File No. 110548 Committee Item No. 5
Board Item No. 20

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use & Development **Date** Jan. 26, 2015

Board of Supervisors Meeting **Date** Feb. 3, 2015

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Completed by: Andrea Ausberry **Date** Jan. 23, 2015
Completed by: _____ **Date** _____

AMENDED IN COMMITTEE
01/26/15

FILE NO. 110548 ORDINANCE NO.

[Planning Code - Signs, Awnings, Canopies, and Marquees]

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to make that conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

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

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

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). The Board of Supervisors hereby affirms this determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 110548 and is incorporated herein by reference.

(b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 18553 and the Board incorporates such reasons herein by reference. A copy of Planning Commission Resolution No. 18553 is on file with the Clerk of the Board of Supervisors in File No. 110548.

(c) This Board finds that these Planning Code amendments are consistent with the General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 18553, and the Board hereby incorporates such reasons herein by reference.

Section 2.The Planning Code is hereby amended by deleting Sections 790.20, 790.26, 790.58, 890.21, 890.24, and 890.58, as follows:

~~***SEC. 790.20. AWNING.***~~

~~*A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or movable frame covered with cloth, plastic or metal; extending over doors, windows, and/or show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4506 and 5211 of the Building Code.*~~

~~***SEC. 790.26. CANOPY.***~~

~~*A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or movable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4504, 4506, 4508, and 5213 of the Building Code.*~~

~~***SEC. 790.58. MARQUEE.***~~

~~*A permanent roofed structure attached to and supported entirely by a building; including any object or decoration attached to or part of said marquee; no part of which shall be used for occupancy or storage; with the purpose of providing protection from sun and rain or embellishment of the facade; as further regulated in Sections 414 and 4506 of the Building Code.*~~

~~***SEC. 890.21. AWNING.***~~

~~*A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or movable frame covered with cloth, plastic or metal; extending over doors, windows, and/or show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4505 and 5211 of the Building Code.*~~

~~***SEC. 890.24. CANOPY.***~~

~~*A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or movable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4505, 4506, 4508, and 5213 of the Building Code.*~~

~~***SEC. 890.58. MARQUEE.***~~

~~*A permanent roofed structure attached to and supported entirely by a building, including any object or decoration attached to or part of said marquee, no part of which shall be used for occupancy or storage. The purpose of the structure is to provide protection from sun and rain or embellishment of the facade, as further regulated in Sections 414 and 4506 of the Building Code.*~~

Section 3. The Planning Code is hereby amended by revising Sections 136.1, 602.3, 602.24, 604, 607, 607.2, 608.6, 608.8, 609.8, the Zoning Control Tables of Sections 710 - 745, 810, 811, 812, 827, 829, 840, 841, 842, and 843, to read as follows:

SEC. 136.1. AWNINGS, CANOPIES AND MARQUEES ~~*IN LIMITED COMMERCIAL USES, NEIGHBORHOOD COMMERCIAL DISTRICTS, EASTERN NEIGHBORHOODS MIXED USE AND SOUTH OF MARKET MIXED USE DISTRICTS.*~~

In addition to the limitations of Section 136, especially Paragraph 136(c)(12), the following provisions shall apply to *all* ~~*Limited Commercial Uses, and in NC, Eastern Neighborhoods Mixed Use and South of Market Mixed Use*~~ Districts.

In Residential and Residential Enclave Districts, awnings are permitted only for Limited Commercial Uses, as defined in Section 186 of this Code, for Limited Commercial Uses, as described in Section 186 , for Limited Commercial Uses permitted in landmark buildings by Section 186.3, and for Limited Corner Commercial Uses as described in Section 231 . Canopies and marquees are not permitted.

The addition or alteration of awnings, canopies, or marquees on a landmark site or in a historic district shall require a certificate of appropriateness, in accordance with Section 1006 et seq. of this Code. Signage on awnings, canopies, and marquees may be further regulated by Article 6 of this Code.

(a) **Awnings.** Awnings, as defined in Section *102* ~~*790.20 of this Code*~~, shall be regulated ~~*in Limited Commercial Uses, Neighborhood Commercial Districts, Eastern Neighborhoods Mixed Use and South of Market Mixed Use Districts*~~ *as set forth* below.

All portions of any permitted awning shall be not less than eight feet above the finished grade, excluding any valance *that* ~~*which*~~ shall not be less than seven feet above the finished grade. No portion of any awning shall be higher than the windowsill level of the lowest story (if any) exclusive of the ground story and mezzanine, *or extend above the bottom of a projecting upper-story window bay, or cover any belt cornice or horizontal molding,* provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower. *Where external piers or columns define individual storefront bays, an awning may not cover such piers or columns.*

(1) **Limited Commercial Uses** *and* **NC-1,** *NCT-1, and CRNC* **Districts.** The horizontal projection of any awning shall not exceed four feet from the face of a building. The vertical distance from the top to the bottom of any awning shall not exceed four feet, including any valance. *Awnings for Commercial Uses in Residential and Residential Enclave Districts may be located only along the building frontage dedicated to commercial use, and may not extend above the ground floor. Only awnings covered with cloth are permitted in the Residential Districts.*

(2) **All Other** ~~*Neighborhood Commercial Districts, Eastern Neighborhoods Mixed Use and South of Market Mixed Use*~~ **Districts.** When the width of all awnings is 10 feet or less along the direction of the street, the horizontal projection of such awnings shall not exceed six feet from the face of any supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed six feet, including any valance. When the width of all awnings exceeds 10 feet measured along the direction of the street, the horizontal projection of such awnings shall not exceed four feet from the face of the supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed four feet, including any valance.

NOTE: These illustrations are diagrams showing maximum dimensions and are not design examples.

* * * *

(b) **Canopies.** Canopies, as defined in Section *102* ~~*790.26 136(b) of this Code*~~, shall be regulated ~~*in Limited Commercial Uses, Neighborhood Commercial, Eastern Neighborhoods Mixed Use and South of Market Mixed Use Districts*~~ *as set forth* below.

(1) **Limited Commercial Uses and NC-1,** *NCT-1, and CRNC* **Districts.** No canopy shall be permitted in any Limited Commercial Use or in any NC-1, *NCT-1, or CRNC* District.

(2) **All Other** ~~*Neighborhood Commercial Districts, Eastern Neighborhoods Mixed Use and South of Market Mixed Use*~~ **Districts.** The maximum width of any canopy shall be 10 feet. The horizontal projection of any canopy may extend to a point not closer than two feet from the curb. The outer column support shall be located in the outer *one-third* ~~*1/3*~~ of the sidewalk and shall be no less than four feet from the building face to ensure adequate clear space along the sidewalk. The vertical distance from the top to the bottom of the canopy shall not exceed an average of two feet, including any valance. The highest point of the canopy shall not exceed a point four feet above the door opening or 16 feet, whichever is less. All portions of any canopy, excluding the column supports and excluding any valance which may be not less than seven feet above the finished grade, shall be not less than eight feet above the finished grade. Canopies shall not be spaced closer than 20 feet from each other, measured from centerline to centerline.

NOTE: These illustrations are diagrams showing maximum dimensions and are not design examples.

* * * *

(c) Marquees. Marquees, as defined in Section *102* ~~*790.58 of this Code*~~, shall be regulated ~~*in Limited Commercial Uses, Neighborhood Commercial Districts, Eastern Neighborhoods Mixed Use and South of Market Mixed Use Districts*~~ *as set forth* below.

(1) **Limited Commercial Uses and NC-1** ***NCT-1, and CRNC*** **Districts.** No marquee shall be permitted in any Limited Commercial Use or in any NC-1, *NCT-1, or CRNC* District.

(2) **All Other** ~~*Neighborhood Commercial Districts, Eastern Neighborhoods Mixed Use and South of Market Mixed Use*~~ **Districts.** The vertical distance from the top to the bottom of any marquee shall not exceed three feet and the horizontal projection shall not extend beyond a point not closer than two feet from the curb.

(A) A marquee projecting more than *two-thirds* ~~2/3~~ of the distance from the property line to the curb line shall not exceed 10 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 12 feet nor more than 16 feet in height above the finished grade, nor higher than the windowsill level exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

NOTE: These illustrations are diagrams showing maximum dimensions and are not design examples.

* * * *

(B) A marquee projecting less than *two-thirds* ~~2/3~~ of the distance from the property line to the curb line shall not exceed 25 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 10 feet nor more than 16 feet above the finished grade, nor higher than the windowsill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

NOTE: These illustrations are diagrams showing maximum dimensions and are not design examples.

* * * *

(C) A marquee projecting less than four feet from the property line and not exceeding two feet in thickness may extend over the total length of the building along the direction of the street. All portions of such marquee shall not be less than 10 feet nor more than 16 feet above the finished grade, nor higher than the windowsill level or windows on the building facade on which the marquee is placed, exclusive of ground story and mezzanine. Each building frontage shall be considered separately.

NOTE: These illustrations are diagrams showing maximum dimensions and are not design examples.

* * * *

SEC. 602.3. BUSINESS SIGN.

A sign which directs attention to ~~a~~ *the primary* business, commodity, service, industry or other activity which is sold, offered, or conducted~~, other than incidentally,~~ on the premises upon which such sign is located, or to which it is affixed. Where a number of *businesses, services, industries, or other activities are conducted on the premises, or a number of* commodities*, services, or other activities* with different brand names or symbols are sold on the premises, up to *one-third* ~~1/3~~ of the area of a business sign, or 25 square feet of sign area, whichever is the lesser, may be devoted to the advertising of one or more of those *businesses,* commodities*, services, industries, or other activities* by brand name or symbol as an accessory function of the business sign, provided that such advertising is integrated with the remainder of the business sign, and provided also that any limits which may be imposed by this Code on the area of individual signs and the area of all signs on the property are not exceeded. *The primary business, commodity, service, industry, or other activity on the premises shall mean the use which occupies the greatest area on the premises upon which the business sign is located, or to which it is affixed.*

SEC. 602.24. WINDOW SIGN.

A sign painted directly on the surface of a window glass or placed ~~in front of or~~ behind the surface of a window glass.

SEC. 604. PERMITS AND CONFORMITY REQUIRED.

(a) ***Approval of Application.*** An application for a permit for a sign that conforms to the provisions of this Code shall be approved by the *Planning* Department ~~of Planning~~ without modification or disapproval by the *Planning* Department ~~of Planning~~ or the Planning Commission, pursuant to the authority vested in them by Section 26~~, Part III,~~ of the ~~San~~

~~*Francisco Municipal*~~ *Business and Tax Regulations* Code or any other provision of said Municipal Code; provided, however, that applications pertaining to (a) signs subject to the regulations set forth in Article 10 of the Planning Code, Preservation of Historical, Architectural and Aesthetic Landmarks, Article 11, Preservation of Buildings and Districts of Architectural, Historical and Aesthetic Importance in the C-3 Districts and Section*s 602.9 and* 608.14 may be disapproved pursuant to the relevant provisions thereof, and (b) preservation, restoration, rehabilitation, or reconstruction of Historic Movie Theater Projecting Signs or Historic Movie Theater Marquees as set forth in Section 188(e) may be modified or disapproved subject to applicable sections of the General Plan, this Code, relevant design guidelines, Department or Commission policy, or the Secretary of the Interior Standards for the Treatment of Historic Properties. No sign, other than those signs exempted by Section 603 of this Code, shall be erected, placed, replaced, reconstructed or relocated on any property, intensified in illumination or other aspect, or expanded in area or in any dimension except in conformity with Article 6 of this Code. No such erection, placement, replacement, reconstruction, relocation, intensification, or expansion shall be undertaken without a permit having been duly issued therefor, except as specifically provided otherwise in this Section 604.

(b) ***Applicability of Section.*** The provisions of this Section 604 shall apply to work of the above types on all signs unless specifically exempted by this Code, whether or not a permit for such sign is required under the San Francisco Building Code. In cases in which permits are not required under the Building Code, applications for permits shall be filed with the Central Permit Bureau of the Department of Building Inspection on forms prescribed by the *Planning* Department ~~*of Planning*~~, together with a permit fee of $5.00 for each sign, and the permit number shall appear on the completed sign in the same manner as required by the Building Code.

(c) ***Sign Painted on Door or Window.*** No permit shall be required under this Code for a sign painted or repainted directly on a door or window in an NC, C or M District. Permits shall be required for all other painted signs in NC, C and M Districts, and for all painted signs in P and R Districts. Repainting of any painted sign shall be deemed to be a replacement of the sign, except as provided in Subsection (f) below.

(d) ***Ordinary Maintenance and Repairs.*** Except as provided in Subsection (c) above, no permit shall be required under this Code for ordinary maintenance and minor repairs which do not involve replacement, alteration, reconstruction, relocation, intensification or expansion of the sign.

(e) ***Temporary Sale or Lease Signs.*** No permit shall be required under this Code for temporary sale or lease signs, temporary signs of persons and firms connected with work on buildings under actual construction or alteration, and temporary business signs, to the extent that such signs are permitted by this Code.

(f) ***Change of Copy.*** A mere change of copy on a sign the customary use of which involves frequent and periodic changes of copy shall not be subject to the provisions of this Section 604, except that a change from general advertising to nongeneral advertising sign copy or from nongeneral advertising to general advertising sign copy or an increase in area including, but not limited to, any extensions in the form of writing, representation, emblem or any figure of similar character shall in itself constitute a new sign subject to the provisions of this Section 604. In the case of signs the customary use of which does not involve frequent and periodic changes of copy, a change of copy shall in itself constitute a new sign subject to the provisions of this Section 604 if the new copy concerns a different person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry.

(g) ***Scaled Drawing.*** Each application for a permit for a sign shall be accompanied by a scaled drawing of the sign, including the location of the sign on the building or other structure

or on the lot, and including (except in the case of a sign the customary use of which involves frequent and periodic changes of copy) such designation of the copy as is needed to determine that the location, area and other provisions of this Code are met.

(h) ***Nonconforming Signs; Replacement, Alteration, Reconstruction, Relocation, Intensification, or Expansion.*** Unless otherwise provided in this Code or in other Codes or regulations, a lawfully existing sign which fails to conform to the provisions of this Article 6 *shall be brought into conformity* ~~*may remain until*~~ *when the activity for which the sign has been posted ceases operation or moves to another location, when a new building is constructed, or at* the end of ~~*its*~~ *the sign's* normal life. Such sign may not, however, be replaced, altered, reconstructed, relocated, intensified or expanded in area or in any dimension except in conformity with the provisions of this Code, including Subsection (i) below. Ordinary maintenance and minor repairs shall be permitted, but such maintenance and repairs shall not include replacement, alteration, reconstruction, relocation, intensification or expansion of the sign; provided, however, that alterations of a structural nature required to reinforce a part or parts of a lawfully existing sign to meet the standards of seismic loads and forces of the Building Code, to replace a damaged or weathered signboard, to ensure safe use and maintenance of that sign, to remediate hazardous materials, or any combination of the above alterations shall be considered ordinary maintenance and shall be allowed. A sign which is damaged or destroyed by fire or other calamity shall be governed by the provisions of Sections 181(d) and 188(b) of this Code.

A sign which is voluntarily destroyed or removed by its owner or which is required by law to be removed may be restored only in full conformity with the provisions of this Code, except as authorized in Subsection (i) below. A general advertising sign that has been removed shall not be reinstalled, replaced, or reconstructed at the same location, and the erection, construction, and/or installation of a general advertising sign at that location to

replace the previously existing sign shall be deemed to be a new sign in violation of Section 611(a) of this Code; provided, however, that such reinstallation, replacement, or reconstruction pursuant to a permit duly issued prior to the effective date of this requirement shall not be deemed a violation of Section 611(a) and shall be considered a lawfully existing nonconforming general advertising sign; and further provided that this prohibition shall not prevent a general advertising sign from being relocated to that location pursuant to a Relocation Agreement and conditional use authorization under Sections 611 and 303(l) of this Code and Section 2.21 of the San Francisco Administrative Code.

(i) ***Business Signs.*** *When the activity for which a business sign has been posted has ceased operation for more than 90 days, all signs pertaining to that business activity shall be removed after that time.* A lawfully existing business that is relocating to a new location within 300 feet of its existing location within the North Beach Neighborhood Commercial District described in Sections 702.1 and 722.1 of this Code may move to the new location within said North Beach Neighborhood Commercial District one existing business sign together with its associated sign structure, whether or not the sign is nonconforming in its new location; provided, however, that the sign is not intensified or expanded in area or in any dimension except in conformity with the provisions of this Code. With the approval of the Zoning Administrator, however, the sign structure may be modified to the extent mandated by the Building Code. In no event may a painted sign or a sign with flashing, blinking, fluctuating or other animated light be relocated unless in conformity with current code requirements applicable to its new location. In addition, the provisions of Articles 10 and 11 of this Code shall apply to the relocation of any sign to a location regulated by the provisions of said Articles.

(j) Nothing in this Article 6 shall be deemed to permit any use of property that is otherwise prohibited by this Code, or to permit any sign that is prohibited by the regulations of

any special sign district or the standards or procedures of any Redevelopment Plan or any other Code or legal restriction.

*(k) **Public Areas.** No sign shall be placed upon any public street, alley, sidewalk, public plaza or right-or-way, or in any portion of a transit system, except such projecting signs as are otherwise permitted by this Code and signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations and under such conditions as may be imposed by such authorities.*

*(l) **Maintenance.** Every sign shall be adequately maintained in its appearance. When the activity for which a business sign has been posted has ceased operation for more than 90 days, all signs pertaining to that business activity shall be removed after that time.*

SEC. 607. COMMERCIAL AND INDUSTRIAL DISTRICTS.

Signs in C, M, and PDR Districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

(a) **General Advertising Signs.** No general advertising sign shall be permitted ~~*in any C-1 District or*~~ within 200 feet of the park known as Union Square and visible from said park. *No general advertising sign shall be permitted to cover part or all of any windows.* ~~*except that a replacement sign of the same size or smaller, of the same type as defined in this Code or as interpreted by the Zoning Administrator, and at the same approximate location as an existing sign would be allowed within 200 feet of said park provided that the sign is otherwise permitted by the Planning Code, would cast no additional shadow upon Union Square, has no intensification of lighting as determined by the Zoning Administrator, and is not internally lighted or backlighted. Use of neon is not precluded by this provision. Temporary general advertising signs determined by the Zoning Administrator to be at pedestrian level and less than 50 square feet in size are not precluded by this provision.*~~

(b) **Roof Signs.** Roof signs *are not permitted in C Districts, and* shall be permitted in all ~~C,~~ M and PDR Districts ~~*other than C-1*~~ only if Subsections (1) through (3) below are satisfied; except that a roof sign that is designated historic pursuant to Section~~s *303 and*~~ 608.14 of this Code may be permitted without regard to Subsections (1) through (3) below:

(1) The sign does not extend more than 25 feet above the roofline of the building on or over which the sign is placed; and

(2) All parts of the sign are within 25 feet of, and the sign is mounted at not more than a 45-degree angle from, a wall of a building the roofline of which is at least as high as the top of the sign; and

(3) Such wall forms a complete backdrop for the sign, as the sign is viewed from all points from which the sign is legible from a public street or alley.

