



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Zoning Map & Planning Code Text Change

HEARING DATE: OCTOBER 22, 2015

*Project Name:* **Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District**

*Case Number:* 2013.0735TZ

*Initiated by:* Planning Department

*Staff Contact:* Steve Wertheim, Citywide Planning  
steve.wertheim@sfgov.org, 415-558-6612

*Reviewed by:* Joshua Switzky, Manager of Community Planning  
joshua.switzky@sfgov.org, 415-575-6815

*Recommendation:* **Recommend Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PLANNING CODE AMENDMENT

The proposed Ordinance, if adopted, would amend the San Francisco Planning Code and Zoning Map by: 1) adding Section 748 to establish the Japantown Neighborhood Commercial District for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; 2) adding Section 261.3 and revising Sections 134, 145.4, 151.1, 155, 201, 263.20, 607.1, and 702.1 to make conforming and other technical changes; 3) amending Sheet ZN02 of the Zoning Map to rezone specified properties to the Japantown Neighborhood Commercial District; and 4) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. The proposed Ordinance was initiated by the Planning Commission on September 19, 2013.

#### The Way It Is Now:

- There is a Neighborhood Commercial, Moderate-Scale (NC-3) zoning district that runs between Geary and Post Street from Fillmore Street to Laguna Street, and a Neighborhood Commercial, Small-Scale (NC-2) zoning district that runs along the north side of Post Street from Webster Street to Laguna Street, and along Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street.
- NC-2 and NC-3 Zoning Districts have minimum parking requirements that are outlined in Planning Code Section 151.
- Residential density in the NC-2 portion is one unit per 800 square feet of lot area, and for the NC-3 portion is one unit per 600 square feet of lot area.

#### The Proposed Ordinance:

The proposed legislation would:

- Create a new named Japantown Neighborhood Commercial District (NCD) between Geary Street and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street
- Institute maximum parking allowances within the Japantown NCD, as outlined under Section 151.1. The new controls would permit up to 0.75 parking space for each dwelling unit, require Conditional Use authorization for up to 1 parking space for each dwelling unit, and prohibit more than 1 parking space for each dwelling unit. Commercial uses would be governed by the standard maximum parking controls in Section 151.1.
- Provide up to a 5-foot height bonus for properties zoned 40-X within the Japantown NCD for developments that provide ground floor ceiling heights in excess of 10 feet.
- Require ground floor commercial and ban new curb cuts on Buchanan Street between Post Street and Sutter Street, on the south side of Post Street between Fillmore Street and Laguna Street, and on the north side of Post Street between Webster Street and Laguna Street.
- Allow residential density of up to one unit per 400 square feet of lot area.
- Generally tailor the allowed uses to the character and vision of the community, consistent with the goals of the JCHESS.

## **ISSUES AND CONSIDERATIONS**

### **JCHESS and Named Neighborhood Commercial Districts**

The Japantown Economic and Social Heritage Strategy (JCHESS), endorsed by the Planning Commission and Board of Supervisors in 2013, includes multiple recommendations for preserving and supporting Japantown's social heritage and stimulating its economy. One of these recommendations is to consider the creation of a Japantown Neighborhood Commercial District (NCD) along those portions of Post and Buchanan Streets that are reflective of Japanese and Japanese American culture and commerce. The JCHESS recommends the creation of a Japantown NCD because named NCDs allow for tailored controls that help to protect or enhance unique characteristics associated with a neighborhood, as compared to generic NC Districts, such as NC-2 and NC-3, which apply citywide. Additionally, creating a single NCD creates consistent controls across the commercial portion of Japantown. There are currently 32 named NCDs in the City, and there is a trend toward creating more individually named NCDs throughout the City.

