

Amendment of the Whole
May 24, 2006.

FILE NO. 060372

ORDINANCE NO.

1 [Off-Street Parking In C-3 Zoning Districts And For Bicycles and Car Share.]

2

3 **Ordinance amending the San Francisco Planning Code by amending Sections 102.9,**
4 **151, 151.1, 154, 155, 155.5, 161, 166, 167 and 309 to impose new requirements in C-3**
5 **Zoning Districts regarding permitted off-street parking and loading, allowed off-street**
6 **freight loading and service vehicle spaces and to separate parking costs from housing**
7 **costs, to impose new requirements for parking for bicycles and car share vehicles, to**
8 **exempt from the legislation projects that received final Planning Department or**
9 **Planning Commission approval and submitted complete site permit applications prior**
10 **to the effective date of the legislation, to require the Planning Department, the**
11 **Municipal Transportation Agency and the County Transportation Agency to undertake**
12 **a study of downtown parking issues, and adopting environmental findings and findings**
13 **of consistency with the General Plan and the eight priority policies of Planning Code**
14 **Section 101.1.**

15 Note: Additions are *single-underline italics Times New Roman*;
16 deletions are ~~*strikethrough italics Times New Roman*~~.
17 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

19 Section 1. Findings. (a) Pursuant to Planning Code Section 302, the Board of
20 Supervisors finds that this ordinance will serve the public necessity, convenience and welfare
21 for the reasons set forth in Planning Commission Resolution No. _____, and
22 incorporates such reasons herein by reference. A copy of said Planning Commission
23 resolution is on file with the Clerk of the Board in File No. _____.

24

25 Supervisor Peskin
BOARD OF SUPERVISORS

1 (b) The Board of Supervisors finds that this ordinance is in conformity with the
2 General Plan, and with the Priority Policies of Planning Code Section 101.1 for the reasons
3 set forth in Planning Commission Resolution No. _____, and hereby
4 incorporates those reasons herein by reference.

5 (c) The Planning Department has determined that adoption of this ordinance is in
6 compliance with the California Environmental Quality Act (California Public Resources Code
7 Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
8 Supervisors in File No. _____ and is incorporated herein by reference.

9 Section 2. The San Francisco Planning Code is hereby amended by amending
10 Sections 102.9, 151, 151.1, 154, 155, 155.5, 161,166, 167 and 309 to read as follows:

11 **SEC. 102.9. FLOOR AREA, GROSS.**

12 In districts other than C-3, the sum of the gross areas of the several floors of a
13 building or buildings, measured from the exterior faces of exterior walls or from the centerlines
14 of walls separating two buildings. Where columns are outside and separated from an exterior
15 wall (curtain wall) which encloses the building space or are otherwise so arranged that the
16 curtain wall is clearly separate from the structural members, the exterior face of the curtain
17 wall shall be the line of measurement, and the area of the columns themselves at each floor
18 shall also be counted.

19 In C-3 Districts and the Van Ness Special Use District, the sum of the gross
20 areas of the several floors of a building or buildings, measured along the glass line at windows
21 at a height of four feet above the finished floor and along a projected straight line parallel to
22 the overall building wall plane connecting the ends of individual windows; provided, however,
23 that such line shall not be inward of the interior face of the wall.

24 (a) Except as specifically excluded in this definition, "gross floor area" shall
25 include, although not be limited to, the following:

- 1 (1) Basement and cellar space, including tenants' storage areas and all other
2 space except that used only for storage or services necessary to the operation or
3 maintenance of the building itself;
- 4 (2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at
5 each floor;
- 6 (3) Floor space in penthouses except as specifically excluded in this
7 definition;
- 8 (4) Attic space (whether or not a floor has been laid) capable of being made
9 into habitable space;
- 10 (5) Floor space in balconies or mezzanines in the interior of the building;
- 11 (6) Floor space in open or roofed porches, arcades or exterior balconies, if
12 such porch, arcade or balcony is located above the ground floor or first floor of occupancy
13 above basement or garage and is used as the primary access to the interior space it serves;
- 14 (7) Floor space in accessory buildings, except for floor spaces used for
15 accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and
16 driveways and maneuvering areas incidental thereto; and
- 17 (8) Any other floor space not specifically excluded in this definition.
- 18 (b) "Gross floor area" shall not include the following:
- 19 (1) Basement and cellar space used only for storage or services necessary
20 to the operation or maintenance of the building itself;
- 21 (2) Attic space not capable of being made into habitable space;
- 22 (3) Elevator or stair penthouses, accessory water tanks or cooling towers,
23 and other mechanical equipment, appurtenances and areas necessary to the operation or
24 maintenance of the building itself, if located at the top of the building or separated therefrom
25 only by other space not included in the gross floor area;

1 (4) Mechanical equipment, appurtenances and areas, necessary to the
2 operation or maintenance of the building itself (i) if located at an intermediate story of the
3 building and forming a complete floor level; or (ii) in C-3 Districts, if located on a number of
4 intermediate stories occupying less than a full floor level, provided that the mechanical
5 equipment, appurtenances and areas are permanently separated from occupied floor areas
6 and in aggregate area do not exceed the area of an average floor as determined by the
7 Zoning Administrator;

8 (5) Outside stairs to the first floor of occupancy at the face of the building
9 which the stairs serve, or fire escapes;

10 (6) Floor space used for accessory off-street parking and loading spaces as
11 described in Section 204.5 of this Code and up to a maximum of one-hundred fifty percent (150%)
12 of the off-street accessory parking permitted by right in Section 151.1 of this Code for C-3 Districts,
13 and driveways and maneuvering areas incidental thereto;

14 (7) Arcades, plazas, walkways, porches, breeze-ways, porticos and similar
15 features (whether roofed or not), at or near street level, accessible to the general public and
16 not substantially enclosed by exterior walls; and accessways to public transit lines, if open for
17 use by the general public; all exclusive of areas devoted to sales, service, display, and other
18 activities other than movement of persons;

19 (8) Balconies, porches, roof decks, terraces, courts and similar features,
20 except those used for primary access as described in Paragraph (a)(6) above, provided that:

21 (A) If more than 70 percent of the perimeter of such an area is enclosed,
22 either by building walls (exclusive of a railing or parapet not more than three feet eight inches
23 high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either
24 dimension, the area shall not be excluded from gross floor area unless it is fully open to the
25

1 sky (except for roof eaves, cornices or belt courses which project not more than two feet from
2 the face of the building wall).

3 (B) If more than 70 percent of the perimeter of such an area is enclosed,
4 either by building walls (exclusive of a railing or parapet not more than three feet eight inches
5 high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both
6 dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky
7 (except for roof eaves, cornices or belt courses which project no more than two feet from the
8 face of the building wall), and (2) the area may have roofed areas along its perimeter which
9 are also excluded from gross floor area if the minimum clear open space between any such
10 roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above
11 exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the
12 clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure
13 without walls may cover up to 10 percent of such open space without being counted as gross
14 floor area.

15 (C) If, however, 70 percent or less of the perimeter of such an area is
16 enclosed by building walls (exclusive of a railing or parapet not more than three feet eight
17 inches high) or by such walls and interior lot lines, and the open side or sides face on a yard,
18 street or court whose dimensions satisfy the requirements of this Code and all other
19 applicable codes for instances in which required windows face upon such yard, street or court,
20 the area may be roofed to the extent permitted by such codes in instances in which required
21 windows are involved;

22 (9) On lower, nonresidential floors, elevator shafts and other life-support
23 systems serving exclusively the residential uses on the upper floors of a building;

24 (10) One-third of that portion of a window bay conforming to the requirements
25 of Section 136(d)(2) which extends beyond the plane formed by the face of the facade on

1 either side of the bay but not to exceed seven square feet per bay window as measured at
2 each floor;

3 (11) Ground floor area in the C-3-0, C-3-O (SD), C-3-S, C-3-S(SU) and C-3-G
4 Districts devoted to building or pedestrian circulation and building service;

5 (12) In the C-3-0, C-3-O (SD), C-3-S, C-3-S(SU) and C-3-G Districts, space
6 devoted to personal services, restaurants, and retail sales of goods intended to meet the
7 convenience shopping and service needs of downtown workers and residents, not to exceed
8 5,000 occupied square feet per use and, in total, not to exceed 75 percent of the area of the
9 ground floor of the building plus the ground level, on-site open space. Said uses shall be
10 located on the ground floor, except that, in order to facilitate the creation of more spacious
11 ground floor interior spaces, a portion of the said uses, in an amount to be determined
12 pursuant to the provisions of Section 309, may be located on a mezzanine level;

13 (13) An interior space provided as an open space feature in accordance with
14 the requirements of Section 138;

15 (14) Floor area in C-3, RED, RSD, SPD, SLR, SLI, and SSO Districts devoted
16 to child care facilities provided that:

17 (A) Allowable indoor space is no more or no less than 3,000 square feet and
18 no more than 6,000 square feet, and

