

REVISED LEGISLATIVE DIGEST

[Zoning – Street Frontages]

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; 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

Existing Law

Planning Code Section 145.1 regulates street frontages in NC (Neighborhood-Commercial), DTR (Downtown Residential), and Eastern Neighborhood Mixed Use zoning districts to ensure that they are attractive, pedestrian –oriented and compatible with existing buildings. It limits the amount of the facade devoted to ingress/egress of parking, requires that selected ground floor uses in most NC (Neighborhood Commercial) districts devote a certain percentage of street frontage to commercial, untinted window space, requires off-street parking at grade to be set back, requires "active uses" to be provided within the first 25 feet along the ground, and establishes ground floor ceiling heights.

Section 201 sets forth the classes of use districts into which the City is divided.

Section 243 establishes a Special Use District that creates (1) a mix of residential and commercial uses along Van Ness Avenue, (2) preserves and enhances the pedestrian environment, (3) encourages the retention of historically significant buildings, (4) conserves the existing housing stock, and (5) enhances the visual and urban design quality of the street.

Section 261.1 establishes additional height limits and setbacks for narrow streets and alleys in RTO (Residential, Transit-Oriented) and NCT (Neighborhood Commercial Transit) districts, and in the Eastern Neighborhoods Mixed Use District to ensure the provision of sun to these small scale residential alleys.

Section 270.2 requires mid-block alleys for large lot development in the Eastern Neighborhoods Mixed Use and DTR districts to mitigate the impact of the large blocks found in these areas.

Amendments to Current Law

This legislation amends Section 145.1 to extend application of its requirements to R-C (Residential-Commercial), C (Commercial), C-M (Commercial-Industrial), Chinatown Mixed Use, and South of Market Mixed Use zoning districts. It would also modify the limitations on

ingress/egress and remove the current NC requirement to devote at 50% of the ground floor to entrances, windows or display cases instead applying the NCT's "active use" provisions, which requires active uses along the ground floor for the first 25 feet deep into the parcel. Above grade parking setbacks and ground floor ceiling height requirements would apply only to a project defined as a "development lot." Specific street frontage requirements could be modified or waived by the Planning Commission for landmark structures, significant or contributory buildings within a historic district, or buildings of merit when the Historic Preservation Commission advises that complying with specific street frontage requirements would adversely affect the structure or building.

Section 201 is amended to add further use categories. It also removes the Hayes-Gough NCD from the list of Individual Area Districts because Hayes-Gough has been rezoned to an NCT.

Section 243 is amended to replace the current street frontage and parking setback controls with the controls in Section 145.1 of the Code. It also establishes a minimum floor to ceiling height for ground floor non-residential uses.

Section 261.1 is amended to extend application of its requirements to NC (Neighborhood Commercial) and South of Market Mixed use Districts.

Section 270.2 is amended to extend its requirements to the South of Market Mixed Use, C-3 (Downtown), and C-M (Commercial-Industrial) zoning districts and to allow the non-vehicular portions of such alleyways or pathways in C-3 zoning districts to count towards the open space requirements of Section 138 of the Code so long as they meet the requirements of both Sections 138 and 270.2.

Background Information

Most of San Francisco developed before the widespread use of the automobile, and before the existence of Planning Codes that geographically segregated land uses. San Francisco's first Planning Code was created in the 1940s and the first parking requirements were imposed in 1956. As a result, many San Francisco neighborhoods still have a dense, walkable character, with a mix of primary uses – housing, shops, offices, and light production, distribution and repair (PDR) businesses.

The San Francisco Planning Code includes a number of use districts that allow a mix of uses, and these use districts have changed and multiplied over time. A mix of residential and non-residential uses is permitted in Commercial, Residential-Commercial, Neighborhood Commercial, South of Market Mixed Use, Chinatown Mixed Use, Residential Transit-Oriented, Downtown Residential, and Eastern Neighborhoods Mixed Use districts.

The General Plan, in its Urban Design and Transportation elements, strongly emphasizes the importance of active, human-scaled, and pedestrian-oriented building fronts, and of maintaining neighborhood character. Over the past few decades, street frontage controls have

been introduced into a number of zoning districts. These controls are elements of "form-based" codes, which pay greater attention to physical form and character of new buildings, emphasize walkable, mixed-use and compact neighborhoods, and include a number of prescriptive controls such as built-to lines and required building features rather than just proscriptive ones. Form-based codes are in increasing use in the United States.

The San Francisco Planning Code has developed into a hybrid, with strong form-based controls in some districts and virtually none in others. The goal of this legislation is to create a comprehensive and consistent set of street frontage controls for most districts that allow a mix of uses. It will provide more consistency in the Planning Code by extending controls across use districts of a similar type, and will simplify the Code by consolidating and harmonizing varying Code requirements governing certain building features.