(c) **Wind Signs.** No wind sign shall be permitted in any C, ~~*or*~~ M, *or PDR* District.

(d) **Moving Parts.** No sign shall have or consist of any moving, rotating, or otherwise physically animated part (as distinguished from lights that give the appearance of animation by flashing, blinking or fluctuating), except as follows:

(1) Moving or rotating or otherwise physically animated parts may be used for the rotation of barber poles and the indication of time of day and temperature.

(2) In the case of a general advertising sign in C-2, C-3, ~~*C-M,*~~ M-1, M-2, and PDR Districts, ~~*except for signs located within 200 feet of the park known as Union Square and visible from said park and*~~ signs located so as to be primarily viewed by persons traveling on any portion of a freeway, moving or otherwise physically animated parts may be used if such parts do not exceed a velocity of one complete cycle in a four-second period where such parts constitute less than 30 percent of the area of the sign or if, where such parts constitute a greater area of the sign, they do not exceed a velocity of one complete cycle in a four-second period and are stationary at least half of each eight-second period; except that signs

designated historic pursuant to Section~~s 303 and~~ 608.14 of this Code may have such moving features otherwise prohibited for signs located so as to be primarily viewed by persons traveling on any portion of a freeway.

(3) Notwithstanding the type of signs permissible under Subparagraph (d), a video sign is prohibited.

(4) Notwithstanding the type of signs permissible under Subparagraph (d)(2), a sign that rotates is prohibited.

(e) **Illumination.** Any sign may be nonilluminated or indirectly or directly illuminated. Signs in PDR, C-3, ~~C-M,~~ M-1 and M-2 Districts shall not be limited in any manner as to type of illumination, but no sign in a ~~C-1 or~~ C-2 District shall have or consist of any flashing, blinking, fluctuating or otherwise animated light except ~~*in each of the following special sign districts, all*~~ as specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, described in Section 608 of this Code,~~:~~

~~*(1)*~~ ~~I~~in the C-2 area consisting of five blocks in the vicinity of Fisherman's Wharf.~~;~~

~~*(2) In the C-2 area in the vicinity of Van Ness Avenue from Golden Gate Avenue and Eddy Street to Sacramento Street, and Polk Street from Eddy Street to Geary Street, also known as the Automotive Special Use District;*~~

~~*(3) In the C-2 area in the vicinity of Stockton, Washington and Kearny Streets and Broadway, also known as Washington-Broadway Special Use District Number 1.*~~

~~*(4)*~~ Notwithstanding the type of signs permissible under subparagraph (e), a video sign is prohibited in the district~~s described in subparagraphs (1) – (3)~~.

(f) **Projection.** No sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline and in no case shall a sign project more than 10

feet beyond the street property line or building setback line ~~*in C-1 Districts, or 12 feet beyond the street property line or building setback line in any other C, M, and PDR District*~~.

(g) **Height and Extension Above Roofline.**

(1) **Signs Attached to Buildings.** Except as provided in Section 260 for historic signs in historic districts, no sign attached to a building shall extend or be located above the roofline of the building to which it is attached~~*; except that up to ½ the area of a business sign attached to the street wall of a building may extend above the roofline, up to the maximum height permitted for freestanding signs in the same district or 10 feet above the roofline, whichever is the lesser*~~. In addition, no sign attached to a building shall under any circumstances exceed *a* ~~*the following*~~ maximum height~~*s:*~~ *of*

~~*In C-1: 40 feet;*~~

~~*In C-3: 100 feet;*~~ In C-3: 100 feet;

~~*In all other C, and M, Districts:*~~ In all other C, and M, Districts: 60 feet.

~~*The 100-foot height limitation stated herein shall not apply to the modification or replacement of any currently existing wall signs so long as such modified or replacement sign is generally in the same location and not larger in surface area and projection than existing signs being modified or replaced.*~~ Such signs may contain letters, numbers, a logo, service mark and/or trademark and may be nonilluminated or indirectly illuminated.

(2) **Freestanding Signs.** The maximum height for freestanding signs shall be as follows:

~~*In C-1: 24 feet;*~~

In C-2: 36 feet;

In all other C and M Districts: 40 feet.

(h) **Special Standards for Automobile Service Stations.** For automobile service stations, only the following signs are permitted, subject to the standards in this Subsection (h) and to all other standards in this Section 607.

(1) A maximum of two oil company signs, which shall not extend ~~*more than 10 feet*~~ above the roofline if attached to a building, or exceed the maximum height permitted for freestanding signs in the same district if freestanding. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line or building setback line. The areas of other permanent and temporary signs as covered in Paragraph 607(h)(2) below shall not be included in the calculation of the areas specified in this paragraph.

(2) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roofline if attached to a building, or in any case project beyond any street property line or building setback line.

(3) General advertising signs meeting the provisions of this Section 607.

SEC. 607.2. MIXED USE DISTRICTS.

Signs located in Mixed Use Districts shall be regulated as provided herein, except for *signs in Residential Enclave Districts, which are regulated by Section 606, and* those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.2 shall be prohibited. In the event of conflict between the provisions of Section 607.2 and other provisions of Article 6, the provisions of Section 607.2 shall prevail in Mixed Use Districts.

* * * *

(h) ~~***Special Districts for Sign Illumination.*** *Signs in Mixed Use Districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special*~~

~~*districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.*~~

~~*(1) Broadway District. Along the main commercial frontage of Broadway between Wayne and Osgood.*~~

~~*(i)*~~ **Other Sign Requirements.** Within Mixed Use Districts, the following additional requirements shall apply:

~~*(1) **Public Areas.** No sign shall be placed upon any public street, alley, sidewalk, public plaza or right-of-way, or in any portion of a transit system, except such projecting signs as are otherwise permitted by this Code and signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities or posted pursuant to the Police Code.*~~

~~*(2) **Maintenance.** Every business sign pertaining to an active establishment shall be adequately maintained in its appearance. When the activity for which the business sign has been posted has ceased operation for more than 90 days within the Chinatown Mixed Use Districts, all signs pertaining to that business activity shall be removed after that time.*~~

~~*(3)*~~ *(1)* **Temporary Signs.** The provisions of Section 607.1(g) of this Code shall apply.

~~*(4)*~~ *(2)* **Special Standards for Automotive Gas and Service Stations.** The provisions of Section 607.1(f)(4) of this Code shall apply.

SEC. 608.6. NEAR CERTAIN SCENIC STREETS.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located within the areas along the scenic streets that are listed below and designated as special sign districts on Sectional Map SSD of the Zoning Map of the City and County of San

Francisco, if any face of such sign is visible from any such street. These limitations shall apply to any portion of any property that is within 200 feet of any such street, unless a greater depth or area is indicated on said Sectional Map. *Historic Signs may exceed the size limit in this section.*

Telegraph Hill Boulevard for its entire length;

Twin Peaks Boulevard for its entire length;

The Embarcadero for its entire length;

Market Street extension east side from Mono Street to Portola Drive;

Portola Drive for its entire length;

Roosevelt Way for its entire length;

El Camino Del Mar for its entire length;

Point Lobos Avenue from El Camino Del Mar to its intersection with the Great Highway, including the Cliff House and Sutro Baths areas;

Sunset Boulevard for its entire length;

Great Highway and Esplanade from Point Lobos Avenue to Sloat Boulevard;

Great Highway extension south from Sloat Boulevard to its junction with Skyline Boulevard near Harding Boulevard;

Nineteenth Avenue from Lincoln Way to Junipero Serra Boulevard;

Sloat Boulevard from the Great Highway to Junipero Serra Boulevard;

Junipero Serra Boulevard from Sloat Boulevard to the County Line;

Skyline Boulevard from Sloat Boulevard to the County Line;

Lake Merced Boulevard for its entire length;

John Muir Drive for its entire length;

Zoo Road for its entire length;

Harding Boulevard for its entire length;

Alemany Boulevard from Mission Street viaduct to Junipero Serra Boulevard;

Marina Boulevard for its entire length;

Lyon Street from Marina Boulevard to Lombard Street;

Baker Street from Marina Boulevard to Lombard Street;

Broderick Street from Marina Boulevard to Lombard Street;

Jefferson Street from Lyon Street to Broderick Street;

Beach Street from Baker Street to Broderick Street;

North Point Street from Baker Street to Broderick Street;

Bay Street from Lyon Street to Broderick Street;

Francisco Street from Lyon Street to Broderick Street;

Chestnut Street from Lyon Street to Broderick Street;

Lombard Street from Broderick Street to Lyon Street;

Richardson Avenue from Lyon Street to Lombard Street.

SEC. 608.8. *MARKET STREET SPECIAL SIGN DISTRICT* ~~*ON AND NEAR MARKET STREET FROM THE EMBARCADERO TO THE CENTRAL SKYWAY OVERPASS*~~**.**

There shall be a special sign district known as the "Market Street Special Sign District" in the vicinity of Market Street, from The Embarcadero to *Octavia Boulevard* ~~*the Central Skyway overpass*~~ as designated on Sectional Map ~~*SSD*~~ *SS02* of the Zoning Map of the City and County of San Francisco. The original copy of said Sectional Map with this Special Sign District indicated thereon is on file with the Clerk of the Board of Supervisors under File No. 112-70. With respect to said Special Sign District, the following regulations shall apply:

(a) **Purpose and Findings.** In addition to the purposes stated in Sections 101 and 601 of this Code, the following purposes apply to the Market Street Special Sign District. These purposes constitute findings that form a basis for these regulations and provide guidance for their application.

(1) In November 1962, the electorate of San Francisco voted approval of an investment in a City and regional rapid transit system that will run beneath Market Street. In June 1968, the electorate approved a bonded indebtedness of $24,500,000, including payment for reconstruction and improvement of Market Street from The Embarcadero to the Central Skyway overpass. The street ~~*is being*~~ *has been* completely rebuilt at public expense, with special paving, furnishings, plazas and landscaping. ~~*When rebuilt,*~~ Market Street ~~*will be*~~ *is* the transit spine of the *dD*owntown area, ~~*will have*~~ *with* heavy concentrations of pedestrians, and ~~*will be*~~ *is* ~~*more than ever*~~ a central domain of the people of the City and of the region. It is a purpose of the Market Street Special Sign District to further this public endeavor.

(2) ~~*As Market Street is rebuilt, the area is attracting and will continue to attract investments, d*~~*D*evelopment and design efforts *along Market Street rely* ~~*in reliance*~~ upon the promise of a street of high quality. Both existing and new enterprises will be strengthened by the high standards of their environment and by the joint efforts of owners, *residents,* and *business people* ~~*businessmen*~~.

(3) The character of signs along the street and of other features projecting from buildings is especially significant to street appearance and to the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to the street design and to the design of buildings, and it is a purpose of these regulations to set a framework that will contribute toward those ends.

(4) The standards established by these regulations are reasonable standards related to the unique nature of the Market Street area and to its present and future needs. ~~*Where removal of existing signs and other features is required, the periods for removal are related to the schedule for reconstruction of Market Street, including installation of the street trees with which projecting signs and other features would conflict. The removal periods recognize the revocable nature*~~

~~*of past permits for erection of features projecting over public streets, and will help to promote equality among establishments, adding greater significance to the improvement efforts.*~~

(5) The standards established by these regulations are deemed to be minimum requirements, forming a basic framework for development and remodeling. They are not intended in any way to preclude further design refinement or review by individuals or duly constituted organizations which might consider more restrictive requirements as to any aspects limited herein, or as to additional aspects such as materials, color, graphics, types of representation, relationship of signs to one another and to architectural features, or the general quality of design. It is anticipated that private efforts along such lines will and should be made for the further improvement of Market Street.

(b) **General Advertising Signs.** Except as specified in Paragraph 608.8~~(f)~~*(e)*(2) below,

(1) No general advertising sign shall be permitted at any location within said Special Sign District; and

(2) No general advertising sign shall be located within 200 feet of said Special Sign District, if any portion of a face of such sign would be visible from any point on a street, alley or plaza within the Special Sign District.

~~*(c) **Roof Signs.** Notwithstanding the exceptions stated in Subsection 607(b) of this Code, no roof sign shall be permitted within said Special Sign District.*~~

(c) ~~*(d)*~~ **Projection of Signs and Other Features.** Within said Special Sign District:

(1) No projection shall exceed a horizontal distance of six feet beyond any street property line. This limitation shall apply to signs and to all other features including but not limited to marquees, awnings and canopies, with the sole exception of flagpoles for flags of any nation or political subdivision.

(2) Projecting signs for each establishment shall be limited to one sign on each street frontage occupied by the establishment, in addition to any signs that are placed flat upon or otherwise integrated in the design of marquees and awnings.

(d) ~~*(e)*~~ **Height and Extension Above Roofline.** Within said Special Sign District, all of the following limitations shall apply:

(1) *With the exception of Historic Signs* ~~*Notwithstanding the exceptions stated in Subsection 607(g) of this Code*~~, no sign attached to a building shall extend or be located above the roofline of the building to which it is attached.

(2) A projecting sign with lettering or other inscription arranged in a vertical manner shall have a maximum height of 60 feet; except that a greater height shall be permitted, up to a maximum height of 100 feet, provided the height of the sign shall remain at least 20 feet below the roofline of the building as measured directly above the sign.

(3) Except as provided in Paragraph 608.8*(d)*~~*(e)*~~(5) below, all other signs shall be located no higher than the windowsill level of the lowest story (if any) that has a window or windows on the building facade on which the signs are placed, exclusive of the ground story and mezzanine, provided that no such sign shall in any case exceed a height of 60 feet.

(4) In addition, except as provided in Paragraph 608.8*(d)*~~*(e)*~~(3) and (4) above, uniformity of height shall be maintained in both the upper and lower edges of signs placed flat upon or essentially parallel to each facade of a single building.

(5) As to the requirements of Paragraphs 608.8~~*(e)*~~*(d)*(3) and (4) above, deviation from the requirements may be permitted to the extent an alternative placement of signs is made necessary by the location of arches, entrances and other architectural features, as determined by the Zoning Administrator, or for the purpose of installing special lighting effects and temporary holiday decorations, or for the purpose of modifying or replacing currently existing noncomplying business wall signs as provided by Subsection 607(g).

(e) ~~(f)~~ **Other Requirements.** Within said Special Sign District, the following additional requirements shall apply:

(1) **Temporary Signs.** With the exception of holiday decorations, no sign composed of paper or other temporary material shall be placed on the outside of any building or structure or affixed to the glass on the outside or inside of any window, unless such sign is placed in a frame or on a structure specifically designed for this purpose.

(2) **Public Areas.** No sign or other structure or feature shall be placed upon any public street, alley or public plaza, or in any portion of a transit system, except such signs, structures and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.

(3) **Maintenance.** Every sign pertaining to an active establishment shall be adequately maintained in its appearance, or else removed or obscured. When the space occupied by any establishment has been vacated, all signs pertaining to such establishment shall be removed or obscured within 60 days following the date of vacation.

SEC. 609.8. MISCELLANEOUS SERVICE STATION SIGNS IN R DISTRICTS.

Any lawfully existing sign at an automobile service station in an R District (other than those signs covered by Paragraph 606~~(e)~~*(d)*(1)(A) of this Code) which does not conform to Paragraph 606*(d)*~~(e)~~(1)(B) of this Code shall be removed or altered to conform therewith within one year after the effective date of this Article 6 or such later date as the sign becomes nonconforming.

SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1
ZONING CONTROL TABLE

			NC-1
No.	**Zoning Category**	**§ References**	**Controls**

* * * *			
710.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
710.15	Canopy	§ *136.1(b)* ~~*790.26*~~	
710.16	Marquee	§ *136.1(c)* ~~*790.58*~~	
710.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2 ZONING CONTROL TABLE

			NC-2
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
711.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
711.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
711.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
711.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
711.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3 ZONING CONTROL TABLE

			NC-3
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
712.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
712.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
712.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
712.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
712.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P# § 607.1(e)1*~~
* * * *			
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR NC-3 DISTRICTS

Article 7 Code Section	**Other Code Section**	**Zoning Controls**
* * * *	* * * *	* * * *
~~*§ 712.30*~~ ~~*§ 712.31*~~ ~~*§ 712.32*~~	~~*§ 608.10*~~	~~*UPPER MARKET STREET SPECIAL SIGN DISTRICT*~~ ~~***Boundaries:** Applicable only for the portion of the Market Street NC-3 District from Octavia to Church Streets as mapped on Sectional Map SSD*~~ ~~***Controls:** Special restrictions and limitations for signs.*~~

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SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S ZONING CONTROL TABLE

			NC-S
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
713.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
713.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
713.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
713.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 143*~~
* * * *	* * * *	* * * *	* * * *
713.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P# § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Broadway
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
714.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
714.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
714.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~

714.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Castro Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
715.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
715.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
715.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
715.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	**Other Code Section**	**Zoning Controls**
* * * *	* * * *	* * * *
~~*§ 715.31*~~ ~~*§ 715.32*~~	~~*§ 608.10*~~	~~*UPPER MARKET STREET SPECIAL SIGN DISTRICT*~~ ~~***Boundaries:** Applicable only for the portions of the Castro Street NCD as mapped on Sectional Map SSD*~~ ~~***Controls:** Special restrictions and limitations for signs*~~

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SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Inner Clement Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
716.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
716.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
716.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
716.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Outer Clement Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
717.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
717.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
717.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
717.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Upper Fillmore Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
718.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
718.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
718.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
718.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Haight Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
719.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
719.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
719.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
719.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Hayes-Gough Transit
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
720.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
720.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
720.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
720.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Upper Market Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
721.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
721.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
721.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
721.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
~~§ 721.31~~ ~~§ 721.32~~	~~§ 608.10~~	~~UPPER MARKET STREET SPECIAL SIGN DISTRICT~~ ~~**Boundaries:** Applicable only for the portions of the Upper Market Street NCD as mapped on Sectional Map SSD~~ ~~**Controls:** Special restrictions and limitations for signs~~
* * * *	* * * *	* * * *

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			North Beach
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
722.14	Awning	§ *136.1(a)* ~~790.20~~	P ~~§ 136.1(a)~~
722.15	Canopy	§ *136.1(b)* ~~790.26~~	P ~~§ 136.1(b)~~
722.16	Marquee	§ *136.1(c)* ~~790.58~~	P ~~§ 136.1(c)~~
722.17	~~Street Trees~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~§ 138.1~~
* * * *	* * * *	* * * *	* * * *

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Polk Street
No.	**Zoning Category**	**§ References**	**Controls**
* * *			
723.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
723.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
723.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
723.17	~~*Street Trees*~~ *Streetscape and*	*§ 138.1*	Required ~~*§ 143*~~
* * *	*Pedestrian Improvements*		

SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Sacramento Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
724.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
724.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
724.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
724.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Union Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
725.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
725.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
725.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
725.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Valencia Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
726.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
726.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
726.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
726.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 727. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE

			24th Street – Mission Transit
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
727.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
727.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
727.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
727.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

			24th Street – Noe Valley
No.	**Zoning Category**	**§ References**	**Controls**
	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
* * * *			
728.14			
728.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
728.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
728.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 143*~~

* * * *	* * * *	* * * *	* * * *

SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			West Portal Avenue
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
729.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
729.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
729.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
729.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 143*~~
* * * *	* * * *	* * * *	* * * *

SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Inner Sunset
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
730.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
730.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
730.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
730.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 731. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-3
ZONING CONTROL TABLE

			NCT-3
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
731.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
731.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
731.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
731.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
731.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P# § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR NCT-3 DISTRICTS

Article 7 Code Section	**Other Code Section**	**Zoning Controls**
* * * *		
~~*§ 731.30*~~	~~*§ 608.10*~~	~~*UPPER MARKET STREET SPECIAL SIGN DISTRICT*~~
~~*§ 731.31*~~		~~***Boundaries:** Applicable only for the portion of the Market Street NCT-3 District from Octavia to Church Streets as mapped on Sectional Map SSD*~~
~~*§ 731.32*~~		~~***Controls:** Special restrictions and limitations for signs*~~
* * * *	* * * *	* * * *

SEC. 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Pacific Avenue
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
732.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
732.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
732.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
* * * *	* * * *	* * * *	* * * *

SEC. 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Upper Market Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
733.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
733.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
733.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
733.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 143*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
~~*§ 733.31*~~ ~~*§ 733.32*~~	~~*§ 608.10*~~	~~*UPPER MARKET STREET SPECIAL SIGN DISTRICT*~~ ~~***Boundaries:** Applicable only for the portions of the Upper Market Street NCT as mapped on Sectional Map SSD*~~ ~~***Controls:** Special restrictions and limitations for signs*~~
* * * *	* * * *	* * * *

SEC. 733A. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1 ZONING CONTROL TABLE

			NCT-1
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
733A.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
733A.15	Canopy	§ *136.1(b)* ~~*790.26*~~	
733A.16	Marquee	§ *136.1(c)* ~~*790.58*~~	
733A.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 734. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2 ZONING CONTROL TABLE

			NCT-2
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			

734.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
734.15	Canopy	§ *136.1(b)* ~~*790.26*~~	
734.16	Marquee	§ *136.1(c)* ~~*790.58*~~	
734.17 * * *	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
734.30	General Advertising Sign	~~*§§ 262, 602 - 604, 608, 609*~~	~~*NP § 607.1(e)(1)*~~
* * * *	* * * *	* * * *	* * * *

SEC. 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			SoMa
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
735.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
735.15	Canopy	§ *136.1(b)* ~~*790.26*~~	
735.16	Marquee	§ *136.1(c)* ~~*790.58*~~	
735.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
735.30	General Advertising Sign	~~*§§ 262, 602 - 604, 608, 609*~~	~~*NP § 607.1(e)(1)*~~
* * * *	* * * *	* * * *	* * * *

SEC. 736. MISSION *STREET* NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Mission Street Transit
No.	**Zoning Category**	**§ References**	**Controls**
* * *			
736.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
736.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
736.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
736.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 143*~~
* * * *	* * * *	* * * *	* * * *
736.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)2*~~
* * * *	* * * *	* * * *	* * * *

SEC. 737. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Ocean Avenue Transit
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
737.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
737.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
737.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
737.17	~~*Street Trees*~~ *Streetscape and Pedestrian*	*§ 138.1*	Required ~~*§ 138.1*~~

	Improvements		
* * * *	* * * *	* * * *	* * * *
737.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 738. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Glen Park Transit
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
738.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
738.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
738.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
738.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
738.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Noriega Street
No.	**Zoning Category**	**§ References**	**Controls**

* * * *			
739.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
739.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
739.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
739.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
739.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(c)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Irving Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
740.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
740.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
740.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
740.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *

740.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~P § 607.1(e)1~~
* * * *	* * * *	* * * *	* * * *

SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Taraval Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
741.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~
741.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
741.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
741.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	*§ 138.1*	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
741.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Judah Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
742.14	Awning	§ *136.1(a)* ~~*790.20*~~	P ~~*§ 136.1(a)*~~

742.15	Canopy	§ *136.1(b)* ~~*790.26*~~	P ~~*§ 136.1(b)*~~
742.16	Marquee	§ *136.1(c)* ~~*790.58*~~	P ~~*§ 136.1(c)*~~
742.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	§ 138.1	Required ~~*§ 138.1*~~
* * * *	* * * *	* * * *	* * * *
742.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	~~*P § 607.1(e)1*~~
* * * *	* * * *	* * * *	* * * *

SEC. 743. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

			Folsom Street *Transit*
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
743.14	Awning	*§ 136.1(a)* ~~*790.20*~~	P
743.15	Canopy	*§ 136.1(b)* ~~*790.26*~~	P
743.16	Marquee	*§ 136.1(b)* ~~*790.58*~~	P
743.17	~~*Street Trees*~~ *Streetscape and Pedestrian Improvements*	§ 138.1	Required
* * * *	* * * *	* * * *	* * * *

SEC. 744. REGIONAL COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Regional Commercial
No.	**Zoning Category**	**§ References**	**Controls**

* * * *			
744.14	Awning	*§ 136.1(a), ~~790.20~~*	P
744.15	Canopy	*§ 136.1(b), ~~790.26~~*	P
744.16	Marquee	*§ 136.1(b), ~~790.26~~*	P
744.17	*~~Street Trees~~ Streetscape and Pedestrian Improvements*	§ 138.1	Required
* * * *	* * * *	* * * *	* * * *

SEC. 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Excelsior Outer Mission Street
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
745.14	Awning	*§ 136.1(a) ~~790.20~~*	P
745.15	Canopy	*§ 136.1(b) ~~790.26~~*	P
745.16	Marquee	*§ 136.1(b) ~~790.58~~*	P
745.17	*~~Street Trees~~ Streetscape and Pedestrian Improvements*	§ 138.1	Required
* * * *	* * * *	* * * *	* * * *

Table 810. CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE

			Chinatown Community Business District
No.	**Zoning Category**	**§ References**	**Controls**

* * * *			
.15	Awning	§ *136.1(a)* ~~*890.21*~~	P ~~*§ 136.2(a)*~~
.16	Canopy	§ *136.1(b)* ~~*890.24*~~	P ~~*§ 136.2(b)*~~
.17	Marquee	§ *136.1(c)* ~~*890.58*~~	P ~~*§ 136.2(c)*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS DISTRICT

Section	Zoning Controls	
* * * *		~~*Garment shop Special Use District applicable only for*~~
~~*§ 810.71*~~	~~*§ 236*~~	~~*portions of the Chinatown Community Business District as*~~
* * * *		~~*mapped on Sectional Map No. 1 SUa*~~

Table 811. CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE

			Chinatown Visitor Retail District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
.15	Awning	§ *136.1(a)* ~~*890.21*~~	P ~~*§ 136.2(a)*~~
.16	Canopy	§ *136.1(b)* ~~*890.24*~~	P ~~*§ 136.2(b)*~~
.17	Marquee	§ *136.1(c)* ~~*890.58*~~	P ~~*§ 136.2(c)*~~
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT

Section		Zoning Controls
* * * *		
~~*§ 811.71*~~	~~*§ 236*~~	~~*Garment Shop Special Use District applicable only for portions*~~

* * *		*~~of the Chinatown Community Business District as mapped on Sectional Map No. 1 SUa~~*

Table 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Chinatown Residential Neighborhood Commercial District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
.15	Awning	§ *136.1(a)* *~~890.21~~*	P *~~§ 136.2(a)~~*
.16	Canopy	§ *136.1(b)* *~~890.24~~*	*~~P § 136.2(b)~~*
.17	Marquee	§ *136.1(c)* *~~890.58~~*	*~~P § 136.2(c)~~*
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT

Section		**Zoning Controls**
* * *		
~~§ 812.71~~	*~~§ 236~~*	*~~Garment Shop Special Use District applicable only for portions of the Chinatown Community Business District as mapped on Sectional Map No. 1 SUa~~*
* * *		

Table 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT ZONING CONTROL TABLE

			Rincon Hill Downtown Residential Mixed Use District Zoning
No.	**Zoning Category**	**§ References**	**Controls**

* * *			
.17	Awning	§ *136.1(a)* ~~*890.21*~~	P ~~*§ 136.2(a)*~~
.18	Canopy	§ *136.1(b)* ~~*890.24*~~	P ~~*§ 136.2(b)*~~
.19	Marquee	§ *136.1(c)* ~~*890.58*~~	P ~~*§ 136.2(c)*~~
* * * *	* * * *	* * * *	* * * *

Table 829. SOUTH BEACH DOWNTOWN RESIDENTIAL DISTRICT ZONING CONTROL TABLE

			South Beach Downtown Residential District Zoning
No.	**Zoning Category**	**§ References**	**Controls**
* * * *			
.17	Awning	§ *136.1(a)* ~~*890.21*~~	P ~~*§ 136.2(a)*~~
.18	Canopy	§ *136.1(b)* ~~*890.24*~~	P ~~*§ 136.2(b)*~~
.19	Marquee	§ *136.1(c)* ~~*890.58*~~	P ~~*§ 136.2(c)*~~
* * * *	* * * *	* * * *	* * * *

Table 840.
MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

			Mixed Use-General District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *	* * * *	* * * *	* * * *
840.05	Awnings and Canopies	§§136, 136.1, ~~*136.2*~~	P
* * * *	* * * *	* * * *	* * * *

Table 841.
MUR – MIXED USE-RESIDENTIAL DISTRICT
ZONING CONTROL TABLE

			Mixed Use-Residential District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *	* * * *	* * * *	* * * *
841.05	Awnings and Canopies	§§136, 136.1, ~~136.2~~	P
* * * *	* * * *	* * * *	* * * *

Table 842.
MUO – MIXED USE-OFFICE DISTRICT
ZONING CONTROL TABLE

			Mixed Use-Office District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *	* * * *	* * * *	* * * *
842.05	Awnings and Canopies	§§136, 136.1, ~~136.2~~	P
* * * *	* * * *	* * * *	* * * *

Table 843.
UMU - URBAN MIXED USE DISTRICT
ZONING CONTROL TABLE

			Urban Mixed Use District
No.	**Zoning Category**	**§ References**	**Controls**
* * * *	* * * *	* * * *	* * * *
843.05	Awnings and Canopies	§§136, 136.1, ~~136.2~~	P
* * * *	* * * *	* * * *	* * * *

Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, the following amendments to Sheets SS01 and SS02 of the Zoning Map of the City and County of San Francisco, duly approved and recommended to the Board of Supervisors by the Planning Commission, are hereby adopted:

Add The Embarcadero for its entire length to the "Special Districts for Scenic Streets" on Sheet SS01.

Delete the Upper Market Special Sign District from Sheets SS01 and SS02.

Delete the Special District for Sign Illumination from the Van Ness corridor on Sheets SS01 and SS02.

Reduce the Special District for Sign Illumination in the vicinity of Broadway and Columbus to include only the Broadway Neighborhood Commercial District on Sheets SS01 and SS02.

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

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
JUDITH A. BOYAJIAN
Deputy City Attorney

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FILE NO. 110548

LEGISLATIVE DIGEST
(Substituted 1/13/2015)

[Planning Code - Signs, Awnings, Canopies, and Marquees]

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

The Planning Code defines "Awning" in Sections 790.20 and 890.21; "Canopy" in Sections 790.26 and 890.24, and "Marquee" in Sections 790.58 and 890.58. The Code regulates various types of Signs in Article 6. Controls for signs, awnings, canopies, and marquees are contained in the Zoning Control Tables in Articles 7 and 8.

Amendments to Current Law

The proposed ordinance deletes the definitions of "Awning," "Canopy," and "Marquee" that are currently in Sections 790.20, 790.26, 790.58, 890.21, 890.24, and 890.58 and consolidates them into Section 102. The Articles 7 and 8 Zoning Control Tables are amended to reflect the new section references. Awnings are not permitted to extend onto residential stories or to obscure important architectural features. Only awnings covered with cloth are allowed in Residential Districts.

The sign controls in Article 6 are amended to clarify the definition of "Business Sign" and require the sign to either be removed or brought into conformity with the Code when the activity for which a business sign has been posted has ceased operation for more than 90 days, moves to another location, or when a new building is constructed.

The Zoning Control Tables in Article 7 are amended to prohibit the relocation of General Advertising Signs into the Van Ness corridor and various Neighborhood Commercial and Neighborhood Commercial Transit Districts. The RC (Residential-Commercial) District sign controls are consolidated with those for NC (Neighborhood Commercial) Districts and made consistent. Language in the Market Street Sign District is updated to reflect current conditions, such as removal of the Central Freeway, and certain sign controls in C (Commercial) Districts

are made consistent with the Market Street Sign District. The Embarcadero for its entire length is added to the list of Scenic Streets where General Advertising Signs are not allowed.

Background Information

The new standards for awnings were adapted from the Planning Department's standards for the Union Square area, which were created to dignify buildings and enhance neighborhood streetscapes. The new controls on signs and general advertising update the controls, achieve greater consistency, and foster the City's efforts to preserve the character, identity, and livability of San Francisco's neighborhood commercial districts and improve the City's streetscapes.

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May 31, 2012

Supervisor Chiu and
Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Case Number 2011.0533Z and 2011.0532T**
BF No. 11-0547 and 11-0548: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.

Recommendation: **Approval with Modifications**

Dear Supervisor Chiu and Ms. Calvillo,

On May 3, 2012 and May 17, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider Phases Two and Three of the proposed Ordinances under Board of Supervisors File Number 11-0547 and 11-0548.

At the May 3rd Hearing, the Commission voted 6-1 to recommend approval with modifications of Phase Two of the proposed Planning Code Text Amendments (Ordinance 11-0548) and voted 6-0, with Commissioner Fong recused, to recommend approval with modifications of Phase Two of the proposed Zoning Map Amendments (Ordinance 11-0547).

At the May 17th Hearing, the Commission voted 5-1 to recommend approval with modifications of Phase Three of the proposed Planning Code Text Amendments (Ordinance 11-0548) and voted 6-0 to recommend approval with modifications of Phase Three of the proposed Zoning Map Amendments (Ordinance 11-0547).

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission. The attached resolution and exhibit provides more detail about the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

AnMarie Rodgers
Manager of Legislative Affairs

Cc: City Attorneys Judith Boyajian and Marlena Byrne

Attachments (one copy of the following): Planning Commission Resolution Nos. 18615, 18616, 18626 and 18627
Department Executive Summaries for Phases Two and Three for both the Planning Code and Zoning Map Amendments.

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Planning Commission Resolution No. 18615

HEARING DATE: MAY 3, 2012

Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Number:	2011.0532T [Board File No. 11-0548]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
Staff Contact:	Aaron Starr, Legislative Affairs aaron.starr@sfgov.org, 415-558-6362
Reviewed by:	AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation:	**Recommend Approval with Modifications of "Phase Two" Including the Topics of Automotive Uses, Limited Corner Commercial Uses (LCCUs), Accessory Uses, Non-Conforming Uses, and Washington Broadway and Waterfront SUDs.**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE BY REPEALING SECTIONS 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 AND 607.4 AND AMENDING VARIOUS OTHER CODE SECTIONS TO (1) INCREASE THE AMOUNT OF PRINCIPALLY PERMITTED PARKING SPACES FOR DWELLINGS IN RC-4 AND C-3 DISTRICTS, (2) MAKE OFF-STREET PARKING REQUIREMENTS IN THE VAN NESS SPECIAL USE DISTRICT AND RC-3 DISTRICTS CONSISTENT WITH THOSE OF RC-4 DISTRICTS, (3) ELIMINATE MINIMUM PARKING REQUIREMENTS FOR THE CHINATOWN MIXED USE DISTRICTS AND NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICTS, (4) ALLOW EXCEPTIONS FROM REQUIRED PARKING UNDER SPECIFIED CIRCUMSTANCES, (5) AMEND THE RESTRICTIONS ON OFF-STREET PARKING RATES AND EXTEND THEM TO ADDITIONAL ZONING DISTRICTS, (6) REVISE SIGN, AWNING, CANOPY AND MARQUEE CONTROLS IN SPECIFIED ZONING DISTRICTS, (7) INCREASE THE PERMITTED USE SIZE FOR LIMITED CORNER COMMERCIAL USES IN RTO AND RM DISTRICTS, AND ALLOW REACTIVATION OF LAPSED LIMITED COMMERCIAL USES IN R DISTRICTS, (8) REVISE THE BOUNDARIES OF AND MODIFY PARKING AND SCREENING REQUIREMENTS IN THE WASHINGTON-BROADWAY AND WATERFRONT SPECIAL USE DISTRICTS, (9) MODIFY CONTROLS FOR USES AND ACCESSORY USES IN COMMERCIAL AND RESIDENTIAL-COMMERCIAL DISTRICTS, (10) PERMIT CERTAIN EXCEPTIONS FROM EXPOSURE AND OPEN SPACE REQUIREMENTS FOR HISTORIC BUILDINGS, AND (11) MODIFY CONFORMITY REQUIREMENTS IN VARIOUS USE DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, SECTION 302

FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

Whereas, on May 3, 2011 Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-0548 which would amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to (1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts, (2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts, (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts, (4) allow exceptions from required parking under specified circumstances, (5) amend the restrictions on off-street parking rates and extend them to additional zoning districts, (6) revise sign, awning, canopy and marquee controls in specified zoning districts, (7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts, (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts, (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts, (10) permit certain exceptions from exposure and open space requirements for historic buildings, and (11) modify conformity requirements in various use districts; and

Whereas, on December 15, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance: The C-3 parking changes, Affordable Housing FAR exemptions, changes to Planning Code Section 155(g) having to do with the long term parking rate structure, and proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas on March 1, 2012, the Planning Commission considered a portion of the proposed Ordinance, herein referred to as "Phase One", covering the subject areas of Clerical and Minor Modifications, Transfer of Development Rights (TDRS), Limited Commercial Uses, Bike Parking, and Signs; and

Whereas, at the March 1, 2012 hearing, the Commission recommended approval with modifications of Phase One in Resolution Number 18553; and

Whereas, at this same hearing the Commission requested that the remainder of the proposed Ordinance be brought back for two later hearings; and

Whereas, the Commission requested that the next hearing consider the "Phase Two" topics of the same proposed Ordinance including the topics of changes to Automotive Uses, Limited Corner Commercial

Uses (LCCUs), Accessory Uses, Non-Conforming Uses, Washington Broadway and Waterfront SUDs and the Van Ness Avenue SUD; and

Whereas, the Commission further requested that the remainder of the topics of the proposed Ordinance be considered at a later hearing called "Phase Three" that would include the topics of changes to Parking, Opens Space for Commercial Uses, Gross Floor Area and Floor Area Ratio, Streetscape Improvements, Transportation Management, and Powers of the Zoning Administrator; and

Whereas, this hearing is to consider the topics described as "Phase Two"; and

Whereas, the Commission requested that the proposed Changes to the Van Ness SUD which include parking ratio modifications, the elimination of the Van Ness Sign District and the Van Ness Special Sign District for illumination be brought back to the Commission under Phase Three; and

Whereas, the proposed zoning changes have been determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** Phase Two of the proposed ordinance. Specifically, the Commission recommends the following modifications:

Auto Uses

1. Modifying the proposed controls for parking lots in Section 223(l) - "parking lots" - for the C-2 District from "prohibited" to "Conditional Use Authorization".
2. Modify proposed Section 223(o) to require a CU for Storage Yards for Commercial Vehicles or Trucks in C-M Districts rather than prohibiting them outright.