19 (B) The facilities are made available rent free, and

20 (C) Adequate outdoor space is provided adjacent, or easily accessible, to the
21 facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing
22 requirements for child care facilities, and

23 (D) The space is used for child care for the life of the building as long as
24 there is a demonstrated need. No change in use shall occur without a finding by the City
25 Planning Commission that there is a lack of need for child care and that the space will be

1 used for a facility described in Subsection 15 below dealing with cultural, educational,
2 recreational, religious, or social service facilities;

3 (15) Floor area in C-3, RED, RSD, SPD, SLR, SLI, and SSO Districts
4 permanently devoted to cultural, educational, recreational, religious or social service facilities
5 available to the general public at no cost or at a fee covering actual operating expenses,
6 provided that such facilities are:

7 (A) Owned and operated by a nonprofit corporation or institution, or

8 (B) Are made available rent free for occupancy only by nonprofit corporations
9 or institutions for such functions. Building area subject to this subsection shall be counted as
10 occupied floor area, except as provided in Subsections 102.10(a) through (f) of this Code, for
11 the purpose of calculating the off-street parking and freight loading requirements for the
12 project;

13 (16) In C-3 Districts, floor space used for short-term parking and aisles
14 incidental thereto when required pursuant to Section 309 in order to replace short-term
15 parking spaces displaced by the building or buildings;

16 (17) Floor space in mezzanine areas within live/work units where the
17 mezzanine satisfies all applicable requirements of the San Francisco Building Code;

18 (18) Floor space suitable primarily for and devoted exclusively to exhibitions or
19 performances by live/work tenants within the structure or lot, provided that such facilities will
20 be available rent-free to live/work tenants within the property for the life of the structure; and

21 (19) In South of Market RED, RSD, SPD, SLR, SLI and SSO Districts,
22 live/work units and any occupied floor area devoted to mechanical equipment or
23 appurtenances or other floor area accessory to live/work use provided that:

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1 (A) The nonresidential use within each live/work unit shall be limited to uses
2 which are principal permitted uses in the district or otherwise are conditional uses in the
3 district and are approved as a conditional use,

4 (B) The density, enforcement, open space, parking and freight loading and
5 other standards specified in Sections 124(j), 135.2, 151 and 152.1 shall be satisfied, along
6 with all other applicable provisions of this Code, and

7 (C) For the purpose of calculating the off-street parking and freight loading
8 requirement for the project, building area subject to this subsection shall be counted as
9 occupied floor area, except as provided in Subsections 102.10(a) through (f) of this Code.

10 **SEC. 151 SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.**

11 Off-street parking spaces shall be provided in the minimum quantities specified in the
12 following table, except as otherwise provided in Section 151.1 and Section 161 of this Code.
13 Where the building or lot contains uses in more than one of the categories listed, parking
14 requirements shall be calculated in the manner provided in Section 153 of this Code. Where
15 off-street parking is provided which exceeds certain amounts in relation to the quantities
16 specified in this table, as set forth in Section 204.5 of this Code, such parking shall be
17 classified not as accessory parking but as either a principal or a conditional use, depending
18 upon the use provisions applicable to the district in which the parking is located. In
19 considering an application for a conditional use for any such parking, due to the amount being
20 provided, the City Planning Commission shall consider the criteria set forth in Section 157 of
21 this Code.

22 Table 151
23 OFF-STREET PARKING SPACES REQUIRED

24 Use or Activity Number of Off-Street Parking Spaces Required
25

1	Dwelling, except as specified below, and except in the Bernal Heights Special Use District as provided in Section 242	One for each dwelling unit.
2		
3	Dwelling, RC-4, RSD and C-3 Districts , except in the Van Ness Special Use District	One for each four dwelling unit.
4		
5		
6	Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code	One-fifth the number of spaces specified above for the district in which the dwelling is located.
7		
8		
9	Group housing of any kind	One 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, with a minimum of two spaces required.
10		
11		
12	SRO units	In the South of Market base area, one for each 20 units, plus one for the manager's dwelling unit, if any, with a minimum of two spaces.
13		
14		
15	Hotel, inn or hostel in NC Districts	0.8 for each guest bedroom.
16	Hotel, inn or hostel in districts other than NC	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit, if any.
17		
18	Motel	One for each guest unit, plus one for the manager's dwelling unit, if any.
19		
20	Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.
21		
22	Hospital or other inpatient medical institution	One for each 16 guest excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two.
23		
24		
25	Residential care facility	One for each 10 residents, where the number of

1		residents exceeds nine.
2	Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
3		
4	Elementary school	One for each six classrooms.
5	Secondary school	One for each two classrooms.
6	Post-secondary educational institution	One for each two classrooms.
7	Church or other religious institutions	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.
8	Theater or auditorium	One for each eight seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000.
9		
10	Stadium or sports arena	One for each 15 seats.
11	Medical or dental office or outpatient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
12		
13	Offices or studios of architects, engineers, interior designers and other design professionals and studios of graphic artists	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
14		
15		
16	Other business office	One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, except one for each 750 square feet within the SSO District, where the occupied floor area exceeds 5,000 square feet.
17		
18		
19	Restaurant, bar, nightclub, pool hall, dancehall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
20		
21		
22	Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
23		
24	Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area
25		

1		exceeds 5,000 square feet.
2	Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.
3		
4		
5	Service, repair or wholesale sales space, including personal, home or business service space in South of Market Districts	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
6		
7		
8	Mortuary	Five.
9	Storage or warehouse space, and space devoted to any use first permitted in an M-2 District	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
10		
11	Arts activities and spaces except theater or auditorium spaces	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
12		
13	Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
14		
15	Live/work units	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except in RH or RM Districts, within which the requirement shall be one space for each live/work unit.
16		
17		
18		

19 **SEC. 151.1 PERMITTED OFF-STREET PARKING IN DOWNTOWN RESIDENTIAL**
20 **(DTR) AND C-3 DISTRICTS**

21 (a) For any use in DTR *and C-3 Districts*, off-street accessory parking shall not be
22 required as specified in Section 151.1 herein. The quantities specified in Table 151.1 shall
23 serve as the maximum amount of off-street parking that may be provided as accessory to the
24 uses specified. For uses in DTR districts not described in Table 151.1, the off-street
25

1 requirements specified in Table 151 and set forth in Section 204.5 of this Code shall serve as
 2 maximums for the total amount of accessory parking that may be provided. For uses in C-3
 3 Districts not described in Table 151.1, Section 204.5 shall determine the maximum permitted accessory
 4 parking that may be provided. Variances may not be granted in C-3 Districts above the maximum
 5 accessory parking specified in this Section 151.1. Where off-street parking is provided that
 6 exceeds the quantities specified in ~~table~~ Table 151.1 or as set forth in Section 204.5 of this
 7 Code, such parking shall be classified not as accessory parking but as either a principally
 8 permitted or conditional use, depending upon the use provisions applicable to the district in
 9 which the parking is located. In considering an application for a conditional use for any such
 10 parking due to the amount being provided, the Planning Commission shall consider the
 11 criteria set forth in Section 157 of this Code.

12 (b) Where a number or ratio of spaces are described in Table 151.1, such number
 13 or ratio shall refer to the total number of parked cars accommodated in the project proposal,
 14 regardless of the arrangement of parking, and shall include all spaces accessed by
 15 mechanical means, valet, or non-independently accessible means. For the purposes of
 16 determining the total number of cars parked, the area of an individual parking space, except
 17 for those spaces specifically designated for persons with physical disabilities, may not exceed
 18 185 square feet, including spaces in tandem, or in parking lifts, elevators or other means of
 19 vertical stacking.

20 (c) Any off-street parking space dedicated for use as a car-share parking space, as
 21 defined in Section 166, shall not be counted toward the total parking allowed as accessory in
 22 this Section.

