

1 [Zoning – West Side Off-Street Parking Provisions and South of Market Parking Overlay
2 District.]

3 **Ordinance amending the Planning Code by adding Section 150.1 to provide for off-**
4 **street parking controls in the west side of the City, adding Section 249.38 and**
5 **amending the Zoning Map Section Maps SU01 and SU08 for the property generally**
6 **bounded by Ninth, Howard, Sixth, Townsend, and Division Streets to provide for a**
7 **special use district parking overlay zone in the South of Market area; and making**
8 **environmental findings and findings of consistency with the General Plan and priority**
9 **policies of Planning Code Section 101.1.**

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11 Note: Additions are *single-underline italics Times New Roman*;
12 deletions are ~~*strikethrough italics Times New Roman*~~.
13 Board amendment additions are double underlined.
14 Board amendment deletions are ~~strikethrough normal~~.

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

16 Section 1. Environmental Findings, General Plan Findings, and Other Required Findings.

17 (a) The Planning Department has determined that the actions contemplated in this
18 Ordinance are in compliance with the California Environmental Quality Act (California Public
19 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
20 Board of Supervisors in File No. _____ and is incorporated herein by
21 reference.

22 (b) On _____, 2007, the Planning Commission, in Resolution No.
23 _____ approved and recommended for adoption by the Board this legislation and
24 adopted findings that it is consistent, on balance, with the City's General Plan and eight
25 priority policies of Planning Code Section 101.1 The Board adopts these findings as its own.

1 A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No.
2 _____, and is incorporated by reference herein.

3 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
4 legislation will serve the public necessity, convenience, and welfare for the reasons set forth in
5 Planning Commission Resolution No. _____, and incorporates such reasons by
6 reference herein.

7 Section 2. Section 1. The San Francisco Planning Code is hereby amended by adding
8 Section 150.1 to read as follows:

9 Sec. 150.1. West Side Parking Requirements.

10 (a) Notwithstanding any other provisions of the Planning Code, the parking requirements of
11 this Section 150.1 apply in the West Side of San Francisco, which is defined as that portion of the City
12 and County of San Francisco that encompasses the first, second, fourth, seventh and eleventh
13 supervisory districts as described in Appendix E of the San Francisco Charter as of August 1, 2007
14 (hereinafter the "West Side.").

15 (b) Subject to the requirements in this Section 150.1, subsection (d), for any structure
16 constructed after the effective date of this Section 150.1, any permit applicant for such structure shall
17 be permitted by right to:

18 (1) Construct at least one off-street parking space as an accessory use to each
19 dwelling unit in any residential or mixed-use development.

20 (2) Construct at least one off-street parking space as an accessory use for each 500
21 square feet of occupied floor area of retail use up to 20,000 square feet, plus one off-street parking
22 space for each 250 square feet of occupied floor area of retail use in excess of 20,000 square feet, in
23 any a commercial or mixed use development.

24 (c) Subject to the requirements in this Section 150.1, subsection (d), any residential
25 structure containing up to four dwelling units lawfully existing as of August 1, 2007 shall be permitted

1 by right to convert a portion of that structure or modify that structure to include one off-street parking
2 space as an accessory use. Any other provisions of this Planning Code that permit more than one off-
3 street parking space as an accessory use for such structure shall continue to apply.

4 (d) Off-street parking permitted by this Section 150.1, subsections (b) and (c) shall not be
5 permitted unless the new structure in subsection (b) or the converted or modified structure in
6 subsection (c) satisfies all of the following requirements:

7 (1) Is consistent with all applicable development standards for the district in which
8 such structure, conversion or modification is located.

9 (2) Will not result in removal of a Significant Tree or Landmark Tree, as defined in
10 San Francisco Public Works Code Article 16.

11 (3) Will not result in an unacceptable adverse effect, as determined by the Municipal
12 Transportation Agency, on any transit stop or transit route.

13 (4) Will not result in an unacceptable adverse effect on any bikeway as determined
14 by the Municipal Transportation Agency.

15 (5) Will not result in a significant adverse impact to any historic resource, as
16 defined in the California Environmental Quality Act, Public Resources Code Sections 21000 and
17 following, as amended; and its implementing regulations in Title 14, Division 6, Chapter 3 of the
18 California Code of Regulations (collectively referred to as CEQA), unless the City has approved the
19 project notwithstanding such impact following completion of the environmental review process.

20 Section 3. The San Francisco Planning Code is hereby amended by adding Section 249.38
21 to read as follows:

22 **Section 249.38. South of Market Parking Special Use District.**

23 A special use district entitled the "South of Market Parking Special Use District," an area
24 bounded by Howard, Sixth, Townsend, Division, and Ninth Streets, as designated on the Sectional

1 Maps SU01 and SU08 of the Zoning Map is hereby established for the purpose set forth below. The
2 following provisions shall apply in this special use district.

3 (a) Purpose and Controls. The special use district shall accommodate the development of
4 one or more non-accessory, publicly-accessible enclosed parking facilities as defined in Planning Code
5 Section 223(m), in addition to any such parking facilities permitted as of August 1, 2007, as a principal
6 use containing up to a combined total of 500,000 gross square feet. "Gross square feet" shall mean all
7 area accessible to vehicles, including but not limited to space devoted to parking, maneuvering and
8 ramps, but shall not include spaces accessible only to pedestrians, including but not limited to elevator
9 shafts, lobbies, utility rooms, non-vehicular storage and stairways. The parking spaces may be
10 independently accessible or accessed by valet, mechanical or other non-independently accessible
11 means that maximizes space efficiency but the design and operation of the parking facility shall comply
12 with all applicable provisions of the San Francisco Municipal Code and in no event shall the parking
13 facilities allow more than a total of 2,500 vehicles.

14 (b) In this special use district all applicable provisions of the Planning Code shall continue
15 to apply, except as otherwise provided in this Section 249.38.

16 Section 4. The San Francisco Planning Code is hereby amended by amending Sectional
17 Maps SU01 and SU08 of the Zoning Maps of the City and County of San Francisco to include
18 the South of Market Parking Special Use District, the boundaries of which are hereinafter
19 described:

20 The South of Market Parking Special Use District shall include property bounded as
21 follows, with street boundaries following the centerline of the referenced streets: Beginning at
22 the point which is the intersection of Ninth Street and Howard Street (the point of beginning),
23 north and east along Howard Street to Sixth Street, south and east along Sixth Street to
24 Townsend Street, south and west along Townsend Street to Division Street, west along
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1 Division Street to Ninth Street, and north and west along Ninth Street to the intersection of
2 Ninth Street and Howard Street (the point of beginning).

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Existing Use Districts	Use District Hereby Approved
M-2, P, RED, RSD, SLI, SLR	To Existing Use Districts Add the South of Market Parking Special Use District Overlay

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

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11 By: _____
John D. Malamut
Deputy City Attorney

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