LCCUs

3. Do not amend Section 231 to allow LCCUs to have 2,500 sq. ft. or allow them within 100' of a corner. This proposed change should be reviewed when the Market and Octavia Plan undergoes its scheduled 5 year review.
4. Do not add proposed Section 231(k), which requires Conditional Use authorization when converting a dwelling unit to establish a Limited Corner Commercial Use. Dwelling unit conversions are already controlled by Section 317.

Nonconforming Uses

5. Modify the proposed changes to Section 182 so that a nonconforming use can only be converted to one dwelling unit as of right, and require a CU for the conversion of more than one dwelling unit, and remove the provision that allows a non-conforming use to be converted to group housing as of right.

6. Add the following modifications to Section 184 to clarify when surface parking lots would need to cease operation:

   Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use~~, *except for permanent off street parking lots in the C-3-O, C-3-R, C-3-G Districts existing on the effective date of Ordinance 414-85, provided that such lots are screened in the manner required by Section 156(e)*~~ shall be eliminated no later than five years and 90 days from the effective date of Ordinance No. [INSERT];

7. Modify Planning Code Section 156 to allow for a 5 year temporary use permit instead of a 2 year temporary use permit.

   ~~*(f)(h)*~~ No permanent parking lot shall be permitted in C-3-*O*, *C-3-R*, *C-3-G* and NCT Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years from the date of approval ***in NCT Districts and five years from the date of approval in C-3 Districts***; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

Washington-Broadway SUD

8. Remove the provision in the proposed Ordinance that would change surface parking lots from a conditional use to "not permitted."

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. San Francisco's Planning Code has provided for reduced parking requirements in dense and transit-rich neighborhoods since the 1960s, as a way of reducing traffic congestion, encouraging walking, cycling, and public transit, and making efficient use of scarce land;

2. In 1973, the San Francisco City Planning Commission and Board of Supervisors adopted the "Transit First Policy", giving top priority to public transit investments as the centerpiece of the city's transportation policy and adopting street capacity and parking policies to discourage increases in automobile traffic;

3. Off-street parking facilities increase building costs, which in turn are transferred to costs of housing and doing business. As a land use, off-street parking facilities compete with and displace land uses that provide greater social and economic benefit to the city;

4. A basic assumption of the Transportation Element is that a desirable living environment and a prosperous business environment cannot be maintained if traffic levels continue to increase in any significant way. A balance must be restored to the city's transportation system, and various methods must be used to control and reshape the impact of automobiles on the city. This includes limiting the city's parking capacity, especially long-term parking in commercial areas;

5. On October 26, 2010 the Board of Supervisors adopted the goal of having 20% of trips by bike by the year 2020;

6. The City of San Francisco's Housing Element seeks to remove unnecessary constraints to the construction and rehabilitation of housing;

7. Existing buildings contribute to the unique character of San Francisco. Reusing buildings, rather than demolishing and rebuilding them, can preserve the built character of neighborhoods, as well as foster sustainability by conserving the energy and materials embodied in these buildings.

8. Small commercial uses, although often nonconforming, tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes;

9. Small businesses that combine office, production, retail, and even residential uses are increasingly common in San Francisco, but frequently do not fit into traditional zoning categories. Creating more flexibility in zoning around accessory uses will help add to the vibrancy of the City's neighborhoods and to the City's diverse economic base;

10. Over the years, the Planning Code has been amended and expanded. While many of these changes have been necessary to address emerging issues and changing policy in the City, the current Planning Code can be overly complex and redundant;

11. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. HOUSING ELEMENT

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.6
Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

POLICY 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 8
BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE AND MAINTAIN AFFORDABLE HOUSING.

OBJECTIVE 12
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION

Policy 12.1
Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Phase Two of the proposed Ordinance changes Section 182 to allow "any nonconforming use to be converted to dwelling units or to group housing, in a district where such use is principally permitted, without regard to the requirements of this Code with respect to residential density or required off-street parking." The Commission finds that this change is too broad because it allows any nonconforming use in any Zoning District where housing and group housing are principally permitted to be converted to an unspecified number of dwelling units. The Commission believes that one housing unit is acceptable, but anything more than that should require Conditional Use Authorization. The Commission also feels that that group housing should be excluded from this section.

II. TRANSPORTATION ELEMENT

OBJECTIVE 1
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA

Policy 1.2
Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3
Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Phase Two of the proposed Ordinance would exempt Automotive Service Stations that are located on Primary Transit Streets or Citywide Pedestrian Network Streets from the conversion process for Automotive Service Station and guide decision makers to consider General Plan polices during this conversion. Similarly, changes recommended by this Commission to require Conditional Use authorization for certain parcel delivery service and storage yards would still permit the use, but provide greater oversight to ensure that the district is still able to serve its primary function.

OBJECTIVE 7
DEVELOP A PARKING STRATEGY THAT ENCOURAGES SHORT-TERM PARKING AT THE PERIPHERY OF DOWNTOWN AND LONG-TERM INTERCEPT PARKING AT THE PERIPHERY OF THE URBANIZED BAY AREA TO MEET THE NEEDS OF LONG-DISTANT COMMUTERS TRAVELING BY AUTOMOBILE TO SAN FRANCISCO OR NEARBY DESTINATIONS.

Policy 7.1
Reserve a majority of the off-street parking spaces at the periphery of downtown for short term parking.

Phase Two of the proposed Ordinance with the recommended modifications would increase scrutiny of parking lots in the C-2 district, by adding a requirement for Conditional Use authorization.

IV. MARKET & OCTAVIA AREA PLAN
In order to track implementation, the Planning Department will monitor vital indicators.

The existing controls for LCCUs were developed as part of an eight year community planning processes about what should be permitted in an RTO district. The intent of the corner store in these districts was to allow for neighborhood serving uses, with a very limited capacity and impact on the residential context. Accordingly the Commission feels that leaving the controls as currently drafted is appropriate. The Commission generally recommends that ideas specific to the community planning efforts be continued through the initial five-year post-plan adoption period, which for the Market Octavia Plan ends May 2013. The Planning Code provides an avenue for re-evaluating these controls after five years. It should be noted that while the LCCU concept was originated with the community planning efforts, these controls currently apply outside of the plan areas in the RM-3 and RM-4 districts.

IV. NORTHEAST WATERFRONT AREA PLAN

Policy 8.2
Limit additional parking facilities in the northeastern waterfront and minimize the impact of this parking. Discourage long-term parking for work trips which could be accommodated by transit.

Restrict additional parking to: (a) short-term (less than four hour) parking facilities to meet needs of additional business, retail, restaurant, marina, and entertainment activities; (b) long-term parking facilities for maritime activities, hotel and residential uses. To the extent possible, locate parking away from areas of intense pedestrian activity. Encourage shared parking at adjacent or nearby facilities.

Policy 8.6
Remove or relocate inland those existing parking facilities on or near the water's edge or within areas of intense pedestrian activity.

Phase Two of the proposed Ordinance allows parking for any principle or conditional use to be waived by the Zoning Administrator per Code Section 161 in all three Waterfront Special Use Districts. The proposed changes are consistent with the way the Code treats other high density, mixed use districts. While the three SUDs vary slightly, their overall character and location are similar enough that they should all be subject to parking waivers under Section 161.

COMMERCE AND INDUSTRY ELEMENT

Policy 6.1
Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Phase Two of the proposed legislation would change the specific restriction, such as horse power, to performance based restrictions (i.e, no noise, vibration or unhealthful emissions beyond the premises). This change replaces arbitrary numerical limits with performance standards to limit disturbances to neighbors. The horsepower limits currently established in the Code can be violated by standard vacuums or coffee grinders. Limiting the number of employees as well as the allowable floor area adds an additional layer of restrictions that isn't necessary if the size restriction already ensures that the use is accessory to the main use.

12. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

Phase Two of the proposed Ordinance will not have any negative impact on neighborhood-serving retail uses.

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

Phase Two of the proposed Ordinance would allow nonconforming uses to convert to housing without regard to specific requirements in the Planning Code, which will help add housing and preserve neighborhood character by allowing existing buildings to be more easily adapted to new uses.

C) The City's supply of affordable housing will be preserved and enhanced:

Phase Two of the proposed Ordinance will not have a negative impact on the City's supply of affordable housing.

D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

Phase Two of the proposed Ordinance will not have any negative impact on commuter traffic or MUNI.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

Phase Two of the proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

Phase Two of the proposed ordinance would allow Landmark and historic buildings to be adaptively reused more easily by exempting them from certain provisions in the Planning Code, which would reduce the amount of change that is required to add housing to historic buildings and help preserve them for the future.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 3, 2012

Linda Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Miguel, Moore and Wu

NAYS: Commissioner Sugaya

ABSENT: None

ADOPTED: May 3, 2012

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Planning Commission Resolution No. 18626

HEARING DATE: MAY 17, 2012

Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Number:	2011.0532T [Board File No. 11-0548]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
Staff Contact:	Aaron Starr, Legislative Affairs aaron.starr@sfgov.org, 415-558-6362
Reviewed by:	AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation:	**Recommend Approval with Modifications Of "Phase Three" Including the Topics of Parking, Opens Space for Commercial Uses, Gross Floor Area and Floor Area Ratio, Streetscape Improvements, Transportation Management, Powers of the Zoning Administrator, and the Van Ness SUD and SSD**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE BY REPEALING SECTIONS 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 AND 607.4 AND AMENDING VARIOUS OTHER CODE SECTIONS TO (1) INCREASE THE AMOUNT OF PRINCIPALLY PERMITTED PARKING SPACES FOR DWELLINGS IN RC-4 AND C-3 DISTRICTS, (2) MAKE OFF-STREET PARKING REQUIREMENTS IN THE VAN NESS SPECIAL USE DISTRICT AND RC-3 DISTRICTS CONSISTENT WITH THOSE OF RC-4 DISTRICTS, (3) ELIMINATE MINIMUM PARKING REQUIREMENTS FOR THE CHINATOWN MIXED USE DISTRICTS AND NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICTS, (4) ALLOW EXCEPTIONS FROM REQUIRED PARKING UNDER SPECIFIED CIRCUMSTANCES, (5) AMEND THE RESTRICTIONS ON OFF-STREET PARKING RATES AND EXTEND THEM TO ADDITIONAL ZONING DISTRICTS, (6) REVISE SIGN, AWNING, CANOPY AND MARQUEE CONTROLS IN SPECIFIED ZONING DISTRICTS, (7) INCREASE THE PERMITTED USE SIZE FOR LIMITED CORNER COMMERCIAL USES IN RTO AND RM DISTRICTS, AND ALLOW REACTIVATION OF LAPSED LIMITED COMMERCIAL USES IN R DISTRICTS, (8) REVISE THE BOUNDARIES OF AND MODIFY PARKING AND SCREENING REQUIREMENTS IN THE WASHINGTON-BROADWAY AND WATERFRONT SPECIAL USE DISTRICTS, (9) MODIFY CONTROLS FOR USES AND ACCESSORY USES IN COMMERCIAL AND RESIDENTIAL-COMMERCIAL DISTRICTS, (10) PERMIT CERTAIN EXCEPTIONS FROM EXPOSURE AND OPEN SPACE REQUIREMENTS FOR HISTORIC BUILDINGS, AND (11) MODIFY CONFORMITY REQUIREMENTS IN VARIOUS USE

DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

Whereas, on May 3, 2011 Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-0548 which would amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to (1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts, (2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts, (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts, (4) allow exceptions from required parking under specified circumstances, (5) amend the restrictions on off-street parking rates and extend them to additional zoning districts, (6) revise sign, awning, canopy and marquee controls in specified zoning districts, (7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts, (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts, (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts, (10) permit certain exceptions from exposure and open space requirements for historic buildings, and (11) modify conformity requirements in various use districts; and

Whereas, on December 15, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance: The C-3 parking and FAR changes, changes to Planning Code Section 155(g) having to do with the long term parking rate structure, and proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas on March 1, 2012, the Planning Commission considered a portion of the proposed Ordinance, herein referred to as "Phase One", covering the subject areas of Clerical and Minor Modifications, Transfer of Development Rights (TDRS), Limited Commercial Uses, Bike Parking, and Signs; and

Whereas, at this same hearing the Commission requested that the remainder of the proposed Ordinance be brought back for two later hearings; and

Whereas, the Commission requested that the next hearing consider the "Phase Two" topics of the same proposed Ordinance including the topics of changes to Automotive Uses, Limited Corner Commercial Uses (LCCUs), Accessory Uses, Non-Conforming Uses, and Washington Broadway and Waterfront SUDs, and the Van Ness Avenue SUD and SSD; and

Whereas, the Commission further requested that the remainder of the topics of the proposed Ordinance be considered at a later hearing called "Phase Three" that would include the topics of changes to Parking, Opens Space for Commercial Uses, Gross Floor Area and Floor Area Ratio, Streetscape Improvements, Transportation Management, and the Powers of the Zoning Administrator; and

Whereas, at the March 1, 2012 hearing, the Commission recommended approval with modifications of Phase One in Resolution Number 18553; and

Whereas, at the May 3, 2012 hearing, the Commission requested that the proposed Changes to the Van Ness SUD which include parking ratio modifications, the elimination of the Van Ness Sign District and the Van Ness Special Sign District for illumination be brought back to the Commission under Phase Three; and

Whereas, at the May 3, 2012 hearing, the Commission recommended approval with modifications of Phase Two in Resolution Number 18615; and

Whereas, this hearing is to consider the topics described as "Phase Three"; and

Whereas, the proposed zoning changes have been determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** Phase Three of the proposed ordinance. Specifically, the Commission recommends the following modifications:

Clerical Modifications:

1. Section 249.5(a) should also reference map SU02, the North of Market Residential SUD is on both SU01 and SU02.

2. Section 309.1(b)(1)(F) references 827(a)(8)(AO(ii), it should reference 827(a)(8)(A)(ii)

3. Section 151(c)(4) should be amended to read as follows:

"In all districts other than NC, 15 spaces or seven percent of the total gross floor area of the structure or development, which is ever greater, *where no other spaces are required by this Section."*

This section was moved to Section 151 from another Section of the Code and reformatted. In the process, the underlined portion was inadvertently deleted.

Substantive Changes:

Parking

1. Accept the changes proposed in Supervisor Chiu's letter dated April 26, 2012 that remove the minimum parking controls and set maximum parking controls in RC Districts and Van Ness Avenue SUD.

Streetscape Improvements

2. Integrate the changed outline in Exhibit A of this Motion, which cover Section 138.1 of the Planning Code.

Powers of the ZA

3. Amend Section 161 of the Planning Code to allow the Zoning Administrator to grant exceptions to off-street parking requirements in C-2 Districts per Section 307. This recommended change would result in allowing administrative exceptions to off-street parking requirements in all districts except the RH and RM districts.

Van Ness Avenue

4. Do not delete the Van Ness Special Sign District from the Planning Code under the proposed Ordinance; this issue should be studied further and possibly introduced under separate legislation.
5. Remove the provision in the Van Ness Special Sign District that allows General Advertising Signs within the Van Ness SSD.
6. Add a grandfathering clause to the legislation that allows projects that have already been approved by the Planning Commission but not yet vested to be exempt from any parking changes on Van Ness Avenue. This includes both commercial and residential projects.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. San Francisco's Planning Code has provided for reduced parking requirements in dense and transit-rich neighborhoods since the 1960s, as a way of reducing traffic congestion, encouraging walking, cycling, and public transit, and making efficient use of scarce land;

2. In 1973, the San Francisco City Planning Commission and Board of Supervisors adopted the "Transit First Policy", giving top priority to public transit investments as the centerpiece of the city's transportation policy and adopting street capacity and parking policies to discourage increases in automobile traffic;

3. Off-street parking facilities increase building costs, which in turn are transferred to costs of housing and doing business. As a land use, off-street parking facilities compete with and displace land uses that provide greater social and economic benefit to the city;

4. A basic assumption of the Transportation Element is that a desirable living environment and a prosperous business environment cannot be maintained if traffic levels continue to increase in any significant way. A balance must be restored to the city's transportation system, and various methods must be used to control and reshape the impact of automobiles on the city. This includes limiting the city's parking capacity, especially long-term parking in commercial areas;

5. On October 26, 2010 the Board of Supervisors adopted the goal of having 20% of trips by bike by the year 2020;

6. The City of San Francisco's Housing Element seeks to remove unnecessary constraints to the construction and rehabilitation of housing;

7. Existing buildings contribute to the unique character of San Francisco. Reusing buildings, rather than demolishing and rebuilding them, can preserve the built character of neighborhoods, as well as foster sustainability by conserving the energy and materials embodied in these buildings.