23 **Table 151.1**
 24 **OFF-STREET PARKING ALLOWED AS ACCESSORY**
 25 **Use or Activity** **Number of Off-Street Car Parking Spaces or**
Space Devoted to Off-Street Car Parking
Permitted

<p>1 Dwelling units <i>in DTR Districts</i>, except as specified below</p> <p>2</p> <p>3 <u><i>Dwelling units in C-3 Districts, except as</i></u> <u><i>specified below</i></u></p> <p>4</p> <p>5</p> <p>6 <u><i>Dwelling units in C-3 Districts with at</i></u> <u><i>least 2 bedrooms and at least 1,000</i></u> <u><i>square feet of occupied floor area</i></u> <u><i>Dwelling, specifically designed for and</i></u> <u><i>occupied by senior citizens or persons</i></u> <u><i>with physical disabilities, as defined and</i></u> <u><i>regulated by Section 209.1(m) of this</i></u> <u><i>Code</i></u></p> <p>7</p> <p>8</p> <p>9</p> <p>10 Group housing of any kind</p> <p>11</p> <p>12 SRO units</p> <p>13 All office uses</p>	<p>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(b)(d); NP above one space per unit.</p> <p><u><i>P up to one car for each four dwelling units; up to</i></u> <u><i>0.75 cars for each dwelling unit, subject to the</i></u> <u><i>criteria and procedures of Section 151.1(e); NP</i></u> <u><i>above 0.75 cars for each dwelling unit.</i></u></p> <p><u><i>P up to one car for each four dwelling units; up to</i></u> <u><i>one car for each dwelling unit, subject to the criteria</i></u> <u><i>and procedures of Section 151.1(e); NP above one</i></u> <u><i>car for each dwelling unit.</i></u></p> <p><u><i>P up to one car for each 13 dwelling units; NP</i></u> <u><i>above.</i></u></p> <p>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</p> <p>P up to one car for each 20 units, plus one for the manager's dwelling unit, if any. NP above.</p> <p>P up to seven percent of the gross floor area of such uses; NP above.</p>
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14 (d) In DTR districts, any request for accessory parking in excess of what is
15 permitted by right shall be reviewed on a case-by-case basis by the Planning Commission,
16 subject to the procedures set forth in Section 309.1 of this Code. In granting approval for
17 parking accessory to residential uses above that permitted by right in Table 151.1, the
18 Commission shall make the following affirmative findings:

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

22 (2) vehicle movement on or around the project site associated with the excess
23 accessory parking does not unduly impact pedestrian spaces or movement, transit service,
24 bicycle movement, or the overall traffic movement in the district;

25

1 (3) accommodating excess accessory parking does not degrade the overall urban
2 design quality of the project proposal;

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

6 (5) excess accessory parking does not diminish the quality and viability of existing
7 or planned streetscape enhancements.

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

13 (1) For projects with 50 units or more, all residential accessory parking in excess of 0.5
14 parking spaces for each dwelling unit shall be stored and accessed by mechanical stackers or lifts,
15 valet, or other space-efficient means that allows more space above-ground for housing, maximizes
16 space efficiency and discourages use of vehicles for commuting or daily errands. The Planning
17 Commission may authorize the request for additional parking notwithstanding that the project sponsor
18 cannot fully satisfy this requirement provided that the project sponsor demonstrates hardship or
19 practical infeasibility (such as for retrofit of existing buildings) in the use of space-efficient parking
20 is ~~practically infeasible~~ given the configuration of the parking floors within the building and the
21 number of independently accessible spaces above 0.5 spaces per unit is de minimus and
22 subsequent valet operation or other form of parking space management could not significantly
23 increase the capacity of the parking space above the maximums in Table 151.1.;

24 (2) For any project with residential accessory parking in excess of 0.375 parking spaces for
25 each dwelling unit, the project complies with the housing requirements of Sections 315 through 315.9

1 of this Code except as follows: the inclusionary housing requirements that apply to projects
2 seeking conditional use authorization as designated in Section 315.3(a)(2) shall apply to the
3 project, if constructed on-site, a minimum of 12 percent of the total units constructed, and if
4 constructed off-site, a minimum of 17 percent of the total units constructed, shall be affordable
5 to and occupied by qualifying persons and families as defined elsewhere in this Code;

6 (3) The findings of Section 151.1(d)(2), (d)(3) and (d)(5) are satisfied;

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

10 **SEC. 154. DIMENSIONS FOR OFF-STREET PARKING, FREIGHT LOADING AND**
11 **SERVICE VEHICLE SPACES.**

12 (a) Parking Spaces.

13 (1) Every required off-street parking space shall have a minimum area of 160
14 square feet, except as specified in Paragraph (a)(2) below. Every required space shall be of
15 usable shape. The area of any such space shall be exclusive of driveways, aisles and
16 maneuvering areas. The parking space requirements for the Bernal Heights Special Use
17 District are set forth in Section 242.

18 (2) In the case of any structure or use for which four or more off-street parking
19 spaces are required, the fourth such space may be a compact car space, and for each two
20 spaces required in excess of four, the second such space may be a compact car space. For
21 this purpose every compact car space shall have a minimum area of 127.5 square feet and
22 shall be specifically marked and identified as a compact car space. For dwelling units or group
23 housing within RED, SPD, RSD, SLR, SLI or SSO Districts, 100 percent compact sizes shall
24 be permitted. Special provisions relating to the Bernal Heights Special Use District are set
25 forth in Section 242.

1 (3) Ground floor ingress and egress to any off-street parking spaces provided for a
2 structure or use, and all spaces to be designated as preferential carpool or van pool parking,
3 and their associated driveways, aisles and maneuvering areas, shall maintain a minimum
4 vertical clearance of seven feet.

5 (4) In DTR and C-3 Districts districts, there shall be no minimum area or dimension
6 requirements for off-street parking spaces, except as required elsewhere in this Code for
7 spaces specifically designated for persons with physical disabilities, nor shall they be required
8 to be independently accessible. The use of mechanical parking lifts, valet services and other
9 means to increase the efficiency of space devoted to parking are encouraged.

10 (b) Freight Loading and Service Vehicle Spaces. Every required off-street freight
11 loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a
12 minimum vertical clearance including entry and exit of 14 feet, except as provided below.

13 (1) Minimum dimensions specified herein shall be exclusive of platform, driveways
14 and maneuvering areas except that minimum vertical clearance must be maintained to
15 accommodate variable truck height due to driveway grade.

16 (2) The first such space required for any structure or use shall have a minimum
17 width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including
18 entry and exit, of 12 feet.

19 (3) Each substituted service vehicle space provided under Section 153(a)(6) of this
20 Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a minimum
21 vertical clearance of seven feet.

22 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF**
23 **OFF- STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

24 Required off-street parking and freight loading facilities shall meet the following
25 standards as to location and arrangement. In addition, facilities which are not required but are

1 actually provided shall meet the following standards unless such standards are stated to be
2 applicable solely to required facilities. In application of the standards of this Code for off-street
3 parking and loading, reference may be made to provisions of other portions of the Municipal
4 Code concerning off-street parking and loading facilities, and to standards of the Bureau of
5 Engineering of the Department of Public Works. Final authority for the application of such
6 standards under this Code, and for adoption of regulations and interpretations in furtherance
7 of the stated provisions of this Code shall, however, rest with the Department of City Planning.

8 (a) Every required off-street parking or loading space shall be located on the same
9 lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

10 (b) Every required off-street parking or loading space shall be located in its entirety
11 within the lot lines of private property.

12 (c) Every off-street parking or loading space shall have adequate means of ingress
13 from and egress to a street or alley. Every required off-street parking or loading space shall be
14 independently accessible, with the exception of a parking space for a minor second dwelling
15 unit in an RH-1(S) District, or as otherwise provided by the Bernal Heights Special Use District
16 set forth in Section 242. In C-3 Districts, if it is found, in accordance with the provisions of
17 Section 309, that independently accessible spaces are infeasible due to site constraints, or in
18 South of Market Districts if it is found, in accordance with the provisions of Section 307(g) of
19 this Code, that independently accessible spaces for nonresidential activities are infeasible due
20 to site constraints or that valet parking would provide a more convenient and efficient means
21 of serving business clients, the substitution of attendant parking spaces for independently
22 accessible spaces may be approved. Access to off-street loading spaces shall be from alleys
23 in preference to streets.

24 ~~————— In C-3 Districts, where possible, access to off-street parking and loading spaces shall be from~~
25 ~~streets and alleys which are identified as base case streets in the Downtown Streetscape Plan and~~

1 ~~minor streets rather than transit preferential streets or major arterial streets, all as identified in the~~
2 ~~Downtown Plan, a component of the Master Plan.~~

3 Adequate reservoir space shall be provided on private property for entrance of vehicles
4 to off-street parking and loading spaces, except with respect to spaces independently
5 accessible directly from the street.

6 (1) For residential uses, independently accessible off-street parking spaces shall
7 include spaces accessed by automated garages, or car elevators, provided that no car needs
8 to be moved under its own power to access another car.

9 (d) All off-street freight loading and service vehicle spaces in the C-3-O, C-3-R, C-3-
10 G, and South of Market Districts shall be completely enclosed and access from a public street
11 or alley shall be provided by means of a private service driveway, which is totally contained
12 within the structure. Such a private service driveway shall include adequate space to
13 maneuver trucks and service vehicles into and out of all provided spaces, and shall be
14 designed so as to facilitate access to the subject property while minimizing interference with
15 street and sidewalk circulation. Any such private service driveway shall be of adequate width
16 to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no
17 case exceed 30 feet. Notwithstanding the foregoing, if an adjacent street or alley is
18 determined to be primarily used for building service, pursuant to the provisions of Section 309
19 in a C-3-O, C-3-R or C-3-G District, or the provisions of Section 307(g) in a South of Market
20 District, up to four spaces may be allowed to be individually accessible directly from such a
21 street or alley.

22 (e) In a C-3 or South of Market District, where site constraints would make a
23 consolidated freight loading and service vehicle facility impractical, service vehicle spaces
24 required by Sections 153(a)(6) and 154(b)(3) of this Code may be located in a parking garage
25 for the structure or other location separate from freight loading spaces.

