 Planning Code Sections 249.4 and 263.14 in Sections 3 and 4 of this ordinance,
21 respectively, and the Zoning Map amendment in Section 5, shall expire by operation of law
22 three years from the effective date of the ordinance in Board File No. 241198 establishing
23 Sections 249.4 and 263.14, unless, (a) a project approved under Section 249.4 has received
24 a building permit or, in the case of a site permit, an addendum that authorizes construction of
25 the project, or (b) the City extends or re-enacts this ordinance before its expiration date.

1 Upon expiration of Sections 249.4 and 263.14, the City Attorney is authorized to cause
2 those Sections to be removed from the Planning Code and the Alexandria Theater Special
3 Use District to be removed from the Zoning Map.

4
5 Section 7. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor’s veto of the ordinance.

9
10 APPROVED AS TO FORM:
11 DAVID CHIU, City Attorney

12 By: /s/ HEATHER GOODMAN
13 HEATHER GOODMAN
14 Deputy City Attorney

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