8. Small commercial uses, although often nonconforming, tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes;

9. Small businesses that combine office, production, retail, and even residential uses are increasingly common in San Francisco, but frequently do not fit into traditional zoning categories. Creating more flexibility in zoning around accessory uses will help add to the vibrancy of the City's neighborhoods and to the City's diverse economic base;

10. Over the years, the Planning Code has been amended and expanded. While many of these changes have been necessary to address emerging issues and changing policy in the City, the current Planning Code can be overly complex and redundant;

11. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. HOUSING ELEMENT

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.6
Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

POLICY 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

Phases Three of the proposed ordinance will make it easier to build more housing in transit rich neighborhoods by excluding dwelling unit density calculations in C-3 Zoning Districts.

OBJECTIVE 10
Ensure a streamlined, yet thorough, and transparent decision-making process.

Policy 10.2
Implement planning process improvements to both reduce undue project delays and provide clear information to support community review.

Phase Three of the proposed Ordinance would stream line the approval process by expanding the ZA's authority by allowing him to waive Dwelling Unit Exposure requirements for Article 11 buildings, consistent with the ZA's current authority to waive Dwelling Unit Exposure requirements for Article 10 buildings.

OBJECTIVE 11
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO NEIGHBORHOODS.

Policy 11.7
Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

Phase Three of the proposed ordinance makes it easier to convert existing buildings into residential units by granting the Zoning Administrator greater powers to waive certain Planning Code requirements.

OBJECTIVE 12
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION

Policy 12.1
Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Phases Three of the proposed ordinance recognizes the dense transit rich nature of many of San Francisco's neighborhoods and removes or significantly reduces minimum parking requirements to encourage transit use and other forms or transportation.

II. TRANSPORTATION ELEMENT

OBJECTIVE 1
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA

Policy 1.2
Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3
Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Phases Three of the proposed ordinance requires that projects of certain sizes implement the Better Street Plans, which enhances the pedestrian realm; and it allows the Zoning Administrator to reduce or waive required parking or loading for a project when the only feasible street frontage for a driveway or entrance to off-street parking or loading is located on a protected pedestrian-, cycling-, or transit-oriented street frontage, or the only feasible street frontage for a driveway or entrance to off-street parking or loading is located at a transit stops. Phases 3 also requires that more projects provide transportation brokerage service and transportation management plans, which helps achieve the City's goal of providing more alternatives to the private automobile. Phase 3 also includes Short term parking in FAR calculations in C-3 Districts, creating a disincentive for adding short term parking to new developments in C-3 Districts.

III. URBAN DESIGN ELEMENT

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION

Policy 1.10
Indicate the purposes of streets by adopting and implementing the Better Streets Plan, which identifies a hierarchy of street types and appropriate streetscape elements for each street type.

Phase Three of the proposed ordinance would require more projects to remove encroachments into the public right-of-way in order to implement the City's Better Streets Plan.

IV. OPEN SPACE ELEMENT

OBJECTIVE 2
DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.

Policy 2.1
Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.

Phases Three of the proposed ordinance would require buildings in the C-3 that are primarily retail to provide open space. This would help to increase the amount of open space available in the downtown core, which is an area of the City that has limited access to public open space.

V. VAN NESS AVENUE AREA PLAN

OBJECTIVE 8
CREATE AN ATTRACTIVE STREET AND SIDEWALK SPACE WHICH CONTRIBUTES TO THE TRANSFORMATION OF VAN NESS AVENUE INTO A RESIDENTIAL BOULEVARD.

Policy 8.11
Permit general advertising signs, business signs and other identifying signs. Permitted signs should meet the following design criteria:

- Signs should not feature any flashing, blinking, fluctuating or otherwise animated light. Likewise, signs should not feature any moving parts.
- Wall signs shall not be less than 10 feet above grade and should not be higher than 45 feet above grade and should not be higher than the lowest residential window sill.
- Projecting signs and general advertising signs should not be higher than 36 feet. Projecting signs shall in no case project more than 4 feet over the sidewalk.
- General advertisement signs should conform to State Outdoor Advertisement regulations requiring that no advertising display shall be placed within 100 feet from another advertising display.
- Signs should not be placed in front of windows.

Modifying the Ordinance so that the Van Ness Special Sign District is not removed is consistent with this policy of the Van Ness Area Plan. Further, removing the Van Ness Special Sign District for Illumination from the Planning Code and Zoning Map is also consistent with this policy of the Van Ness Area Plan, as it specifically prohibits flashing or blinking signs.

OBJECTIVE 9
PROVIDE SAFE AND EFFICIENT MOVEMENT AMONG ALL USERS ON VAN NESS AVENUE.

Policy 9.7
Require residential parking at a ratio of one parking space per dwelling unit.

The Commission acknowledges this policy and notes that it is in opposition to other policies in the General Plan that seek to reduce parking. The Commission hereby decides that removing the requirement of 1 to 1 parking along Van Ness Avenue is on-balance consistent with the City's General Plan and the mixed use high density character of Van Ness Avenue. This provision of the General Plan is out of date and is in contrast to the recent steps that the City has been taking to require less parking for all uses. Further, the City's Transit first policy prioritizes transit over automobile use and Van Ness is a major transit corridor For this reason, the Commission recommends to adopt the portion of the proposed Ordinance that would remove the Van Ness Special Use District exception from the broader parking requirement for RC-4 districts, which are currently required at a ratio of 1 parking space to every 4 dwelling units. The Commission recommends adding a grandfathering clause to the legislation that allows projects that have already been approved by the Planning Commission but not yet vested to be exempt from this provision.

12. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

Phase Three of the proposed Ordinance will not negatively impact existing neighborhood-serving retail uses.

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

Phase Three of the proposed Ordinance would remove minimum parking requirements from transit rich urban areas of the City

C) The City's supply of affordable housing will be preserved and enhanced:

Phase Three of the proposed Ordinance will not have a negative impact on the City's supply of affordable housing.

D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

Phase Three of the proposed Ordinance seeks to reduce the impact that private automobiles have on City streets by eliminating minimum parking requirements and replacing them with maximum parking requirements.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

Phase Three of the proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinance. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

Phase Three of the proposed Ordinance would allow Landmark and historic buildings to be adaptively reused more easily by exempting them from certain provisions in the Planning Code, which would reduce the amount of change that is required to add housing to historic buildings and help preserve them for the future.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 17, 2012

Linda Avery
Commission Secretary

AYES: Commissioners Borden, Fong, Miguel, Sugaya, Wu

NAYS: Commissioner Antonini

ABSENT: Commissioner Moore

ADOPTED: May 17, 2012

Exhibit A

Proposed Changes to Planning Code Section 138.1

(a) **Purpose.** The purpose of this section is to establish requirements for the improvement of the public right-of-way associated with development projects, such that the public right-of-way may be safe, accessible, convenient and attractive to pedestrian use and travel by all modes of transportation consistent with the San Francisco General Plan, achieve best practices in ecological stormwater management, and provide space for public life and social interaction, in accordance with the City's "Better Streets Policy" (Administrative Code Section 98.1).

(b) **Better Streets Plan.**

(1) The Better Streets Plan, as defined in Administrative Code Section 98.1(e), shall govern the design, location, and dimensions of all pedestrian and streetscape items in the public right-of-way, including but not limited to those items shown in Table 1. Development projects that propose or are required through this section to make pedestrian and streetscape improvements to the public right-of-way shall conform with the principles and guidelines for those elements as set forth in the Better Streets Plan to the maximum extent feasible.

(2) Proposed improvements also shall be subject to approval by other city bodies with permitting jurisdiction over such streetscape improvements.

Table 1: Pedestrian and Streetscape Elements per the Better Streets Plan

#	*PHYSICAL ELEMENT*	*BETTER STREETS PLAN SECTION*
1	Curb ramps*	5.1
2	Marked crosswalks*	5.1
3	Pedestrian-priority signal devices and timings	5.1
4	High-visibility crosswalks	5.1
5	Special crosswalk treatments	5.1
6	Restrictions on vehicle turning movements at crosswalks	5.1

7	Removal or reduction of permanent crosswalk closures	5.1
8	Mid-block crosswalks	5.1
9	Raised crosswalks	5.1
10	Curb radius guidelines	5.2
11	Corner curb extensions or bulb-outs*	5.3
12	Extended bulb-outs	5.3
13	Mid-block bulb-outs	5.3
14	Center or side medians	5.4
15	Pedestrian refuge islands	5.4
16	Transit bulb-outs	5.5
17	Transit boarding islands	5.5
18	Flexible use of the parking lane	5.6
19	Parking lane planters	5.6
20	Chicanes	5.7
21	Traffic calming circles	5.7
22	Modern roundabouts	5.7
23	Sidewalk or median pocket parks	5.8
24	Reuse of 'pork chops' and excess right-of-way	5.8
25	Multi-way boulevard treatments	5.8
26	Shared public ways	5.8
27	Pedestrian-only streets	5.8

28	Public stairs	5.8
29	Street trees*	6.1
30	Tree basin furnishings*	6.1
31	Sidewalk planters*	6.1
32	Above-ground landscaping	6.1
33	Stormwater management tools*	6.2
34	Street and pedestrian lighting*	6.3
35	Special paving*	6.4
36	Site furnishings*	6.5
Standard streetscape elements marked with a *. (Requirement varies by street type: see the Better Streets Plan)		

(c) **Required streetscape and pedestrian improvements.** Development projects shall include streetscape and pedestrian improvements on all publicly accessible rights-of-way directly fronting the property as follows:

(1) **Street trees.**

(i) **Application.** In any District, street trees shall be required under the following conditions: construction of a new building; relocation of a building; the addition of gross floor area equal to 20 percent or more of the gross floor area of an existing building; the addition of a new dwelling unit, a garage, or additional parking; or paving or repaving more than 200 square feet of the front setback.

(ii) **Standards.**

(A) **All districts.** In any district, street trees shall:

(aa) Comply with Public Works Code Article 16 and any other applicable ordinances;

(bb) Be suitable for the site;

(cc) Be a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located ~~either within a setback area on the lot or~~ within the public right-of-way along such lot, *and shall comply with all applicable codes and standards*.

(dd) Provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils, and generally conducive to tree root development;

(ee) Be watered, maintained and replaced if necessary by the property owner, in accordance with Sec. 174 and Article 16 of the Public Works Code and compliant with applicable water use requirements of Chapter 63 of the Administrative Code.

(B) **DTR, RC, C, NC and Mixed-Use Districts, and Planned Unit Developments.** In DTR, RC, C, NC and Mixed-Use Districts, and Planned Unit Developments, in addition to the requirements of subsections (aa) - (ee) above, all street trees shall:

(aa) Have a minimum 2 inch caliper, measured at breast height;

(bb) Branch a minimum of 80 inches above sidewalk grade;

(cc) Be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches;

(dd) Include street tree basins edged with decorative treatment, such as pavers or cobbles. Edging features may be counted toward the minimum sidewalk opening per (cc) if they are permeable surfaces per Section 102.33.

(C) ***Continuous, soil-filled trench.*** Street trees shall be planted in a continuous soil-filled trench parallel to the curb, such that the basin for each tree is connected, if ~~all the following conditions are present: (1) the subject lot is in one of the Districts specified in Subsection 138.1(c)(1)(ii)(B); (2)~~ *(1)* the project is on a lot that (a) is greater than 1/2-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way,; **and** ~~(3)~~*(2)* the project includes (a) new construction; *or* (b) addition of 20% or more of gross floor area to an existing building; ~~or (c) alteration to greater than 50% of the existing square footage of a building~~.

(aa) The trench may be covered by allowable permeable surfaces as defined in Section 102.33, except at required tree basins, where the soil must remain uncovered.

~~(bb) The Zoning Administrator may modify or waive the continuous trench requirement where a continuous trench is not possible due to the location of existing utilities, driveways, sub-sidewalk basements, or other pre-existing surface or sub-surface features.~~

(iii) **Approvals, ~~and~~ waivers, *and modifications*.**

(A) Trees installed in the public right-of-way shall be subject to Department of Public Works approval. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

*(B) **Determination of infeasibility or undesirability.** Required street trees may be found to be infeasible or undesirable under the following circumstances:*

(aa) ~~(B)~~ ***Technical infeasibility.*** ~~In any case in which the~~ *The* Department of Public Works *may determine that* ~~cannot grant approval for installation of a~~ *one or more* tree*s* in the public right-of-way *cannot be planted or cannot meet all the requirements of sub-sections (ii)(A) – (C)* on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare.~~, and where installation of such tree on the lot itself is impractical, the tree planting requirements of this Section 138.1(c)(1) may be modified or waived by the Zoning Administrator as described herein:~~

*(bb) **Incompatibility with existing policy.** The Zoning Administrator may determine that the planting of street trees conflicts with policies in the General Plan such as the Downtown Plan Policy favoring unobstructed pedestrian passage or the Commerce and Industry Element policies to facilitate industry.*

*(C) **Waiver or modification.** In any case in which a street tree is determined to be infeasible or undesirable under sub-sections (aa) or (bb), the Zoning Administrator may waive or modify the street tree requirement as follows:*

(aa) For each required tree that the Zoning Administrator waives, the permittee shall pay an "in-lieu" street tree fee pursuant to Section 428.

(bb) ~~When a pre-existing site constraint prevents the installation of a street tree, as~~ *As* an alternative to payment of any portion of the in-lieu fee, the Zoning Administrator may *modify the requirements of this section to* allow the installation of *alternative landscaping, including:* sidewalk landscaping that is compliant with applicable water use requirements of Chapter 63 of the Administrative Code, to satisfy the requirements of Section 138.1(c)(1), subject to permit approval from the Department of Public Works in accordance with Public Works Code Section 810B, *planter boxes, tubs, or similar above-ground landscaping, street trees that do not meet all of the requirements of sub-sections (ii)(A) – (C), or street trees planted in a required front setback area on the subject property.*

~~(cc) In C-3, industrial, and South of Market Mixed Use Districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement in C-3, industrial, and mixed use districts, districts where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the General Plan, such as the Downtown Plan Policy favoring unobstructed pedestrian passage or the Commerce and Industry Element policies to facilitate industry.~~

*(D) **Credit for Existing Street Trees.** Where there is an existing, established street tree fronting the subject property, as determined by the Department of Public Works, the street tree requirement shall be waived and no in-lieu fee shall be applied for that particular tree.*

(2) **Other streetscape and pedestrian elements for large projects.**

(i) **Application.**

(A) In any district, streetscape and pedestrian elements in conformance with the Better Streets Plan ~~shall~~ *may* be required, if all the following conditions are present: (1) the project is on a lot that (a) is greater than ½-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way, and (2) the project includes (a) new construction; *or* (b) addition of 20% or more of gross floor area to an existing building~~; or (c) alteration to greater than 50% of the existing square footage of a building~~.

(B) Project sponsors that meet the thresholds of this Subsection shall submit a streetscape plan to the Planning Department showing the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the subject property.

(ii) **Standards.** Notwithstanding the requirements of Section 138.1(c)(2)(i), the Department shall consider, but need not require, the streetscape and pedestrian elements listed below when analyzing a streetscape plan:

(A) **Standard streetscape elements.** All standard streetscape elements for the appropriate street type per Table 1 and the Better Streets Plan, including benches, bicycle racks, curb ramps, corner curb extensions, stormwater facilities, lighting, sidewalk landscaping, special sidewalk paving, and other site furnishings, excepting crosswalks and pedestrian signals.

(aa) Streetscape elements shall be selected from a City-approved palette of materials and furnishings, where applicable, and shall be subject to approval by all applicable City agencies.

(bb) Streetscape elements shall be consistent with the overall character and materials of the district, and shall have a logical transition or termination to the sidewalk and/or roadway adjacent to the fronting property.

(B) **Sidewalk widening.** The Planning Department in consultation with other agencies shall evaluate whether sufficient roadway space is available for sidewalk widening for the entirety or a portion of the fronting public right-of-way in order to meet or exceed the recommended sidewalk widths for the appropriate street type per Table 2 and the Better Streets

Plan and/or to provide additional space for pedestrian and streetscape amenities. If it is found that sidewalk widening is feasible and desirable, the Planning Department ~~shall~~ *may* require the owner or developer to install such sidewalk widening as a condition of approval, including all associated utility re-location, drainage, and street and sidewalk paving.

(C) **Minimum sidewalk width.** New publicly-accessible rights-of-way proposed as part of development projects shall meet or exceed the recommended sidewalk widths for the appropriate street type per Table 2. Where a consistent front building setback of 3 feet or greater extending for at least an entire block face is provided, the recommended sidewalk width may be reduced by up to 2 feet.

Table 2. Recommended Sidewalk Widths by Street Type

	Street Type (per Better Streets Plan)	*Recommended Sidewalk Width (Minimum required for new streets)*
Commercial	Downtown commercial	See Downtown Streetscape Plan
-	Commercial throughway	15'
-	Neighborhood commercial	15'
Residential	Downtown residential	15'
-	Residential throughway	15'
-	Neighborhood residential	12'
Industrial/Mixed-Use	Industrial	10'
-	Mixed-use	15'
Special	Parkway	17'
-	Park edge (multi-use path)	25'
-	Multi-way boulevard	15'
-	Ceremonial	varies
Small	Alley	9'

-	Shared public way	n/a
-	Paseo	varies

(iii) **Review and approvals.**

(A) The streetscape plan required by this section shall be submitted to the Planning Department no later than 60 days prior to any Department or Planning Commission approval action, and shall be considered for approval at the time of other project approval actions. The Planning Department may require any or all standard streetscape elements for the appropriate street type per Table 1 and the Better Streets Plan, if it finds that these improvements are necessary to meet the goals and objectives of the General Plan of the City and County of San Francisco. In making its determination about required streetscape and pedestrian elements, the Planning Department shall consult with other City agencies tasked with the design, permitting, use, and maintenance of the public right-of-way.

(B) Final approval by the affected agencies and construction of such streetscape improvements shall be completed prior to the issuance of the first Certificate of Occupancy or temporary Certificate of Occupancy for the project, unless otherwise extended by the Zoning Administrator. Should conditions, policies, or determinations by other City agencies require a change to the streetscape plan after approval of the streetscape plan but prior to commencement of construction of the streetscape improvements, the Planning Department shall have the authority to require revision to such streetscape plan. In such case, the Zoning Administrator shall extend the timeframe for completion of such improvements by an appropriate duration as necessary.

(C) **Waiver.** Any City agency tasked with the design, permitting, use, and maintenance of the public right-of-way, may waive any or all Department required improvements of the streetscape plan as described in this Subsection under that agency's jurisdiction if said agency determines that such improvement or improvements is inappropriate, interferes with utilities to an extent that makes installation financially infeasible, or would negatively affect the public welfare. Any such waiver shall be from the Director or General Manager of the affected agency, shall be in writing to the applicant and the Department, and shall specify the basis for the waiver. Waivers, if any, shall be obtained prior to commencement of construction of the streetscape improvements unless extenuating circumstances arise during the construction of said improvements. If such a waiver is granted, the Department reserves the right to impose alternative requirements that are the same as or similar to the elements in the adopted streetscape plan after consultation with the affected agency. This Subsection shall not apply to the waiver of the street tree requirement set forth in Section 138.1(c)(1).