1 (f) In a C-3 or South of Market District, whenever off-street freight loading spaces
2 are provided, freight elevators immediately accessible from the loading dock shall be provided
3 to all floors which contain uses that are included in the calculation of required number of
4 freight loading spaces. If freight loading facilities are subterranean, the location and operation
5 of freight elevators shall be designed, where feasible, to discourage use of freight elevators
6 for deliveries from the ground floor. Directories of building tenants shall be provided at all
7 freight elevators. A raised loading dock or receiving area shall be provided with sufficient
8 dimensions to provide for short-term storage of goods. All required freight loading and service
9 vehicle spaces shall be made available only to those vehicles at all times, and provision shall
10 be made to minimize interference between freight loading and service operations, and
11 garbage dumpster operations and storage.

12 (g) In order to discourage long-term commuter parking, any off-street parking
13 spaces provided for a structure or use other than residential or hotel in a C-3 District, whether
14 classified as an accessory or conditional use, which are otherwise available for use for long-
15 term parking by downtown workers shall maintain a rate or fee structure for their use such that
16 the rate charge for four hours of parking duration is no more than four times the rate charge
17 for the first hour, and the rate charge for eight or more hours of parking duration is no less
18 than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall
19 be permitted for weekly, monthly or similar time-specific periods.

20 (h) The internal layout of off-street parking and loading spaces, driveways, aisles
21 and maneuvering areas shall be according to acceptable standards, and all spaces shall be
22 clearly marked.

23 (i) For each 25 off-street parking spaces provided, one such space shall be
24 designed and designated for handicapped persons.

25

1 (j) Except as provided by Section 155.1 and Section 155.2 below, for each 20 off-
2 street parking spaces provided, one space shall be provided for parking of a bicycle. The
3 most restrictive provisions of 155(j) or 155.4 shall prevail.

4 (k) Off-street parking and loading facilities shall be arranged so as to prevent
5 encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing
6 and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel
7 guards or such other devices as are necessary.

8 (l) Driveways crossing sidewalks shall be no wider than necessary for ingress and
9 egress, and shall be arranged, to the extent practical, so as to minimize the width and
10 frequency of curb cuts, to maximize the number and size of on-street parking spaces available
11 to the public, and to minimize conflicts with pedestrian and transit movements.

12 (m) Every off-street parking or loading facility shall be suitably graded, surfaced,
13 drained and maintained.

14 (n) Off-street parking and loading spaces shall not occupy any required open space,
15 except as specified in Section 136 of this Code.

16 (o) No area credited as all or part of a required off-street parking space shall also be
17 credited as all or part of a required off-street loading space, or used as all or part of an
18 unrequired off-street loading space. No area credited as all or part of a required off-street
19 loading space shall also be credited as all or part of a required off-street parking space, or
20 used as all or part of an unrequired off-street parking space.

21 (p) Any off-street freight loading area located within 50 feet of any R District shall be
22 completely enclosed within a building if such freight loading area is used in regular night
23 operation.

24 (q) Rooftop parking shall be screened as provided in Section 141(d) of this Code.
25

1 (r) Protected Pedestrian- and Transit-Oriented Street Frontages. In order to
2 preserve the pedestrian character of certain downtown and neighborhood commercial districts
3 and to minimize delays to transit service, garage entries, driveways or other vehicular access
4 to off-street parking or loading shall be regulated as follows on the following street frontages:

5 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except as
6 set forth in Section 827.

7 (2) The entire portion of Market Street in the C-3 Districts, not permitted.

8 (3) The entire portion of California Street, The Embarcadero, Folsom Street, Geary Street,
9 Mission Street, Powell Street and Stockton Street in the C-3 Districts, and Grant Avenue from Market
10 Street to Bush Street and Montgomery Street from Market Street to Columbus Avenue, not permitted
11 except with a conditional use permit.

12 (4) In C-3 Districts, No no curb cuts accessing off-street parking or loading shall be
13 created or utilized on street frontages identified along any Transit Preferential, Citywide Pedestrian
14 Network or Neighborhood Commercial Streets as designated in the Transportation Element of the
15 General Plan or official city bicycle routes or bicycle lanes, where an alternative frontage is available.
16 For bicycle lanes, the prohibition on curb cuts applies to the side or sides of the street where bicycle
17 lanes are located; for one-way bicycle routes or lanes, the prohibition on curb cuts shall apply to the
18 right side of the street only, unless the officially adopted alignment is along the left side of the street.
19 Where an alternative frontage is not available, parking or loading access along any Transit
20 Preferential, Citywide Pedestrian Network or Neighborhood Commercial Streets as designated in the
21 Transportation Element of the General Plan or official city bicycle lane or bicycle route, may be
22 allowed as an exception in the manner provided in Section 309 in cases where it can be clearly
23 demonstrated that the final design of the parking access minimizes negative impacts to transit
24 movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.

1 (s) Off-street Parking and Loading in C-3 Districts. In C-3 Districts, restrictions on the
2 design and location of off-street parking and loading and access to off-street parking and loading are
3 necessary to reduce their negative impacts on neighborhood quality and the pedestrian environment.

4 (1) Ground Floor or Below-Grade Parking and Street Frontages with Active Uses.

5 (A) All off-street parking in C-3 Districts (both as accessory and principal uses) shall be
6 built no higher than the ground-level (up to a maximum ceiling height of 20 feet from grade) unless an
7 exception to this requirement is granted in accordance with Section 309 and subsection 155(s)(2) or a
8 conditional use is authorized in accordance with Section 303 and subsections 155(s)(2) or 155(s)(3)
9 below.

10 (B) Parking at the ground-level to the full height of the ground-level parking shall be lined
11 with active uses, as defined by Section 145.4(e), to a depth of at least 25 feet along all street frontages,
12 except for space allowed for parking and loading access, building egress, and access to mechanical
13 systems. So as not to preclude conversion of parking space to other uses in the future, parking at the
14 ground-level shall not be sloped and shall have a minimum clear ceiling height of nine feet.

15 (i) Where a non-accessory off-street parking garage permitted under Section 223(m)-(p) is
16 located in the Mid-Market area described below in subsection 155(s)(3)(B) and fronts more than one
17 street of less than 45 feet in width, a conditional use may be granted in accordance with Section 303
18 that allows an exception to this requirement for one of the street frontages. The above provision
19 authorizing such conditional use shall sunset eight years from the effective date of the ordinance
20 enacting this subsection 155(s)(1)(A)(i).

21 (C) Parking allowed above the ground-level in accordance with an exception under Section
22 309 or a conditional use in accordance with Section 303 as authorized by subsections 155(s)(2) or
23 155(s)(3) shall be entirely screened from public rights-of-way in a manner that accentuates ground
24 floor retail and other uses, minimizes louvers and other mechanical features and is in keeping with the
25 overall massing and architectural vocabulary of the building's lower floors. So as not to preclude

1 conversion of parking space to other uses in the future, parking allowed above the ground-level shall
2 not be sloped and shall have a minimum clear ceiling height of nine feet.

3 (2) Residential accessory parking. For residential accessory off-street parking in C-3
4 Districts, two additional floors of above-grade parking beyond the at-grade parking allowed by Section
5 155(s)(1), to a maximum ceiling height of 35 feet from grade, may be permitted subject to the
6 provisions of subsections 155(s)(2)(A) or 155(s)(2)(B) below:

7 (A) In a manner provided in Section 309 of this Code provided it can be clearly
8 demonstrated that transportation easements or contaminated soil conditions make it practically
9 infeasible to build parking below-ground. The determination of practical infeasibility shall be made
10 based on an independent, third-party geotechnical assessment conducted by a licensed professional
11 and funded by the project sponsor. The Planning Director shall make a determination as to the
12 objectivity of the study prior to the Planning Commission's consideration of the exception application
13 under Section 309.

14 (B) As a conditional use in accordance with the criteria set forth in Section 303 of this Code,
15 provided it can be clearly demonstrated that constructing the parking underground instead of
16 above-grade will result in such a substantial increase in the price of housing to prospective
17 owners or lessees of the residential units that the Planning Commission determines that
18 compliance with the requirement would undermine the successful achievement of the City's
19 overall housing goals and policies as identified in the Housing Element of the General Plan,
20 above-grade instead of underground would allow the proposed housing to meet affordability
21 levels for which actual production has not met ABAG production targets as identified in the
22 Housing Element of the General Plan.

23 (3) Non-accessory off-street parking garages. For non-accessory off-street parking
24 garages in C-3 Districts permitted under Section 223(m)-(p), two additional floors of above-grade
25 parking beyond the at-grade parking allowed by Section 155(s)(1), to a maximum ceiling height of 35

1 feet from grade, may be permitted subject to the provisions of subsections (155)(s)(3)(A) or
2 155)(s)(3)(B) below:

3 (A) As a conditional use in accordance with the criteria set forth in Section 303, provided it
4 can be clearly demonstrated that transportation easements or contaminated soil conditions make it
5 practically infeasible to build parking below-ground. The determination of practical infeasibility shall
6 be made based on an independent, third-party geotechnical assessment conducted by a licensed
7 professional and funded by the project sponsor. The Planning Director shall make a determination as
8 to the objectivity of the study prior to the Planning Commission's consideration of the conditional use
9 permit application.