### **NCD Height Controls**

San Francisco's height districts were historically based on multiples of 10 feet, such as 40 and 50. Such height districts tend to result in lower ground floor commercial spaces, generally not more than 10 feet, in order to maximize the number of developable floors. These low-ceiling spaces are less inviting for pedestrians, shoppers and for retail tenants. To rectify this, the City has increasingly sought to encourage more active and attractive ground floor space by allowing an additional 5-feet of height for those projects that provide ground floor spaces with more generous clear ceiling heights (in excess of 10 feet) for uses that meet the definition of "active" uses.<sup>1</sup> The proposed Ordinance would allow for a similar

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<sup>1</sup> Note that most of the base height limits in mixed-use portions of these plan areas were rezoned to increase the base height limit by 5 feet (i.e. 45, 55, 65, 85) rather than granting an optional 5-foot bonus. In many of these areas ground floor commercial uses are required and minimum ground floor ceiling heights were established. Where commercial

opportunity. Since the additional five foot height can only be used on the ground floor, the height limit still can only accommodate the same number of floors, and so does not represent an intensification of uses.

### **Parking Requirements**

A recent study done by Michael Manville at UCLA found that there is a strong correlation between the elimination of parking mandates and increased housing supply<sup>2</sup>. The study found that when minimum parking requirements are removed, developers provide more housing because a site's housing capacity is less constrained by the significant space needed to park cars, and also that developers provide a wider variety of housing types in a wider range of neighborhoods, including housing in older buildings, in previously disinvested areas, and housing marketed toward non-drivers (in San Francisco approximately 30% of households do not own a car). Minimum parking requirements result in more space being dedicated to parking than is needed, more than is reflective of existing car ownership patterns, and often more than is desirable from a traffic management standpoint. As the typical off-street parking space (including maneuvering space) consumes over 300 square feet of space (not much less than the typical studio-apartment), it is clear that linking the production of housing to the ability to store cars sharply limits housing opportunity. In a commercial area such as the Japantown NCD, it can be assumed that such parking requirements would also result in the loss of commercial space and the degradation of the commercial district, as access to off-street parking would displace ground-level commercial spaces and chop-up the continuity of the pedestrian experience and retail environment. Further, parking in newer buildings is typically provided underground, and underground parking spaces are expensive to construct, costing at least \$50,000 each or more. These costs are passed on to residents and businesses, which further decreases the affordability of new housing and commercial space.

### **Changes Since Initiation**

The changes to the proposed Japantown NCD since its Initiation in 2013 reflect input from the community, Supervisor's office, and Planning Department. The substantial changes proposed include:

- Reducing the use size allowed before a Conditional Use is required from 4,000 square feet to 2,500 square feet (Section 748.21)
- Requiring Business Signs to be subject to the guidelines in the "Commission Guide for Formula Retail" (Section 748.31)
- Not allowing noise or music associated with restaurants, bars, entertainment, trade shops, or amusement arcades to exceed low frequency ambient noise levels by more than 8 dBC (Section 748.41, 43, 44, 48, 65, and 69b).

### **REQUIRED COMMISSION ACTION**

The proposed Resolution is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

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uses were not deemed to be mandatory (but still possible), ground floor walk-up townhouses that are elevated from the sidewalk are expected. In some areas, height limits were left at 40 and 50 feet and buildings are eligible for a 5-foot height bonus by meeting the same ceiling height and use standards.

<sup>2</sup> [http://www.its.ucla.edu/research/rpubs/manville\\_aro\\_dec\\_2010.pdf](http://www.its.ucla.edu/research/rpubs/manville_aro_dec_2010.pdf)

## **RECOMMENDATION**

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the Draft Resolution to that effect.

## **BASIS FOR RECOMMENDATION**

As discussed above, the creation of a Japantown NCD is a recommendation of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS), whose policy recommendations were adopted by the Planning Commission, Historic Preservation Commission, and Board of Supervisors in September and October of 2013. This NCD has been contemplated for a number of years by the Japantown community, which is interested in tailoring the zoning of their commercial district in a way that is not possible with the current NC-2 and NC-3 zoning. The proposed legislation received unanimous support from the Japantown Task Force at a meeting on August 19, 2015.

## **ENVIRONMENTAL REVIEW**

The project is not subject to CEQA, per the General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) that state states that CEQA applies only to projects that have the potential to cause a significant effect on the environment.

## **PUBLIC COMMENT**

The Japantown NCD has been discussed within the Japantown community for a number of years, including the two years since the Initiation of this legislation. The content of the proposed legislation is a reflection of that conversation between the community and the Planning Department.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
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### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Map of Proposed District
- Exhibit C: Draft Ordinance