(d) **Neighborhood Streetscape Plans.** In addition to the requirements listed in Subsection 138.1(c), the Planning Department in coordination with other city agencies, and after a public hearing, may adopt streetscape plans for particular streets, neighborhoods, and districts, containing standards and guidelines to supplement the Better Streets Plan. Development projects in areas listed in this subsection that propose or are required through this section to make

pedestrian and streetscape improvements to the public right-of-way shall conform with the standards and guidelines in the applicable neighborhood streetscape plan in addition to those found in the Better Streets Plan.

(1) **Downtown Streetscape Plan.**

(ii) In any C-3 District sidewalk paving as set forth in the Downtown Streetscape Plan shall be installed by the applicant under the following conditions:

(A) Any new construction; *or*

(B) The addition of floor area equal to 20 percent or more of an existing building.~~; or~~

~~(C) Alteration to greater than 50% of the existing square footage of a building.~~

(iii) In accordance with the provisions of Section 309 of the Planning Code governing C-3 Districts, when a permit is granted for any project abutting a public sidewalk in a C-3 District, the Planning Commission may impose additional requirements that the applicant install sidewalk improvements such as benches, bicycle racks, lighting, special paving, seating, landscaping, and sidewalk widening in accordance with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan of the City and County of San Francisco. In making this determination, the Planning Commission shall consider the level of street as defined in the Downtown Streetscape Plan.

(iv) If a sidewalk widening or a pedestrian street improvement is used to meet the open space requirement, it shall conform to the guidelines of Section 138.

(v) The Planning Commission shall determine whether the streetscape improvements required by this Section may be on the same site as the building for which the permit is being sought, or within 900 feet, provided that all streetscape improvements are located entirely within the C-3 District.

(2) **Rincon Hill Streetscape Plan.**

(i) In the Rincon Hill Downtown Residential Mixed Use (RH-DTR) and Folsom and Main Residential/Commercial Special Use Districts, the boundaries of which are shown in Section Map No. 1 of the Zoning Map, for all frontages abutting a public sidewalk, the project sponsor is required to install sidewalk widening, street trees, lighting, decorative paving, seating and landscaping in accordance with the Streetscape Plan of the Rincon Hill Area Plan, developed by the Planning Department and approved by the Board of Supervisors for: (A) any new construction; *or* (B) the addition of floor area equal to 20 percent or more of an existing building~~; or (C) alteration to greater than 50% of the existing square footage of a building~~.

(ii) Prior to approval by the Board of Supervisors of a Streetscape Plan for Rincon Hill, the Planning Commission, through the procedures of Section 309.1, shall require an applicant to install sidewalk widening, street trees, lighting, decorative paving, seating, and landscaping in keeping with the intent of the Rincon Hill Area Plan of the General Plan and in accordance with this section of the Planning Code.

(e) **Additional provisions.**

(1) **Maintenance.** Unless otherwise determined, fronting property owners shall maintain all streetscape improvements required by this section, including street trees, landscaping, bicycle racks, benches, special paving, and other site furnishings at no public expense per the requirements of Public Works Code Section 706 (sidewalks and site furnishings) and 805 (street trees), except for standard street lighting from a City-approved palette of street lights and any improvements within the roadway. Conditions intended to assure continued maintenance of the improvements for the actual lifetime of the building giving rise to the streetscape improvement requirement may be imposed as a condition of approval by the Planning Department.

(2) For any streetscape and/or pedestrian improvements installed pursuant to this section, the abutting property owner or owners shall hold harmless the City and County of San Francisco, its officers, agents, and employees, from any damage or injury caused by reason of the design, construction or maintenance of the improvements, and shall require the owner or owners or subsequent owner or owners of the respective property to be solely liable for any damage or loss occasioned by any act. This requirement shall be deemed satisfied if City permits for the improvements include indemnification and hold harmless provisions.

(3) Notwithstanding the provisions of this Section, an applicant shall apply for and obtain all required permits and approvals for changes to the legislated sidewalk widths and street improvements.

(f) *Removal and modification of private encroachments on public rights-of-way.*

(1) ***Applicability.*** *This section shall apply to developments which meet the thresholds of Section 138.1(c)(2)(i)(A)*

(2) ***Requirements.*** *As a condition of approval for the applicable developments in subsection (b), the Planning Department may require the project sponsor to:*

(A) reduce the number or width of driveway entrances to a lot, to comply with the streetscape requirements of this Code and the protected street frontages of Section 155(r);

(B) remove encroachments onto or over sidewalks and streets that reduce the pedestrian path of travel, or reduce the sidewalk area available for streetscape amenities such as landscaping, street trees and outdoor seating;

(C) remove or reduce in size basements which extend under public rights-of-way.

(3) ***Standards.*** *In instances where such encroachments are removed, the Planning Department shall require that the replacement curbs, sidewalks, street trees, and landscaping shall meet the standards of the Better Streets Plan and of any applicable neighborhood streetscape plans.*

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Executive Summary
Planning Code Text Change
HEARING DATE: MAY 3, 2012

Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Number:	2011.0532T [Board File No. 11-0548]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
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Recommendation:	**Recommend Approval with Modifications Of "Phase Two" Including the Topics of Automotive Uses, Limited Corner Commercial Uses (LCCUs), Accessory Uses, Non-Conforming Uses, Washington Broadway and Waterfront SUDs and the Van Ness Avenue SUD**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the San Francisco Planning Code (herein after "Code) by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to (1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts, (2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts, (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts, (4) allow exceptions from required parking under specified circumstances, (5) amend the restrictions on off-street parking rates and extend them to additional zoning districts, (6) revise sign, awning, canopy and marquee controls in specified zoning districts, (7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts, (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts, (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts, (10) permit certain exceptions from exposure and open space requirements for historic buildings, and (11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Code Section 101.1.

At the Planning Commission's March 1st hearing, the Commission voted to break up the proposed legislation into three phases.

- Phase One includes Clerical and Minor Modifications, Transfer of Development Rights (TDRS), Limited Commercial Uses, Bike Parking, and Signs. On these topics, the Planning Commission recommended approval with modifications in Resolution Number 18553 on March 1, 2012.
- Phase Two includes changes to Automotive Uses, Limited Corner Commercial Uses (LCCUs), Accessory Uses, Non-Conforming Uses, Washington Broadway and Waterfront SUDs and the Van Ness Avenue SUD. Proposed for hearing on April 12, 2012. This memorandum addresses the topics in Phase Two.
- Phase Three includes changes to Parking, Opens Space for Commercial Uses, Gross Floor Area and Floor Area Ratio, Streetscape Improvements, Transportation Management, and Powers of the Zoning Administrator. Proposed for hearing on April 19, 2012.

Questions Raised From Last Hearing

The Planning Commission requested more information on several items at the April 12 hearing. Staff has provided more clarification for these issues in the body of this report. The topics include:

1) Provide more explanation on why the Accessory Use provisions are proposed to be changed and examples of what types of uses might benefit from a larger allowable accessory use size;
2) Analyze the impact that removing Chinatown from the Washington-Broadway SUD would have on controls in Chinatown;
3) Describe any discrepancy in the maps provided for the Washington-Broadway SUD;
4) Provide more information about the status of the C-M Zoning Districts and whether or not lots zoned C-M will be rezoned.
5) Provide more analysis on the impacts of removing the Van Ness Special Sign District.

1) Accessory Use Provisions

The proposed legislation seeks to rationalize the Planning Code by standardizing accessory use controls among zoning districts that have similar characteristics. For example, all districts that allow for a mix of uses will allow ⅓ of the total floor area to be used as an accessory use, while districts that are primarily residential will allow ¼ of the floor area to be used as accessory use. The proposed Ordinance *would increase* the accessory use allowance for two primarily mixed use districts: Residential Commercial (RC) and Commercial (C). This change would align the allowance with similar mixed use districts such as Neighborhood Commercial (NC). The proposed ordinance *would not change* the accessory use allowance for any other districts, including districts that are primarily residential. Please see the chart on the following page for a more detailed explanation.

Comparison of Accessory Use Controls by Zoning District

Existing Controls		Proposed Controls	
1/4	**1/3**	**1/4**	**1/3**
Residential House (RH)	Production Distribution Repair (PDR)	Residential House (RH)	Production Distribution Repair (PDR)
Residential Mixed (RM)	Neighborhood Commercial (NC)	Residential Mixed (RM)	Neighborhood Commercial (NC)
Residential Transit-Oriented (RTO)		Residential Transit-Oriented (RTO)	Residential Commercial (RC)
Residential Enclave District (RED)		Residential Enclave District (RED)	Commercial (C)
Residential Commercial (RC)			
Commercial (C)			

Primarily residential districts

Districts with a mix of uses

NOTE: This table illustrates that the proposed Ordinance would create a uniform control where mixed-use districts would be allowed to have up to 1/3 of the floor area devoted to accessory use, while primarily residential districts could only have up to 1/4 of the floor area devoted to accessory use.

Examples of uses that could benefit from the increased accessory use size are:

- Research offices that also want to have a small lab as an accessory use.
- Coffee stores that want to roast coffee for wholesale distribution to other businesses.
- Post video production houses that might also want to have a small sound stage to create content.

2) Impacts on Removing Chinatown from the Washington-Broadway SUD

The proposed Ordinance seeks to combine both Washington-Broadway SUDs into 1 SUD, and remove any parcels on the southwest side of Columbus from the combined Washington-Broadway SUD. This would effectively remove lots located in Chinatown from the Washington-Broadway SUD. Because many of the controls for Chinatown already do what the Washington Broadway SUD seeks to do, Staff's determination is that there would be little to no change to the controls in Chinatown if it were removed from the Washington-Broadway SUD. The proposed change appears to be cleaning up the Code by removing unnecessary or duplicative provisions. Further the proposed Ordinance contains fixes in Phase 3 to parking controls that would clear up confusion about existing parking controls in Chinatown. Please see the chart on the following page for a more detailed explanation.

Provisions of Washington-Broadway SUDs 1 and 2	Current Code Language	Impact if Legislation Passes
(a) There shall be certain exemptions from off-street parking requirements, as provided in Section 161(d) of this Code.	In general, parking is not required for any use in Chinatown per Section 151 and Article 8. The one exception is development on lots that are larger than 20,000 sq.ft. in the Chinatown Community Business (CCB) District.	Removing Chinatown from the Washington Broadway SUD would have <u>little impact</u> on this issue. Further, Phase 3 of this Ordinance would remove all minimum parking requirements from Chinatown.
(b) No permitted use shall include an establishment of the "drive-in" type, serving customers waiting in parked motor vehicles, with the exception of automobile service stations.	Per Article 8, Drive Up facilities are not permitted in any Chinatown District	Removing Chinatown from the Washington Broadway SUD would have <u>no impact</u> on this issue.
(c) A parking lot, or a storage garage open to the public for passenger automobiles if not a public building requiring approval by the Board of Supervisors under other provisions of law, shall be permitted only upon approval by the Planning Commission as a conditional use under Section 303 of this Code.	Per Article 8, non-accessory parking lots and storage garages open to the public either require Conditional Use or are prohibited. Accessory parking lots are permitted as of right.	Removing Chinatown from the Washington Broadway SUD would have <u>little impact</u> on this issue. Accessory surface parking lots would be permitted as of right.
(d) In Washington-Broadway Special Use District Number 2 only, a wholesale establishment conducted entirely within an enclosed building shall be permitted as a principal use.	Chinatown is not included in the Washington-Broadway SUD 2	Removing Chinatown from the Washington-Broadway SUD would have <u>no impact</u> on this issue

NOTE: This table illustrates that the proposed Ordinance would generally have <u>little to no impact</u> on Chinatown as the Chinatown Districts currently contain duplicative controls as the Washington-Broadway SUD.

3) Describe any discrepancy in the Washington-Broadway maps

The maps provided by staff at the last hearing correctly describe the proposed Ordinance as drafted. The map attached the 2011.0533Z Case Report for the associated Ordinance No. Board File No. 11-0577 illustrates the text description from the Ordinance. (See Case Report 2011.0533Z Exhibit B: Exhibit C: Proposed Conditions Map)

The draft Ordinance states:

> "Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following amendments to Sheet SU01 of the Zoning Map of the City and County of San Francisco, duly approved and recommended to the Board of Supervisors by the Planning Commission, are hereby adopted:

Description of Property to be added to Washington-Broadway Special Use District 1

Blocks 0165, 0166, 0173, 0174, 0175, 0196, and 0197; all lots zoned C-2 on Blocks 0163, 0164, 0176, and 0195."

However, it appears the proposed Ordinance was drafted in conflict with the associated legislative digest. The legislative digest states:

"Consolidate the two Washington-Broadway SUDs into a single district, limited to the C-2 zoned areas between Washington and Broadway Streets."

It is our understanding that Supervisor Chiu intended to make the change described in the *legislative digest* not that described in the draft Ordinance.

4) Heavy Commercial (C-M) Zoning Districts

There are a few lots zoned still zoned C-M in the City. Most of these lots are south of market along Mission Street, while one lot is located on the western boarder of Bernal Heights (See Exhibits B and C). The rezoning these lots is currently being evaluated as part of the Western SOMA EIR; however not all C-M lots are actually located within the Western SOMA boundaries. Because there parcels are included in an EIR that is currently underway, the EIR will need to be certified before the parcels may be rezoned. The Western SOMA plan does not include a proposal to rezone C-M lots not located within the Western SOMA boundaries, so once the EIR is complete additional legislation would have to be introduced to rezone the C-M lots still in existence.

5) Van Ness Special SUD

The Department respectfully requests that the Commission consider the Van Ness SUD during Phase 3, currently scheduled for May 17, 2012. The Department seeks to continue our review of this item so that we can provide a more thorough impact analysis of the proposed change.

Summary of Proposed Changes (Phase Two):

Automotive Uses: These amendments would have significant changes to controls by prohibiting or requiring CU for certain uses. The purpose behind many of these changes is to bring outdated zoning districts, like Heavy Commercial (C-M) District, more in line with surrounding zoning. The Department is currently evaluating the rezoning of most of the C-M Districts as part of the Western SOMA EIR. The proposed changes would also allow more flexibility when converting automobile service stations to other uses.

1. Surface Parking Lots

The Way It Is Now:

Surface public parking lots are principally permitted in Community Business (C-2) District and Heavy Commercial (C-M) District and require Conditional Use authorization in Downtown Support (C-3-S) District.

The Way It Would Be:
The proposed legislation would prohibit public surface parking lots in C-2, C-M and C-3-S Districts. While temporary parking lots are currently permitted in all of the Downtown (C-3) Districts, these temporary lots would not be permitted in C-2 and C-M Districts unless the Code was changed to include these districts in the temporary parking lot controls, which this ordinance does not propose to do.

Basis for Recommendation:
The Department recommends modifying the proposed controls for parking lots in Section 223(l) - "parking lots" - for the C-2 District from "prohibited" as proposed in the draft Ordinance to allow parking lot uses via "Conditional Use Authorization". The Department's recommendation is based on feedback that we received from the Port of San Francisco, which owns and operates surface parking lots in the C-2 District. Were surface parking lots to become a nonconforming use, this would impact the Port's ability to fulfill its obligations under the Burton Act.

2. Parcel Delivery Services

The Way It Is Now:
Parcel delivery service where the operation is conducted entirely within a completely enclosed building including garage facilities for local delivery trucks, but excluding repair shop facilities are principally permitted in C-3-S and C-M Districts.

The Way It Would Be:
The proposed legislation would change the Code to require Conditional Use authorization in C-3-S and CM Districts for this use.

Basis for Recommendation:
C-3-S District encompasses Yerba Buena Gardens and includes the Convention Center, hotels, museums and cultural facilities, housing, retail, and offices. C-M Districts provide a limited supply of land for certain heavy commercial uses not permitted in other commercial districts. Both Districts have very specific purposes; requiring this use to receive Conditional Use authorization would still permit the use, but provide greater oversight to ensure that the district are still able to serve their primary function.

3. Storage Garages

The Way It Is Now:
Storage garages for commercial passenger vehicles and light delivery trucks require Conditional Use authorization in Downtown General Commercial (C-3-G) District and are principally permitted in C-3-S and C-M Districts.

The Way It Would Be:
This garage storage use would be prohibited in C-3-G District and require Conditional Use Authorization in C-3-S and C-M Districts.

Basis for Recommendation:
This change is consistent with the definitions and intent of these districts. C-3-S and C-3-G Districts are located within the downtown and support such uses as regional shopping destinations, high density residential, arts institutions, museums, Yerba Buena Gardens, and

hotels. C-M Districts tend to be located between C-3 Districts and South of Market Mixed Use Districts.

4. Storage Yards for Commercial Vehicles

The Way It Is Now:
Per section 203(o), storage yards for commercial vehicles or trucks, if conducted within an area completely enclosed by a wall or concealing fence not less than six feet high are currently permitted in C-M Districts and require Conditional Use Authorization in C-3-S Districts.

The Way It Would Be:
This type of use would not be permitted in either the C-M or C-3-S Districts.

Basis for Recommendation:
This change appears to be consistent with the intent of C-3-S Districts, which encompasses Yerba Buena Gardens and includes the Convention Center, hotels, museums and cultural facilities, housing, retail, and offices.

The few remaining C-M Districts tend to be located between C-3 Districts and South of Market Mixed Use Districts. Prohibiting this use outright in C-M Districts does not appear to be consistent with the intent of this Zoning District, which is designated for heavy commercial uses with an emphasis upon wholesaling and business services. The Department recommends requiring a CU for this use in C-M Districts because it would be more consistent with the intent of this district.

5. Automotive Service Station Conversion

The Way It Is Now:
Section 228 limits the ability of Automotive Service Station (gas stations) to convert to other uses. Currently, to convert an Automotive Service Station the property owner either needs to obtain a Conditional Use Authorization from the Planning Commission or a conversion determination from the Zoning Administrator. There are no exceptions for Automotive Service Stations that are located on Primary Transit Streets or Citywide Pedestrian Network Streets.

The Way It Would Be:
The proposed legislation would exempt Automotive Service Stations that are located on Primary Transit Streets or Citywide Pedestrian Network Streets from the requirements outlined in Section 228. The proposed legislation adds two criteria that should be considered when the Commission considers the conversion of an Automotive Service Station, which are:

- The importance of the street on which the service station fronts to walking, cycling, and public transit, and the impact of automobile access and egress to the service station and of the proposed new uses and structures on the safety and comfort of pedestrians, cyclists, and transit riders.