10 (B) As a conditional use in accordance with the criteria set forth in Section 303, provided
11 the site contains an existing non-accessory off-street surface parking lot with valid permits for such
12 parking as of the effective date of the ordinance enacting this subsection and the site is located in the
13 following Mid-Market area: Assessor's Block 0341, Lots 4 through 9 and 13; Block 0342, Lots 1, 2, 4,
14 7, 11, 12 and 13; Block 0350, Lots 1 through 4; Block 0355, Lots 3 through 12 and 15; Block 3507, Lot
15 39; Block 3508, Lots 1, 13, 18, 19, 22, 24 through 27, 39 and 40; Block 3509, Lots 18, 19, 36, 37 and
16 40 through 43; Block 3510, Lot 1; Block 3701, Lots 5, 8, 10, 11, 12, 20 through 24, 53, 59, 60, 63 and
17 64; Block 3702, Lots 1, 2, 37, 38, 39, 44, 44A, 45, 46, 47, 48, 48A, 51, 52, 53, 54, 56; Block 3703, Lots
18 1, 2, 3, 7, 10, 11, 12, 25, 26, 33, 40, 41, 50, 53, 56 through 68, 70, 74, 75, 76, 78 through 81, 84, 85 and
19 86; Block 3704, Lots 1, 3, 6, 9 through 13, 15, 17 through 22, 24, 35, 38, 39, 42, 43, 45, 62 and 67
20 through 79; Block 3725, Lot 78, 82, 86 through 91 and 93; Block 3727, Lot 1, 91, 94, 96, 97, 109, 117,
21 118, 120, 134, 168 and 173; Block 3728, Lot 1, 72, 75, 76, 81, 82, 83, 89, 103 and 105; and Block
22 0351, Lots 1, 22, 32, 33, 37, 39, 41, 43, 46, 47, 49, 50 and 51 This subsection 155)(s)(3)(B) shall sunset
23 eight years from the effective date of the ordinance enacting this subsection.

1 (4) Parking lots permitted in C-3 Districts as temporary uses according to Section 156(h)
2 and expansions of existing above-grade publicly accessible parking facilities are not subject to the
3 requirements of subsections 155(s)(1)-(3).

4 (5) Parking and Loading Access.

5 (A) Width of openings. Any single development is limited to a total of two façade openings of
6 no more than 11 feet wide each or one opening of no more than 22 feet wide for access to off-street
7 parking and one façade opening of no more than 15 feet wide for access to off-street loading. Shared
8 openings for parking and loading are encouraged. The maximum permitted width of a shared parking
9 and loading garage opening is 27 feet.

10 (B) Porte cocheres to accommodate passenger loading and unloading are not permitted
11 except as part of a hotel, inn or hostel use. For the purpose of this section, a "porte cochere" is defined
12 as an off-street driveway, either covered or uncovered, for the purpose of passenger loading or
13 unloading, situated between the ground floor façade of the building and the sidewalk.

14 **SEC. 155.5 BICYCLE PARKING REQUIRED FOR RESIDENTIAL USES**

15 (a) For buildings of 4 dwelling units or more, bicycle parking shall be provided in the
16 minimum quantities specified in Table 155.5, regardless of whether off-street car parking is
17 available. The maximum requirement is 400 spaces. Use of bicycle parking required by this
18 section shall be provided at no cost or fee to building occupants and tenants.

19 (b) Definitions. See Section 155.1(a)

20 (c) Layout. If more than 100 spaces is required, up to one-third of the spaces may
21 require the bicycle to be parked in a vertical position. Large developments with multiple
22 buildings are encouraged to site required bicycle parking in smaller facilities located close to
23 residential entries for each building, rather than in one large centralized garage space.
24 Required bicycle parking spaces shall not be provided within dwelling units, balconies, or

1 required open space. Bicycle parking must otherwise meet the standards set out for Class 1
2 parking as described in Section 155.1(d).

3
4 **TABLE 155.5**
5 **BICYCLE PARKING SPACES REQUIRED FOR RESIDENTIAL USES**

	Minimum Number of Bicycle Parking Spaces Required
7 Dwelling units in DTR <u>all</u> Districts	8 For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units.
	9 For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.
11 Group housing in DTR <u>all</u> Districts	12 One Class 1 space for every 3 bedrooms.
13 Dwelling units dedicated to senior citizens or physically disabled persons	14 None required

14 **SEC. 161. EXEMPTIONS FROM OFF-STREET PARKING, FREIGHT LOADING**
15 **AND SERVICE VEHICLE REQUIREMENTS.**

16 The following exemptions shall apply to the requirements for off-street parking and
17 loading spaces set forth in Sections 151 through 155 of this Code. These provisions, as
18 exemptions, shall be narrowly construed.

19 (a) No off-street parking shall be required for a one-family or two-family dwelling
20 where the lot on which such dwelling is located is entirely inaccessible by automobile because
21 of topographic conditions.

22 (b) No off-street loading shall be required where access to the lot cannot be
23 provided other than by means of a driveway across a sidewalk 25 feet or more in width from
24 the curb to the front lot line which would cause serious disruption to pedestrian traffic.

1 (c) In recognition of the compact and congested nature of the downtown area and
2 portions of Chinatown, the accessibility of this area by public transit, and programs for
3 provision of public parking facilities on an organized basis at specific locations, no off-street
4 parking shall be required for any use, in any C-3 Districts, or for any use other than dwellings
5 units where a requirement is specified, in ~~any C-3~~ Chinatown Visitor Retail, or Chinatown
6 Residential Neighborhood Commercial Districts.

7 (d) In recognition of the small scale of development, the desirability of retention and
8 conversion of many existing buildings of established character, the need to relieve congestion,
9 and the provision of public parking facilities on an organized basis at specific locations, no off-
10 street parking shall be required for any use other than dwellings in the Washington Broadway
11 Special Use District Numbers 1 and 2 as described in Section 239 of this Code and in the
12 Chinatown Community Business District, where the size of the lot does not exceed 20,000
13 square feet.

14 (e) In recognition of the close neighborhood orientation of the uses provided for in
15 Residential- Commercial Combined Districts of high density, no off-street parking shall be
16 required for any principal use in an RC-4 District for which the form of measurement is
17 occupied floor area, where the occupied floor area of such use does not exceed 10,000
18 square feet.

19 (f) In recognition of the policies set forth in the Northeastern Waterfront Plan, a part
20 of the General Plan, the unique nature of the area and the difficulty of providing vehicular
21 access thereto, the Planning Department or Planning Commission in specific cases may
22 determine an appropriate reduction in off-street parking requirements in Waterfront Special
23 Use District Numbers 1 and 3 as described in Sections 240.1 and 240.3 of this Code, in
24 authorizing any principal or conditional use, respectively, under those sections. In considering
25

1 any such reduction, the Planning Department for principal uses, and the Planning
2 Commission for conditional uses, shall consider the following criteria:

3 (1) The anticipated parking demand to be generated by the particular use
4 contemplated;

5 (2) Accessibility to the proposed site from freeway ramps or from major
6 thoroughfares;

7 (3) Minimization of conflict of vehicular and pedestrian movements;

8 (4) The service patterns of forms of transportation other than the automobile;

9 (5) The pattern of land uses and the availability of parking in the vicinity;

10 (6) The policies set forth in the Northeastern Waterfront Plan, including policies
11 concerning the relative emphasis that should be given to pedestrian and vehicular movement;
12 and

13 (7) Such other criteria as may be deemed appropriate in the circumstances of the
14 particular case.

15 (g) In instances in which all public agencies involved have certified by resolution
16 that the requirements of this Code (i) will be satisfied in whole or in part by public off-street
17 parking facilities constructed or authorized to be constructed for a special assessment district
18 or upon any other basis, or (ii) in C-3 and NC Districts will be satisfied by a requirement of a
19 cash contribution in an amount deemed sufficient to provide for the future construction of the
20 required number of parking stalls, off-street parking required for individual buildings and uses
21 may be correspondingly reduced if the total off-street parking supply in the area will
22 nevertheless meet the requirements of this Code for all buildings and uses in the area.

23 (h) The off-street parking requirements for dwelling units in the North of Market
24 Residential Special Use District, as described in Section 249.5 of this Code, may be reduced
25 by the Planning Commission pursuant to the procedures for conditional use authorization set

1 forth in Section 303 of this Code. In acting upon any application for a reduction of
2 requirements, the Planning Commission shall consider the criteria set forth below in lieu of the
3 criteria set forth in Section 303(c), and may grant the reduction if it finds that:

4 (1) The reduction in the parking requirement is justified by the reasonably
5 anticipated auto usage by residents of and visitors to the project; and

6 (2) The reduction in the parking requirement will not be detrimental to the health,
7 safety, convenience, or general welfare of persons residing or working in the vicinity.

8 (i) In recognition of the fact that site constraints in C-3 Districts may make provision
9 of required freight loading and service vehicle spaces impractical or undesirable, a reduction
10 in or waiver of the provision of freight loading and service vehicle spaces for uses in C-3
11 Districts may be permitted, in accordance with the provisions of Section 309 of this Code. In
12 considering any such reduction or waiver, the following criteria shall be considered:

13 (1) Provision of freight loading and service vehicle spaces cannot be accomplished
14 underground because site constraints will not permit ramps, elevators, turntables and
15 maneuvering areas with reasonable safety;

16 (2) Provision of the required number of freight loading and service vehicle spaces
17 on-site would result in the use of an unreasonable percentage of ground-floor area, and
18 thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or
19 open space uses;

20 (3) A jointly used underground facility with access to a number of separate buildings
21 and meeting the collective needs for freight loading and service vehicles for all uses in the
22 buildings involved, cannot be provided; and

23 (4) Spaces for delivery functions can be provided at the adjacent curb without
24 adverse effect on pedestrian circulation, transit operations or general traffic circulation, and
25

1 off-street space permanently reserved for service vehicles is provided either on-site or in the
2 immediate vicinity of the building.

3 (j) The off-street parking requirements for dwelling units in NC Districts, as
4 described in Article 7 of this Code, may be reduced by the Planning Commission pursuant to
5 the procedures for conditional use authorization set forth in Section 303 of this Code. In acting
6 upon any application for a reduction of requirements, the Planning Commission shall consider
7 the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the
8 reduction if it finds that:

9 (1) The reduction in the parking requirement is justified by the reasonably
10 anticipated auto usage by residents of and visitors to the project;

11 (2) The reduction in the parking requirement will not be detrimental to the health,
12 safety, convenience, or general welfare of persons residing or working in the vicinity;

13 (3) The project is consistent with the existing character and pattern of development
14 in the area; and

15 (4) The project is consistent with the description and intent of the neighborhood
16 commercial district in which it is located.

17 (k) For arts activities in the RED, RSD, SPD, SLR, SLI or SSO Districts which will
18 operate primarily during evenings and weekends, the Zoning Administrator may reduce or
19 waive the off-street parking requirement when he or she determines pursuant to Section
20 307(g) that within an 800 foot walking distance from the site the anticipated demand from the
21 proposed project, in combination with the existing nighttime and/or weekend demand for
22 parking within the same geographic area at the time of the permit application, would not
23 exceed 90 percent of the on-street or off-street parking spaces available to the public within
24 the subject area. The applicant shall provide to the Zoning Administrator an acceptable
25 parking survey and study which shows evidence of existing parking resources and demand

1 and anticipated demand generated by the proposed project and nearby land uses. The Zoning
2 Administrator may impose conditions on reduction or waiver of the requirement, including, but
3 not limited to, advertising of nearby transit and parking facilities, requiring valet parking
4 services and/or leasing parking spaces on nearby lots during performance or exhibition
5 activities.

6 (l) Beginning on the effective date of Ordinance No. 412-88 (effective October 10,
7 1988), within any South of Market District, the Zoning Administrator, upon application
8 pursuant to Section 307(g), may waive or reduce the required off-street parking for any
9 nonresidential use where he or she determines that: (1) sufficient spaces to replace the
10 waived or modified requirement will be provided within a parking facility open to the public
11 sponsored by the San Francisco Parking Authority or the City and County of San Francisco;
12 (2) it is anticipated that the replacement spaces will be available not more than 10 years after
13 the parking would otherwise first be required to be available; (3) the facility in question is
14 within a walking distance, as defined in Section 159(d), of one-half mile; and (4) the applicant
15 agrees to pay a one-time fee of \$15,000 (this amount shall be adjusted annually effective April
16 1st of each calendar year by the percentage of change in the Building Cost Index used by the
17 San Francisco Department of Building Inspection) for each space as to which the requirement
18 is waived or modified, which fee shall be deposited to the Off Street Parking Fund for the
19 purpose of acquiring property or rights to property, through lease, purchase, or other means,
20 and design, improvement and maintenance of property, for the general purpose of providing
21 publicly accessible parking within the South of Market Base District, as defined in City
22 Planning Code Section 820 and identified on Sectional Map 3SU of the Zoning Map of the
23 City and County of San Francisco, which parking is reasonably expected to be used by
24 persons who live, work, shop, do business or visit in the South of Market Base District. Said
25 fee, and any interest accrued by such fee, shall be used for the purposes stated herein unless

1 it is demonstrated that it is no longer needed. This payment shall be paid in full to the City
2 prior to the issuance of any temporary or other certificate of occupancy for the subject
3 property.

4 (m) Within the South of Market Base District, the required off-street parking for any
5 nonresidential principal or conditional use in structures designated as landmarks, as
6 contributory buildings within a historic district identified in the approved South of Market Plan
7 or as significant or contributory buildings pursuant to Article 11 of this Code, may be modified
8 or waived by the Zoning Administrator pursuant to Section 307(g) of this Code when the
9 Landmark Preservation Advisory Board advises that the pro-vision of parking would adversely
10 affect the landmark, significant or contributory character of the structure or that modification or
11 waiver would enhance the economic feasibility of preservation of the landmark or structure.

12 (n) With respect to dwelling units in the China-town Mixed Use Districts, the parking
13 requirement may be reduced to not less than one space for each four dwelling units, if the
14 Zoning Administrator determines pursuant to Section 307(g) that the reduced parking
15 requirement is sufficient to serve the reasonably anticipated auto ownership by residents of
16 and auto usage by visitors to the project.

17 (o) Within the South of Market Base District, upon approval by the Zoning
18 Administrator pursuant to Section 307(g), the required off-street parking for bars, restaurants,
19 arts, nighttime entertainment, pool halls, and neighborhood-serving retail or personal service
20 activities may be modified, reduced or waived through participation in a Parking Management
21 Program approved by the Zoning Administrator which may include, but need not be limited to,
22 participation in a coordinated off-site satellite parking facilities program, shuttle service,
23 specified signage and designated advertising procedures.

24 **SEC. 166. CAR SHARING.**
25

1 (a) Findings. The Board hereby finds and declares as follows: One of the challenges posed
2 by new development is the increased number of privately-owned automobiles it brings to San
3 Francisco's congested neighborhoods. Growth in the number of privately-owned automobiles
4 increases demands on the City's limited parking supply and often contributes to increased traffic
5 congestion, transit delays, pollution and noise. Car-sharing can mitigate the negative impacts of new
6 development by reducing the rate of individual car-ownership per household, the average number of
7 vehicle miles driven per household and the total amount of automobile-generated pollution per
8 household. Accordingly, car-sharing services should be supported through the Planning Code when a
9 car-sharing organization can demonstrate that it reduces: (i) the number of individually-owned
10 automobiles per household; (ii) vehicle miles traveled per household; and (iii) vehicle emissions
11 generated per household.

12 ~~(a)~~(b) Definitions. For purposes of this Code, the following definitions shall apply:

13 (1) A "car-share service" is a mobility enhancement service that provides an
14 integrated citywide network of neighborhood-based motor vehicles available only to members
15 by reservation on an hourly basis, or in smaller intervals, and at variable rates. Car-sharing is
16 designed to complement existing transit and bicycle transportation systems by providing a
17 practical alternative to private motor vehicle ownership, with the goal of reducing over-
18 dependency on individually owned motor vehicles. Car share vehicles must be located at
19 unstaffed, self-service locations (other than any incidental garage valet service), and generally be
20 available for pick-up by members 24 hours per day. A car share service shall provide automobile
21 insurance for its members when using car share vehicles and shall assume responsibility for
22 maintaining car share vehicles.

23 (2) A "certified car-share organization" is any public or private entity that
24 provides a membership-based car-share service to the public and manages, maintains and
25 insures motor vehicles for shared use by individual and group members. To qualify as a

1 certified car-share organization, a car-share organization shall submit a written report prepared by an
2 independent third party academic institution or transportation consulting firm that clearly
3 demonstrates, based on a statistically significant analysis of quantitative data, that such car-sharing
4 service has achieved two or more of the following environmental performance goals in any market
5 where they have operated for at least two years: (i) lower household automobile ownership among
6 members than the market area's general population; (ii) lower annual vehicle miles traveled per
7 member household than the market area's general population; (iii) lower annual vehicle emissions per
8 member household than the market area's general population; and (iv) higher rates of transit usage,
9 walking, bicycling and other non-automobile modes of transportation usage for commute trips among
10 members than the market area's general population. This report shall be called a Car-sharing
11 Certification Study and shall be reviewed by Planning Department staff for accuracy and made
12 available to the public upon request. The Zoning Administrator shall only approve certification of a
13 car-share organization if the Planning Department concludes that the Certification Study is technically
14 accurate and clearly demonstrates that the car-share organization has achieved two or more of the
15 above environmental performance goals during a two-year period of operation. The Zoning
16 Administrator shall establish specific quantifiable performance thresholds, as appropriate, for each of
17 the three environmental performance goals set forth in this subsection.