- The compatibility of the existing service station and of the proposed new use or structure with the General Plan and area plan urban design policies and the street frontage standards of this Code.

The proposed legislation also adds a title to this Code section and makes minor reorganizational changes consistent with our current practice for better organizing the Code.

Basis for Recommendation:
The proposed change brings this part of the Code into greater compliance with the City's General Plan, Transit First Policy and Better Streets Plan.

Limited Corner Commercial Uses (LCCUs[1]): These changes would generally allow more flexibility with commercial uses in residential districts. While, the Department generally supports these efforts, LCCUs were developed as part of multiyear planning efforts and should not be amended without more thorough examination.

1. **Size and Location of LCCUs**

The Way It Is Now:
Section 231(b)(3) allows LCCUs with a maximum of 1,200 sq. ft. in floor area in Residential Transit Oriented (RTO) Residential Transit Oriented- Mission District (RTO-M), Residential Mixed Medium Density (RM-3), or Residential Mixed High Density (RM-4) Districts on or below the ground floor; and on a corner lot as long as no part of the use extends more than 50 feet in depth from said corner.

The Way It Would Be:
The proposed legislation would increase the 50' limit to 100' and the use size from 1,200 sq. ft., to 2,500 sq. ft, consistent with the typical lot size in an R District.

Basis for Recommendation:
The Department Recommends that this change not be made at this time. The existing controls were developed as part of an eight year community planning processes about what should be permitted in an RTO district. The intent of the corner store in these districts was to allow for neighborhood serving uses, with a very limited capacity and impact on the residential context. Accordingly the Department feels that leaving the controls as currently drafted is appropriate. The Department generally recommends that ideas specific to the community planning efforts be continued through the initial five-year post-plan adoption period, which for the Market Octavia Plan ends May 2013. The Planning Code provides an avenue for re-evaluating these controls after five years. It should be noted that while the LCCU concept was originated with the community planning efforts, these controls currently apply outside of the plan areas in the RM-3 and RM-4 districts.

Supervisor Chiu's office has agreed to maintain the existing controls in areas affected by the Market and Octavia Plan; however his office would like to go forward with the changes to LCCUs in other parts of the City. The Department would prefer making keeping the rules

[1] LCCUs are defined in Planning Code Section 231 as small neighborhood-oriented establishments that are limited to 1,200 sq. ft. and cannot be located more than 50' from an intersection. They are only permitted in RTO and RM Districts. They were first introduced to the Planning Code as a result of the Market and Octavia Planning effort. They differ from LCUs (Limited Commercial Uses) in that LCUs are commercial uses located in Residential Districts that were established prior to the current Residential Zoning.

consistent; however this compromise does address the Department's main concern regarding the proposed change.

2. Conversion of Dwelling Units to LCCUs

The Way It Is Now:
Section 231, which governs LCCUs, does not currently contain a provision that restricts the conversion of a dwelling unit to a LCCU. However, Planning Code Section 317, which governs residential conversions in all zoning districts, requires a Mandatory DR or Conditional Use authorization - depending on the number of units - when converting a dwelling unit to another use; therefore if the establishment of an LCCU removes a dwelling unit, the project is subject to the controls in Section 317.

The Way It Would Be:
The proposed legislation would amend Section 231 to require Conditional Use authorization in order to convert a dwelling unit into a LCCU.

Basis for Recommendation:
The Department doesn't see the benefit to this change. Converting a dwelling unit already requires either a Mandatory Discretionary Review or Conditional Use authorization hearing under Section 317; the proposed change is duplicative without any clear public benefit.

Accessory Uses: The proposed amendments would regulate accessory uses[2] by performance standards instead of numerical limits that may no longer be appropriate. It also rationalizes accessory use controls by grouping zoning districts with similar characteristics together. Other changes would be nonsubstantive in nature.

1. Accessory Uses in RC districts

The Way It Is Now:
Planning Code Section 204.2 governs Accessory Uses in Residential Districts. Currently, RC (Residential, Commercial) Districts are included under this section.

The Way It Would Be:
Under the proposed legislation, accessory uses in RC District would be governed under Section 204.3, which currently govern accessory uses in C, M and PDR Districts.

Basis for Recommendation:
This change recognizes the mixed use nature of the RC Districts by grouping them with other mixed use districts.

[2] An "accessory use" is defined in Planning Code Section 204 as "a related minor use which is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such use."

2. Rationalizing Accessory Use Size Limits and Performance Standards

The Way It Is Now:
Section 204.3, which currently covers accessory uses in C, M and Production Distribution and Repair (PDR) Districts, sets specific limitations on accessory uses, such as engine horsepower. It also limits accessory uses to ¼ of the floor area in C Districts and prohibits accessory uses that employ more than 10 people in C-2 Districts.

The Way It Would Be:
The proposed legislation would change the specific restriction, such as horse power, to performance based restrictions (i.e, no noise, vibration or unhealthful emissions beyond the premises). It would also increase to 1/3 of the total square footage that an accessory use could occupy in C Districts and RC Districts (added to this section under this legislation) and remove any limit on the number of employees and accessory use could have. It also removes antennas as a permitted accessory use. It would not alter the accessory use size provisions in PDR Districts, which are currently at 1/3 to the total floor area.

Basis for Recommendation:
This change replaces arbitrary numerical limits on horse power with performance standards to limit disturbances to neighbors. The horsepower limits currently established in the Code can be violated by standard vacuums or coffee grinders. Limiting the number of employees as well as the allowable floor area adds an additional layer of restrictions that isn't necessary if the size restriction already ensures that the use is accessory to the main use. As with adding RC Districts to Section 204.3, this change recognizes the mixed use nature of C Districts.

Non-Conforming Uses: The proposed amendments would create a strong disincentive for retaining nonconforming parking in the C-3 District. While these changes appear to be generally consistent with contemporary planning, there have been concerns over eliminating surface parking lots from the downtown and as well as changes to the rules that govern the conversion of non-conforming uses in R Districts.

1. Nonconforming uses in Neighborhood Commercial Districts

The Way It Is Now:
Nonconforming uses in Neighborhood Commercial Districts can be changed to another use that is conditionally permitted in that district without Conditional Use authorization except where major work on the structure is involved.

The Way It Would Be:
The proposed legislation would require Conditional Use authorization if a nonconforming use sought to change to a use that would otherwise require a Conditional Use authorization in that zoning district.

Basis for Recommendation:
This change creates more consistency in how uses are permitted in Neighborhood Commercial Districts.

2. Conversion of Nonconforming Uses in R Districts

The Way It Is Now:
Per Section 182(e), a non-conforming use in an R District that is subject to termination[3] per Section 185 may be converted to a dwelling unit without regard to the requirements of the Planning Code with respect to dwelling unit density under Article 2, dimensions, areas and open space under Article 1.2, or off-street parking under Article 1.5.

The Way It Would Be:
The proposed legislation changes Section 182 to allow "any nonconforming use to be converted to dwelling units or to group housing, in a district where such use is principally permitted, without regard to the requirements of this Code with respect to residential density or required off-street parking." Currently, only nonconforming uses in R Districts that are subject to termination under the provisions of Section 185 of the Planning Code may be converted to one dwelling unit without regard to dwelling unit density.

The ordinance maintains the exceptions to required off-street parking; however, it defers to the Zoning Administrator to review exceptions to dimensions, areas and open space under Section 307[4].

Basis for Recommendation:
The Department finds that this change is too broad because it allows any nonconforming use in any zoning district where housing and group housing are principally permitted to be converted to an unspecified number of dwelling units. The Department believes that one housing unit as of right is acceptable, but anything more than that should require Conditional Use authorization. The Department also feels that that group housing should be excluded from this section.

3. Parking Lots in the Downtown

The Way It Is Now:
Per Section 184, permanent off-street parking lots in the C-3-O, C-3-R and C-3-G Districts are allowed to operate in perpetuity as non-conforming uses.

The Way It Would Be:
The proposed legislation would remove this provision, which would require off-street parking lots in the C-3-O, C-3-R and C-3-G Districts to cease operation within 5 years of the adoption of the proposed legislation. After the 5 year window, these parking lots could still apply for a 2-year temporary Conditional Use authorization and would have to come back to the commission every two years to have it renewed as a temporary use.

Basis for Recommendation:
This proposed change is consistent with the goals of the Downtown Plan and the City's Transit First policy. Please note that while there was concern expressed by some members of the public that the proposed change would require surface parking to go out of business immediately after

[3] Section 185 requires that non-conforming uses be phased out within five years of the use becoming nonconforming.

[4] Section 307, "Other Powers and Duties of the Zoning Administrator," is also being amended under this Ordinance; however, this topic will be discussed under Phase 3.

the adoption of this ordinance, this is not the Department's understanding of the intention of the legislation. To clear up any ambiguity the Department proposes the following change:

(a) Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use~~, except for permanent off street parking lots in the C-3-O, C-3-R, C-3-G Districts existing on the effective date of Ordinance 414-85, provided that such lots are screened in the manner required by Section 156(e)~~ shall be eliminated no later than five years and 90 days from the effective date of Ordinance No. [INSERT];

In addition to the modification listed above, the Department recommends modifying the Section 156 of the Code so that off-street parking lots in C-3 Districts require renewal by Conditional Authorization every 5 years instead of every 2 years as proposed in the Ordinance.

Washington-Broadway and Waterfront Special Use Districts: The proposed legislation combines the two Washington-Broadway SUDs into one SUD to remove duplicative controls as a way towards simplifying the Code. In addition, there are substantive changes that may affect Port property, mainly around the proposed map changes for the Waterfront SUDs.

1. **Proposed Map Changes**

See map for new boundaries of Washington–Broadway SUD and Waterfront SUD.

2. **Combined Washington-Broadway SUD**

The Way It Is Now:
There are two Washington-Broadway SUDs. The only difference is that Washington Broadway Special Use District 2 principally permits wholesale uses.

The Way It Would Be:
The two Washington-Broadway SUDs would be combined into one and remove any lots from the Washington Broadway SUD that are southwest of Columbus Street, which would remove all of Chinatown from the new SUD.

Basis for Recommendation:
This provision helps simplify the Code and provides greater consistency in the Washington-Broadway SUD. Based on current provisions in the Code, removing Chinatown from the Washington Broadway SUD would not have any substantial impact on controls in Chinatown. The Washington Broadway SUD appears to be obsolete now that Chinatown has its own controls that do the same thing. See the chart at the beginning of this report for more information.

3. **Parking Exceptions for Washington-Broadway SUDs**

The Way It Is Now:
Parking is only required for residential uses in the Washington-Broadway SUDs, but other uses are exempt per section 161(d).

The Way It Would Be:
The proposed legislation would make parking not required for any use under the rules in Code Section 161(d). Parking maximums would be set by zoning district in Section 151.1.

Basis for Recommendation:
The proposed changes are consistent with the way the Code treats other high density, mixed use districts.

4. **Surface Parking Lots in the Washington-Broadway SUD**

The Way It Is Now:
Surface parking lots open to the public are permitted with Conditional Use Authorization in the Washington-Broadway SUD.

The Way It Would Be:
The proposed legislation would no longer permit permanent parking lots; however temporary parking lots would be permitted as a temporary use for up to two years with Conditional Use authorization.

Basis for Recommendation:
Similar to the proposed prohibition on surface parking lots in the C-2, the Department recommends maintaining the CU provision for surface parking lots in the Washington-Broadway SUD. This will allow existing ones to remain and new ones to be looked at on a case by case basis.

5. **Parking Exceptions in the Waterfront SUDs**

The Way It Is Now:
Off-street parking requirements cannot be waived by Section 161 of this Code in the Waterfront Special Use District 2, but can be in the Waterfront Special Use Districts 1 and 3.

The Way It Would Be:
Parking for any principle or conditional use may be waived by the ZA per Code Section 161 in all three Waterfront Special Use Districts.

Basis for Recommendation:
The proposed changes are consistent with the way the Code treats other high density, mixed use districts. While the three SUDs vary slightly, their overall character and location are similar enough that they should all be subject to parking waivers under Section 161.

REQUIRED COMMISSION ACTION

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

BASIS FOR RECOMMENDATION

1. San Francisco's Planning Code has provided for reduced parking requirements in dense and transit-rich neighborhoods since the 1960s, as a way of reducing traffic congestion, encouraging walking, cycling, and public transit, and making efficient use of scarce land;

2. In 1973, the San Francisco City Planning Commission and Board of Supervisors adopted the "Transit First Policy," giving top priority to public transit investments as the centerpiece of the city's transportation policy and adopting street capacity and parking policies to discourage increases in automobile traffic;

3. Off-street parking facilities increase building costs, which in turn are transferred to costs of housing and doing business. As a land use, off-street parking facilities compete with and displace land uses that provide greater social and economic benefit to the city;

4. A basic assumption of the Transportation Element is that a desirable living environment and a prosperous business environment cannot be maintained if traffic levels continue to increase in any significant way. A balance must be restored to the city's transportation system, and various methods must be used to control and reshape the impact of automobiles on the city. This includes limiting the city's parking capacity, especially long-term parking in commercial areas;

5. On October 26, 2010 the Board of Supervisors adopted the goal of having 20% of all trips be by bike by the year 2020;

6. The City of San Francisco's Housing Element seeks to remove unnecessary constraints to the construction and rehabilitation of housing;

7. Existing buildings contribute to the unique character of San Francisco. Reusing buildings, rather than demolishing and rebuilding them, can preserve the built character of neighborhoods, as well as foster sustainability by conserving the energy and materials embodied in these buildings.

8. Small commercial uses, although often nonconforming, tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes;

9. Small businesses that combine office, production, retail, and even residential uses are increasingly common in San Francisco, but frequently do not fit into traditional zoning categories. Creating more flexibility in zoning around accessory uses will help add to the vibrancy of the City's neighborhoods and to the City's diverse economic base;

10. Over the years, the Planning Code has been amended and expanded. While many of these changes have been necessary to address emerging issues and changing policy in the City, the current Planning Code can be overly complex and redundant;

RECOMMENDATION

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

The proposed Modifications include:

Auto Uses

1. Modifying the proposed controls for parking lots in Section 223(l) - "parking lots" - for the C-2 District from "prohibited" to "Conditional Use Authorization".
2. Modify proposed Section 223(o) to require a CU for Storage Yards for Commercial Vehicles or Trucks in C-M Districts rather than prohibiting them outright.

LCCUs

3. Do not amend Section 231 to allow LCCUs to have 2,500 sq. ft. or allow them within 100' of a corner. This proposed change should be reviewed when the Market and Octavia Plan undergoes its scheduled 5 year review.
4. Do not add proposed Section 231(k), which requires Conditional Use authorization when converting a dwelling unit to establish a Limited Corner Commercial Use. Dwelling unit conversions are already controlled by Section 317.

Nonconforming Uses

5. Modify the proposed changes to Section 182 so that a nonconforming use can only be converted to one dwelling unit as of right, and require a CU for the conversion of more than one dwelling unit, and remove the provision that allows a non-conforming use to be converted to group housing as of right.
6. Add the following modifications to Section 184 to clarify when surface parking lots would need to cease operation:

   Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use~~, except for permanent off street parking lots in the C-3-O, C-3-R, C-3-G Districts existing on the effective date of Ordinance 414-85, provided that such lots are screened in the manner required by Section 156(e)~~ shall be eliminated no later than five years and 90 days from the effective date of Ordinance No. [INSERT];

7. Modify Planning Code Section 156 to allow for a 5 year temporary use permit instead of a 2 year temporary use permit.

   ~~(f)(h)~~ No permanent parking lot shall be permitted in C-3-O, C-3-R, C-3-G and NCT Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years from the date of approval ***in NCT Districts and five years from the date of approval in C-3 Districts***; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

Washington-Broadway SUD

8. Remove the provision in the proposed Ordinance that would change surface parking lots from a conditional use to "not permitted."

ENVIRONMENTAL REVIEW

The proposal to amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections would result in no physical impact on the environment. The proposed legislation was determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines).

PUBLIC COMMENT

As of the date of this report, the Planning Department has received comments and questions on the proposed legislation from various members of the public, including the Port of San Francisco and the law firm Ruben and Junius.

Ruben and Junius is concerned about the legislation's changes to the parking requirements in the C-3 Zoning district, specifically the provision that would require CU for any parking beyond the 2 to 1 ratio. They felt that this added process without any clear benefit. They also expressed concern over the changes to Section 184 that would require surface parking lots to be removed after 5 years. Their concern is that it would make the operators cease operation immediately upon the adoption of the proposed ordinance. Staff's understanding is that they would have 5 years unit they ceased operation. Also, they expressed concern that several entitled projects that are currently on-hold would be required to go back through the entitlement process when they came to get their building permit if they did not meet the current Code requirements. As a remedy to this they wanted to see a grandfathering clause added to the legislation.

Steven L. Vettel, an Attorney with Farella Braun + Martel LLP expressed concern that the legislation would exempt any project with affordable housing units from the FAR calculations. In response Staff has clarified this section so that only units that are designated as Affordable are exempt from FAR calculations.

The Port of San Francisco contacted the Department about how the proposed project would affect their properties. Of particular concern were the changes to the parking requirements in the C-3 Districts.

RECOMMENDATION:	**Recommendation of Approval with Modification**

Attachments:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Map of SoMa C-M parcels
Exhibit C: Map of Bernal Heights area C-M parcel
Exhibit D: The draft Ordinance was originally distributed to the Commission on October 13, 2011 date for October 20 hearing. The public may view the proposed Ordinance online at: http://commissions.sfplanning.org/cpcpackets/2011.0532T.pdf

SAN FRANCISCO
PLANNING DEPARTMENT

Executive Summary
Planning Code Text and Map Change
HEARING DATE: MAY 17, 2012

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Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Number:	2011.0532T [Board File No. 11-0548] and 2011.0533Z [Board File No. 11-0577]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
Staff Contact:	Aaron Starr, Legislative Affairs aaron.starr@sfgov.org, 415-558-6362
Reviewed by:	AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation:	**Recommend Approval with Modifications Of "Phase Three" Including the Topics of Parking, Opens Space for Commercial Uses, Gross Floor Area and Floor Area Ratio, Streetscape Improvements, Transportation Management, Powers of the Zoning Administrator, and the Van Ness SUD and SSD**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the San Francisco Planning Code (herein after "Code) by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to (1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts, (2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts, (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts, (4) allow exceptions from required parking under specified circumstances, (5) amend the restrictions on off-street parking rates and extend them to additional zoning districts, (6) revise sign, awning, canopy and marquee controls in specified zoning districts, (7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts, (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts, (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts, (10) permit certain exceptions from exposure and open space requirements for historic buildings, and (11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Code Section 101.1.