18 (3) The Planning Department shall maintain a list of ~~recognized~~ certified car-share
19 organizations that the Zoning Administrator has determined satisfy the minimum environmental
20 performance criteria set forth in subsection 166(b)(2) above. Any car-share organization seeking to
21 benefit from any of the provisions of this Code must be listed as a certified car-share organization.
22 meeting the standards and intent of this Section.

23 (3)(4) An "off-street car-share parking space" is any parking space generally complying
24 with the standards set forth for the district in which it is located and dedicated for current or
25 future use by any car share organization through a deed restriction, condition of approval or

1 license agreement. Such deed restriction, condition of approval or license agreement must
 2 grant priority use to any certified car-share organization that can make use of the space,
 3 although such spaces may be occupied by other vehicles so long as no certified car-share
 4 organization can make use of the dedicated car-share spaces. Any off-street car-share parking
 5 space provided under this Section must be provided as an independently accessible parking space. In
 6 new parking facilities that do not provide any independently accessible spaces other than those spaces
 7 required for disabled parking, off-street car-share parking may be provided on vehicle lifts so long as
 8 the parking space is easily accessible on a self-service basis 24 hours per day to members of the
 9 certified car-share organization. Property owners may enact reasonable security measures to ensure
 10 such 24-hour access does not jeopardize the safety and security of the larger parking facility where the
 11 car-share parking space is located so long as such security measures do not prevent practical and
 12 ready access to the off-street car-share parking spaces.

13 (4)(5) A “car-share vehicle” is a vehicle provided by a certified car share organization
 14 for the purpose of providing a car share-service.

15 (5)(6) A “property owner” refers to the owner of a property at the time of project
 16 approval and its successors and assigns.

17 (b) Requirements for Provision of Car-Share Parking Spaces

18 (1) In newly constructed buildings ~~in DTR districts~~ containing residential uses or
 19 existing buildings being converted to residential uses, if parking is provided, car-share parking
 20 spaces shall be provided in the amount specified in Table 166.

21

TABLE 166 REQUIRED CAR SHARE PARKING SPACES	
Number of Residential Units	Number of Required Car Share Parking Spaces
0 – 49	0
50 – 200	1

22

23

24

25

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	201 or more 1, plus 1 for every 200 dwelling units over 200
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(2) The required car-share spaces shall be made available, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers. At the election of the property owner, the car-share spaces may be provided (i) on the building site, (ii) on another off-street site within 800 feet of the building site.

(3) Off-Street Spaces. If the car-share space or spaces are located on the building site or another off-street site:

(A) the parking areas of the building shall be designed in a manner that will make the car-share parking spaces accessible to non-resident subscribers from outside the building as well as building residents;

(B) prior to Planning Department approval of the first building or site permit for a building subject to the car share requirement, a Notice of Special Restriction on the property shall be recorded indicating the nature of requirements of this Section and identifying the minimum number and location of the required car-share parking spaces. The form of the notice and the location or locations of the car-share parking spaces shall be approved by the Planning Department;

(C) all car-share parking spaces shall be constructed and provided at no cost concurrently with the construction and sale of units; and

(D) if it is demonstrated to the satisfaction of the Planning Department that no certified car-share organization can make use of the dedicated car-share parking spaces, the spaces may be occupied by non-car-share vehicles; provided, however, that upon ninety (90) days of advance written notice to the property owner from a certified car-sharing organization, the property owner shall terminate any non car-sharing leases for such spaces and shall make the spaces available to the car-share organization for its use of such spaces.

1 (c) Provision of a required car-share parking space shall not be counted against the
2 number of parking spaces allowed by this Code as a principal use, an accessory use, or a
3 conditional use.

4 (d) The Planning Department shall maintain a publicly-accessible list, updated quarterly, of
5 all projects approved with required off-street car share parking spaces. The list shall contain the
6 Assessor's Block and Lot number, address, number of required off-street car share parking spaces,
7 project sponsor or property owner contact information and other pertinent information as determined
8 by the Zoning Administrator.

9 **SECTION 167. PARKING COSTS SEPARATED FROM HOUSING COSTS IN NEW**
10 **RESIDENTIAL BUILDINGS**

11 (a) In DTR and C-3 Districts, all off-street parking spaces accessory to residential
12 uses in new structures of 10 dwelling units or more, or in new conversions of non-residential
13 buildings to residential use of 10 dwelling units or more, shall be leased or sold separately
14 from the rental or purchase fees for dwelling units for the life of the dwelling units, such that
15 potential renters or buyers have the option of renting or buying a residential unit at a price
16 lower than would be the case if there were a single price for both the residential unit and the
17 parking space. Renters or buyers of on-site inclusionary affordable units provided pursuant to
18 Section 315 shall have an equal opportunity to rent or buy a parking space on the same terms
19 and conditions as offered to renters or buyers of other dwelling units.

20 (b) Exception. The Planning Commission may grant an exception from this
21 requirement for projects which include financing for affordable housing that requires that costs
22 for parking and housing be bundled together.

23 **SEC. 309. PERMIT REVIEW IN C-3 DISTRICTS.**

24 The provisions and procedures set forth in this Section shall govern the review of
25 project authorization and building and site permit applications for the construction or

1 substantial alteration of structures in C-3 Districts, the granting of exceptions to certain
2 requirements of this Code where the provisions of this Section are invoked, the approval of
3 open space provided in compliance with Section 138, and the approval of streetscape
4 improvements in compliance with Section 138.1. The categories of alterations deemed to be
5 substantial shall be established by the City Planning Commission after a public hearing.
6 When any action authorized by this Section is taken, any determination with respect to the
7 proposed project required or authorized pursuant to CEQA may also be considered. This
8 Section shall not require additional review in connection with a site or building permit
9 application if review hereunder was completed with respect to the same proposed structure or
10 alteration in connection with a project authorization application pursuant to Section 322.

11 (a) Exceptions. Exceptions to the following provisions of this Code may be granted
12 as provided in the code sections referred to below:

13 (1) Exceptions to the setback and rear yard requirements as permitted in Sections
14 132.1 and 134(d);

15 (2) Exceptions to the ground-level wind current requirements as permitted in
16 Section 148;

17 (3) Exceptions to the sunlight to public sidewalk requirement as permitted in Section
18 146;

19 (4) Exceptions to the limitation on residential accessory parking as permitted in Section
20 151.1(e);

21 ~~(4)(5)~~ Exceptions to the requirement of independently accessible parking spaces as
22 permitted in Section 155(c);

23 (6) Exceptions to the limitation on curb cuts for parking access as permitted in Section
24 155(r);

25

1 (7) Exceptions to the limitations on above-grade residential accessory parking as permitted
2 in Section 155(s);

3 ~~(5)~~(8) Exceptions to the freight loading and service vehicle space requirements as
4 permitted in Section 161(h);

5 ~~(6)~~(9) Exceptions to the off-street tour bus loading space requirements as permitted in
6 Section 162;

7 ~~(7)~~(10) Exceptions to the height limits for vertical extensions as permitted in Section
8 260(b)(1)(G) and for upper tower extensions as permitted in Section 263.7;

9 ~~(8)~~(11) Exceptions to the height limits in the 80-130F and 80-130X Height and Bulk
10 Districts as permitted in Section 263.6 and in the 200-400S Height and Bulk District as
11 permitted in Section 263.8;

12 ~~(9)~~(12) Exceptions to the bulk requirements as permitted in Sections 270 and 272.

13 A project applicant seeking an exception shall file an application on a form provided by
14 the Zoning Administrator.

15 (b) Additional Requirements. In addition to the requirements set forth in this Code,
16 additional requirements and limitations (hereafter referred to as modifications) may be
17 imposed on the following aspects of a proposed project, through the imposition of conditions,
18 in order to achieve the objectives and policies of the Master Plan or the purposes of this
19 Code:

20 (1) Building siting, orientation, massing and facade treatment, including proportion,
21 scale, setbacks, materials, cornice, parapet and fenestration treatment, and design of building
22 tops;

23 (2) Aspects of the project affecting views and view corridors, shadowing of
24 sidewalks and open spaces, openness of the street to the sky, ground-level wind current, and
25 maintenance of predominant streetwalls in the immediate vicinity;

1 (3) Aspects of the project affecting parking, traffic circulation and transit operation
2 and loading points;

3 (4) Aspects of the project affecting its energy consumption;

4 (5) Aspects of the project related to pedestrian activity, such as placement of
5 entrances, street scale, visual richness, location of retail uses, and pedestrian circulation, and
6 location and design of open space features;

7 (6) Aspects of the project affecting public spaces adjacent to the project, such as
8 the location and type of street trees and landscaping, sidewalk paving material, and the
9 design and location of street furniture as required by Section 138.1;

10 (7) Aspects of the project relating to quality of the living environment of residential
11 units, including housing unit size and the provisions of open space for residents;

12 (8) Aspects of the design of the project which have significant adverse
13 environmental consequences;

14 (9) Aspects of the project that affect its compliance with the provisions of Sections
15 1109(c), 1111.2(c), 1111.6(c), and 1113 regarding new construction and alterations in
16 conservation districts;

17 (10) Other aspects of the project for which modifications are justified because of its
18 unique or unusual location, environment, topography or other circumstances.

19 (c) Notice of Application for Building or Site Permit. After receipt of an application
20 for a project authorization or building or site permit for new construction or substantial
21 alteration of a structure in a C-3 District, the Zoning Administrator shall mail notice of the
22 application to all owners of property immediately adjacent to the property that is the subject of
23 the application, using for this purpose the names and addresses as shown on the citywide
24 Assessment Roll in the Assessor's Office, and, in addition, shall publish notice at least once in
25 an official newspaper of general circulation.

1 (d) Notice of Proposed Approval. If, after a review of a project authorization or
2 permit application, the Zoning Administrator determines that an application complies with the
3 provisions of this Code and that no exception is sought as provided in Subsection (a), and the
4 Director of Planning determines that no additional modifications are warranted as provided in
5 Subsection (b), and that the open space requirements of Section 138 and the streetscape
6 requirements of Section 138.1 have been complied with, the Zoning Administrator shall
7 provide notice of the proposed approval of the application in the manner set forth in
8 Subsection (c) and, in addition, to any person who has requested such notice in writing. If no
9 request for City Planning Commission review pursuant to Subsection (g) is made within 10
10 days of such notice, the Zoning Administrator shall approve the application.

11 (e) Hearing and Determination of Applications for Exceptions.

12 (1) Hearing. The City Planning Commission shall hold a public hearing on an
13 application for an exception as provided in Subsection (a).

14 (2) Notice of Hearing. Notice of such hearing shall be mailed not less than 10 days
15 prior to the date of the hearing to the project applicant, to property owners within 300 feet of
16 the project that is the subject of the application, using for this purpose the names and
17 addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any
18 person who has requested such notice. The notice shall state that the written
19 recommendation of the Director of Planning regarding the request for an exception is
20 available for public review at the office of the Department of City Planning.

21 (3) Decision and Appeal. The Commission may, after public hearing and after
22 making appropriate findings, approve, disapprove or approve subject to conditions, the
23 application for an exception. The decision of the City Planning Commission may be appealed
24 to the Board of Permit Appeals by any person aggrieved within 15 days after the date of the
25 decision by filing a written notice of appeal with that Body, setting forth wherein it is alleged

1 that there was an error in the interpretation of the provisions of this Code or abuse of
2 discretion on the part of the City Planning Commission.

3 (4) Decision on Appeal. Upon the hearing of an appeal, the Board of Permit
4 Appeals may, subject to the same limitations as are placed on the City Planning Commission
5 by Charter or by this Code, approve, disapprove or modify the decision appealed from. If the
6 determination of the Board differs from that of the Commission it shall, in a written decision,
7 specify the error in interpretation or abuse of discretion on the part of the Commission and
8 shall specify in the findings, as part of the written decision, the facts relied upon in arriving at
9 its determination.

10 (f) Director's Recommendations.

11 (1) Recommendations. If the Director of Planning determines that modifications
12 through the imposition of conditions are warranted as provided in Subsection (b), or that the
13 open space requirements of Section 138 or the streetscape requirements of Section 138.1
14 have not been complied with, the matter shall be scheduled for hearing before the City
15 Planning Commission; provided, however, that if the Director determines that Section 138 and
16 Section 138.1 have been complied with and the applicant does not oppose the imposition of
17 conditions which the Director has determined are warranted, the applicant may waive the right
18 to a hearing before the Commission in writing and agree to the conditions, in which case the
19 Zoning Administrator shall provide notice of such fact according to the notice given for
20 applications governed by Subsection (d), so that any person seeking additional modifications
21 or objecting to the Section 138 or Section 138.1 determination may make such a request as
22 provided in Subsection (g). If no request is made within 10 days of such notice, the Zoning
23 Administrator shall approve the application subject to the conditions.

24 (2) Notice. Notice of any meeting of the City Planning Commission pursuant to this
25 subsection shall be mailed to the project applicant, to property owners immediately adjacent

1 to the site of the application using for this purpose the names and addresses as shown on the
2 citywide Assessment Roll in the Assessor's Office, and to any person who has requested
3 such notice. The notice shall state that the Director's written recommendation is available for
4 public review at the Department of City Planning.

5 (3) Commission Action. The City Planning Commission may, after public hearing
6 and after making appropriate findings, approve, disapprove or approve subject to conditions
7 applications considered pursuant to Subsection (b) or for compliance with Section 138 or
8 Section 138.1.

9 (g) City Planning Commission Review Upon Request.

10 (1) Requests. Within 10 days after notice of the proposed approval has been given,
11 as provided in Subsection (d), any person may request in writing that the City Planning
12 Commission impose additional modifications on the project as provided in Subsection (b) or
13 consider the application for compliance with Section 138 or Section 138.1. Said written
14 request shall state why additional modifications should be imposed notwithstanding its
15 compliance with the requirements of this Code and shall identify the policies or objectives that
16 would be promoted by the imposition of conditions, or shall state why Section 138 has not
17 been complied with.

18 (2) Commission Consideration. The City Planning Commission shall consider at a
19 public meeting each written request for additional modifications and for consideration of
20 Section 138 and Section 138.1 compliance and may, by majority vote, direct that a hearing be
21 conducted to consider such modifications or compliance, which hearing may be conducted at
22 the same meeting that the written request is considered and decided. Notice of such meeting
23 shall be mailed to the project applicant, to property owners immediately adjacent to the site of
24 the application using for this purpose the names and addresses as shown on the citywide
25 Assessment Roll in the Assessor's Office, to any person who has requested such notice, and

1 to any person who has submitted a request for additional requirements. In determining
2 whether to conduct such a hearing, the Commission shall determine whether, based upon a
3 review of the project, reasonable grounds exist justifying a public hearing in order to consider
4 the proposed additional modifications, Section 138 compliance or Section 138.1 compliance.

5 (3) Commission Action. If the Commission determines to conduct a hearing to
6 consider the imposition of additional modifications or Section 138 compliance, it may, after
7 such hearing and after making appropriate findings, approve, disapprove, or approve subject
8 to conditions the building or site permit or project authorization application. If the Commission
9 determines not to conduct a hearing, the Zoning Administrator shall approve the application
10 subject to any conditions imposed by the Director of Planning to which the applicant has
11 consented.

12 (h) Hearings on Projects Over 50,000 Square Feet of Gross Floor Area or Over 75
13 Feet in Height. The City Planning Commission shall hold a public hearing not otherwise
14 required by this Section on all building and site permit and project authorization applications
15 for projects which will result in a net addition of more than 50,000 square feet of gross floor
16 area of space or which will result in a building that is greater than 75 feet in height. Notice of
17 such hearing shall be mailed not less than 10 days prior to the date of the hearing to the
18 project applicant, to property owners immediately adjacent to the site of the application using
19 for this purpose the names and addresses as shown on the citywide Assessment Roll in the
20 Assessor's Office, and to any person who has requested such notice.

21 (i) Imposition of Conditions, General. If, pursuant to the provisions of this Section,
22 the City Planning Commission determines that conditions should be imposed on the approval
23 of a building or site permit application, project authorization application or an application for
24 exceptions and the applicant agrees to comply, the Commission may approve the application
25

1 subject to those conditions, and if the applicant refuses to so agree, the Commission may
2 disapprove the application.

3 (j) Change of Conditions. Authorization of a change in any condition previously
4 imposed pursuant to this Section shall require an application for a change in conditions, which
5 application shall be subject to the procedures set forth in this Section.

6 Section 3. This is an uncodified section of the legislation. The provisions of
7 this legislation shall not apply to any project that obtained final Planning Department or
8 Planning Commission approval and submitted a complete application for a site permit to the
9 Department of Building Inspection prior to the effective date of this legislation.

10 Section 4. This is an uncodified section of the legislation. The Mayor and the
11 Board of Supervisors request that the Planning Department undertake a study to consider (a)
12 the establishment of a mitigation fee for MUNI service and pedestrian and bicycle facilities to
13 address transportation system impacts associated with providing additional parking in the C-3
14 Districts authorized by the Planning Code as a Condition Use, and (b) the creation of a
15 system to provide for the transferability of parking rights from one site to another site within C-
16 3 Districts. The Mayor and the Board of Supervisors request that the Planning Department
17 undertake a comprehensive survey of up-to-date statistics and trends related to travel
18 patterns and parking in downtown housing. Further, the Mayor and the Board of Supervisors
19 request that the Municipal Transportation Agency and the San Francisco County
20 Transportation Authority undertake a study to consider the creation of a system to provide
21 real-time information, way finding, and signage as to the availability and location of public
22 parking in the downtown area. The departments listed above should report back to the Board
23 of Supervisors with an assessment within six months of the effective date of this ordinance.

24

25 APPROVED AS TO FORM:

Supervisor Peskin
BOARD OF SUPERVISORS

DENNIS J. HERRERA, City Attorney

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By: _____
Elaine C. Warren
Deputy City Attorney