At the Planning Commission's March 1st hearing, the Commission voted to break up the proposed legislation into three phases.

- Phase One includes Clerical and Minor Modifications, Transfer of Development Rights (TDRS), Limited Commercial Uses, Bike Parking, and Signs. On these topics, the Planning Commission recommended approval with modifications in Resolution Number 18553 on March 1, 2012.
- Phase Two includes changes to Automotive Uses, Limited Corner Commercial Uses (LCCUs), Accessory Uses, Non-Conforming Uses, and Washington Broadway and Waterfront SUDs. This phase was heard on May 3, 2012.
- Phase Three includes changes to Gross Floor Area and Floor Area Ratio, Opens Space for Commercial Uses, Parking, Transportation Management, Powers of the Zoning Administrator, the Van Ness SUD and SSD, and Streetscape Improvements. This memorandum addresses the topics in Phase Three.

Summary of Proposed Changes (Phase Three):

Gross Floor Area and Floor Area Ratio Calculations: Amendments described under this category would alter the way the Department and Commission regulate Gross Floor Area **(GFA)** and Floor Area Ratio (FAR) Calculations. If a feature or use is counted towards the allowable maximum Gross Floor Area, it may create a disincentive for providing that feature. Similarly, excluding any feature or use from Gross Floor Area calculations may create an incentive for providing that feature. FAR is the ratio of the gross floor area of all the buildings on a lot to the area of the lot, and is used in conjunction with height and bulk limitations to regulate the size of a development. Like the proposed changes to Gross Floor Area, amendments in this category would provide either incentive for uses and features not counted towards FAR limits or disincentives for uses and features that are counted towards FAR limits.

1. Accessory Off-Street Parking

The Way It Is Now:
GFA in Downtown (C-3) Districts does not currently include floor space used for accessory off-street parking and loading spaces.

The Way It Would Be:
GFA would include floor space used for accessory off-street parking and loading spaces in C-3 Districts,

Basis for Recommendation:
By including accessory off-street parking in GFA calculation you create a disincentive to proving accessory parking. Reducing parking for private automobiles is consistent with the City's transit first policy, as well as other policies and goals in the General Plan

2. Bicycle Parking

The Way It Is Now:
Bicycle parking is currently included in GFA calculations.

The Way It Would Be:
Bicycle parking would no longer be included in GFA calculations,

Basis for Recommendation:
It's the City's goal to increasing bike trips to 20% by the year 2020; the City also requires that bike parking be provided in new developments and major alterations. By excluding bike parking from the GFA calculations you are removing a regulation that is inconsistent with the goals of the City and the transit first policy outlined in the General Plan, as noted in the attached draft Resolution, and adding an incentive to dedicate more space to bike parking.

3. Short Term Parking

The Way It Is Now:
Short term parking is excluded from FAR calculations in C-3 Districts.

The Way It Would Be:
Short term parking would be included in FAR calculations in C-3 Districts, creating a disincentive for adding short term parking to new developments in C-3 Districts.

Basis for Recommendation:
This change is consistent with the City's Transit First policy and the Downtown Plan, as described in the attached draft Resolution.

4. Dwelling Unit Density

The Way It Is Now:
Dwelling unit density in C-3 Districts is allowed to be exceeded with Conditional Use authorization.

The Way It Would Be:
Per the proposed legislation, dwelling unit density would no longer be determined by lot area or FAR calculations, but by other limitations in the Code such as height, bulk, setbacks, open space and exposure.

Basis for Recommendation:
This proposed change is consistent with the City's desire to increase its housing stock in order to meet current and future housing demand. This change is also consistent with recently adopted rezoning efforts such as Market & Octavia, Eastern Neighborhoods, the Rincon Hill plans, all of which use methods other than FAR to control building form. FAR limits for housing are not necessary in the C-3 districts given that height and bulk limitations limit the number of units and guide the form of buildings.

Open Space: This amendment would likely have impact only on rare occasions.

1. Retail Buildings

The Way It Is Now:
Buildings in the C-3 Districts that are primarily retail (2/3 of the occupied floor area is dedicated to retail) are not required to provide open space.

The Way It Would Be:
Buildings in the C-3 Districts that are primarily retail would be required to provide open space at the ratios outlined in Section 138(b) of the Code.

Basis for Recommendation:
The proposed change is consistent with recent Planning Code revisions that require public open space for retail and institutional uses in Mixed-Use Districts. In the case of the Mixed Use Districts, the Department determined that all significant generators of jobs and visitors, shoppers and students should be similarly required to provide open space just like office buildings, especially in the areas that are deficient in existing open space.

Parking: Changes in this section would be substantive in that the Ordinance would decrease permitted levels of parking in certain districts, consistent with the City's General Plan and Transit First Policy.

1. Parking in RC Districts

The Way It Is Now:
Required parking for dwelling units in Residential-Commercial, High Density (RC-4) Districts is required at a ratio of 1 parking space to 4 dwelling units and parking for dwelling units in Residential-Commercial, Medium Density (RC-3) Districts is currently 1 parking space to 1 dwelling unit.

Accessory parking is governed by the standard accessory parking controls in the Planning Code: the maximum accessory parking allowed is 150% of the required number of spaces where three or more are required (or .375 spaces per unit) or when no spaces are required 15 spaces or 7% of the total gross floor area, whichever is greater. Any parking provided above those amounts is regulated as a separate use such as a parking garage or a parking lot.

The Way It Would Be:
As currently written, the proposed legislation would institute a 1 space to 4 unit required parking ratio in all RC Districts.

In a letter from Supervisor Chiu dated April 26, 2012, (Exhibit C) the Supervisor proposed amending the ordinance to remove minimum parking requirements and institute a .375 space per unit parking maximum in RC-4 zoning districts. For the Van Ness SUD and RC-3 districts, he proposes eliminating minimum requirements as well as allowing up to .5 parking spaces per unit by right with a maximum of .75 per unit with Conditional Use.

Basis for Recommendation:
RC Districts are located in dense areas of the city, like the Van Ness Avenue corridor and the Tenderloin. (See Exhibit D) The Department supports supervisor Chiu's amendment to remove minimum parking controls in the RC Districts. The proposed change is consistent with parking requirements in other transit-oriented districts, even those with significantly lower densities. The following districts use parking maximum caps instead of parking minimum requirements: Downtown Residential (DTR), Neighborhood Commercial Transit (NCT), Upper Market Street NCD, Residential Transit Oriented (RTO), Eastern Neighborhood Mixed Use Districts, South of Market Mixed Use Districts, Light Industrial (M-1), Production Distribution and Repair/ Design (PDR-1-D), Production Distribution and Repair/ General (PDR-1-G), Heavy Commercial (C-M) and Downtown (C-3) Districts.

2. Parking in North Beach, Broadway and Chinatown

The Way It Is Now:

Parking requirements for non-residential uses in the Broadway and North Beach Neighborhood Commercial Districts and the Chinatown Mixed Use Districts are regulated by the minimum

parking requirements in table 151 that apply to much of the city. However, parking controls in Section 161 and Article 8 basically waive any non-residential parking requirements in Chinatown, except in the rare occasion of lots that are over 20,000 sq. ft. in the Chinatown Community Business District.

Recent Ordinance Number 77-10[1] titled, "Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown" replaced the parking requirements for residential uses with maximum limits but did not make conforming amendments to non-residential uses.

The Way It Would Be:
The proposed legislation would remove minimum parking requirements for non-residential uses in these districts. Maximum parking requirements for non-residential uses in these districts would be added to Table 151.1.

Basis for Recommendation:
The proposed change to non-residential uses is consistent with recent changes to residential parking in this area. This change would further be consistent with parking requirements in other transit oriented districts in San Francisco and policies of the General Plan.

Transportation and Congestion Management: Changes to this category would require onsite transportation brokerage service and transportation management plan in Community Business (C-2) Districts and all Mixed Use Districts.

1. **Onsite Transportation Brokerage Service**

The Way It Is Now:
Section 163 requires property owners to provide an onsite transportation brokerage service and transportation management plan when they construct a new building or there is a conversion of an existing building in the C-3, Eastern Neighborhood and South of Market Mixed Use Districts.

The Way It Would Be:
The proposed legislation would change this section to include Community Business (C-2) Districts (See Exhibit E) and all Mixed Use Districts.

Basis for Recommendation:
This change is consistent with City's transit first policy and recognizes the dense, transit rich nature of the districts that would be added to this section.

[1] http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances10/o0077-10.pdf

Powers of the ZA: The proposed Ordinance would expand the powers of the Zoning Administrator (ZA) but only when specific parameters are met.

1. Conversion to Dwelling Unit for Historic Resources

The Way It Is Now:
The Code currently allows the ZA to waive certain Code requirements under certain circumstances such as parking, exposure requirements and open space requirements.

The Way It Would Be:
The proposed legislation would expand the ZA's authority by allowing him to waive Dwelling Unit Exposure requirements for Article 11 buildings, consistent with the ZA's current authority to waive Dwelling Unit Exposure requirements for Article 10 buildings. For Article 10 and 11 buildings, it would also permit the ZA to allow off-site publicly accessible open space to be credited toward the residential open space requirements. As discussed under Phase 2, the proposed legislation would also permit the ZA to waive or modify exposure requirements, rear yard requirements and open space requirements when converting a non-conforming use to a residential use, with certain restrictions and criteria.

Basis for Recommendation:
The proposed changes reduce the need for variances when converting a nonconforming use in a historic resource to a residential use, where those uses are principally permitted. Currently, converting a nonconforming use typically requires that property owners seek a Variance for things such as open space and exposure. These Variances are routinely granted. Allowing the ZA to waive these requirements on a case-by-case basis eliminates a process and that increases the cost to property owners and which has little to no public benefit. Doing this is also consistent with the Housing Element of the General plan, which calls for a more streamlined decision making process for housing.

2. Parking Requirements on Protected Streets

The Way It Is Now:
Section 161 provides exemptions from the parking requirement in certain Zoning Districts and due to certain lot situations, such as topography.

The Way It Would Be:
The proposed legislation adds a subsection to Section 161 that allows the Zoning Administrator to reduce or waive required parking or loading for a project when the only feasible street frontage for a driveway or entrance to off-street parking or loading is located on a protected pedestrian-, cycling-, or transit-oriented street frontage, (See Exhibit F) or the only feasible street frontage for a driveway or entrance to off-street parking or loading is located at a transit stop. The legislation also adds a provision that would allow the ZA to waive parking requirements to protect street trees with either the recommendation of the Department of Public Works Bureau of Urban Forestry or the recommendation of a certified arborist, consistent with other recently adopted ordinances, BF-101053, "Consistent Street Frontages 2."

Basis for Recommendation:
The proposed changes reduce process, bring common sense changes to the Planning Code and are consistent with the City's transit first policy and General Plan. They also help advance the goals of the street frontage legislation and help to protect pedestrian and bicycle right-of-ways.

In addition to the changes proposed in this ordinance, the Department also recommends Amending Section 161 of the Planning Code to allow the Zoning Administrator to grant exceptions to off-street parking requirements in C-2 Districts per Section 307. This recommended change would result in allowing administrative exceptions to off-street parking requirements in all districts except the RH and RM districts.

Van Ness Special Use District: The proposed Ordinance would amend this district's sign and parking controls. Some sign provisions are obsolete and should be removed, while the Department believes other changes need more analysis.

1. Van Ness Special Sign District (Code and Map Change)

The Way It Is Now:
Van Ness Special Use District includes a Special Sign District that allows for signs that are larger and taller than what would be permitted in the underling zoning, Residential-Commercial High Density (RC-4) Zoning District. It also prohibits free standing signs but allows general advertising signs.

The stated intent of the Van Ness SSD is to maintain Van Ness Avenue's attractiveness to business, customers and residents as it changes from an automotive oriented area to a mixed-use, predominantly residential district. It recognizes that signs and other advertising devices are essential to a vital commercial district, and they should not be allowed to interfere with or diminish the livability of residential units within the Van Ness Special Use District or in adjacent residential districts. Finally the Van Ness SSD language states that the scale of the District as characterized by building height, bulk, and appearance, and by the width of streets and sidewalks, differs from that of other commercial and industrial districts, and that sign sizes should relate and be compatible with the surrounding district scale.

Further the Van Ness SSD has specific provisions for signs attached to Article 10 buildings that are unique to this section of the Planning Code.

Please See Exhibits G and H for the Van Ness SUD and SSD

The Way It Would Be:
The proposed legislation would remove the Van Ness Special Sign District from the Planning Code and the Zoning Map. This area would be controlled by the provisions in Section 606, which allow for smaller signs that are not as tall. Further, Free Standing Signs would be permitted and General Advertising Signs would be prohibited. Please see Exhibit I for a more detailed matrix.

Basis for Recommendation:
As stated in the preamble for the Van Ness SSD, the District was created to recognize not only the unique scale and character of the Van Ness Avenue but also the changing mixed use, predominantly residential nature of Van Ness Avenue. The controls do allow for slightly larger and taller signs, but those controls address a specific context. Further, the controls address impacts to residential units by prohibiting business signs above the level of the lowest residential windowsill, which is standard control in RC and well as NC Districts. The Van Ness SSD also has special sign controls for signs attached to Article 10 buildings that are unique to this section of the Planning Code.

The Department believes that a more thorough analysis should be undertaken to fully appreciate the visual impacts that removing the Van Ness SSD would have, in addition to any impacts to signs on Article 10 buildings. Therefore, the Department is recommending that the Commission either recommend that the Van Ness SSD not be deleted from the Code and Zoning Map, or that additional time be allowed for a more detailed analysis.

2. Special District for Sign Illumination (Code and Map Change)

The Way It Is Now:
Under Section 607 of the Planning Code, signs for "Commercial and Industrial Districts", there is a special provision that allows for flashing, blinking, fluctuating, or otherwise animated signs (video signs are not permitted). These signs are only permitted in "Special Sign Districts for Illumination" (SSDI), which are mapped on Section Map SSD 01 and 02. They include the Broadway NCD (as discussed in Phase 2), Fisherman's Warf, and Van Ness Avenue. The Van Ness SSDI has the same boundaries as the Van Ness Special Sign District discussed above.

The Code language for Van Ness Avenue references the C-2 District along Van Ness from approximately Golden Gate Avenue to Sacramento Street. This language is out of date, as there are only a handful of C-2 zoned properties along Van Ness Avenue, while the map illustrates a much larger district. Most of the properties that front on Van Ness Avenue in this area are now zoned RC-4. Like the Code language for the Broadway SSDI, this Code language for the Van Ness Avenue SSDI was not amended when the zoning districts along Van Ness Avenue were changed from C-2 to RC-4.

The Way It Would Be:
The proposed Ordinances would delete Van Ness Avenue from the Special Sign Districts for Illumination in Section 606 and from the Zoning Map. Flashing, blinking, fluctuating, or otherwise animated signs would not be permitted on lots zoned C-2 along Van Ness Avenue.

Basis for Recommendation:
The Department recommends approval of this provision because it is mainly Code clean-up. This section of the Code is obsolete and does not reflect the changing nature of Van Ness Avenue from a Commercial Corridor to a more mixed use, predominantly residential corridor. The fact that flashing and blinking signs were not included in the Van Ness Special Sign District, which was originally adopted in 1988 and has the same boundaries as the Van Ness SSD for Illumination, further illustrates the obsolescence of this section of the Planning Code, which dates from the mid-1970s.

3. Parking in the Van Ness SUD
The Van Ness Special Use District requires residential parking at a ratio of 1 parking space to 1 dwelling unit, an amount that is four times as high as the base zoning. The underlying zoning in this district is RC-4. RC-4 Districts require residential parking at a ratio of 1 parking space to every 4 dwelling units.

The Way It Would Be:
This provision would be removed from the Van Ness Special Use District. As the legislation is currently drafted, the parking requirements would then revert to the RC-4 Parking ratio, which is

a minimum of 1 parking space to 4 dwelling units. However, since the legislation was introduced, Supervisor Chiu proposed eliminating minimum requirements as well as allowing up to .5 parking spaces per unit by right with a maximum of .75 per unit with Conditional Use in Van Ness SUD and RC-3 districts. This issue is discussed as item #1 under the "Parking" section above.

Basis for Recommendation:
The City's Transit first policy prioritizes transit over automobile use and Van Ness is a major transit corridor. In addition, a Bus Rapid Transit (BRT) line is being planned for Van Ness Avenue, which will further solidify the corridor as a major transit street. Requiring 1 to 1 parking along Van Ness is inconsistent with the City's General Plan and the mixed use high density character of Van Ness Avenue.

The Van Ness Area Plan does call out that there should be a 1 to 1 parking requirement along Van Ness. The Department finds that this is in opposition to other policies in the General Plan that seek to reduce parking. Removing the requirement of 1 to 1 parking along Van Ness Avenue is on-balance consistent with the City's General Plan and the mixed use high density character of Van Ness Avenue. If the Commission decides to remove the 1 to 1 parking requirement, a General Plan amendment should also be initiated to remove this provision form the Van Ness Area Plan.

The Department recommends adding a grandfathering clause to the legislation that allows projects that have already been approved by the Planning Commission but not yet vested, such as the California Pacific Medical Center on Van Ness Avenue, to be exempt from this provision.

Streetscape Improvements. These proposed amendments would increase the Code requirements consistent with some recent legislative changes. While the intent is laudable, some of the proposed amendments seem overly aggressive in removing existing encroachments.

1. Better Streets Plan Implementation

The Way It Is Now:
Code Section 138 establishes requirements for improvements to the public right-of-way associated with development projects based on the City's Better Streets Plan. Typically, these requirements apply to new developments, or additions of a certain size. There are no explicit provisions that seek removal of existing encroachments into the public right-of-way to be removed or modified in order to meet the new Better Street Standards.

The Way It Would Be:
The proposed legislation would create a new subsection that would trigger a city inquiry into removing existing encroachments for projects that meet certain triggers. The triggers would include projects that involve new construction, additions over 20% of the floor area, changes in use of more than ½ the building's floor area, the addition off-street loading, or the remove off street parking or loading. In these cases the City may consider removal or reduction of the number of encroachments into the public right-of-way. This may include narrowing or reducing the number of driveways, removing encroachments that impede pedestrian travel or remove basements that extend under the public right-of-way.

Basis for Recommendation:

The Department supports expanding Section 138 to include the proposed changes; however, we are concerned that the new provision is too broad. Reducing encroachments is typically more difficult than stratifying the street tree requirement which may be satisfied by either planting a tree or paying a fee. For instance, even if one parking space is added or removed a property owner could potentially be required to remedy their existing encroachments. Further tying this provision to a change of use could add a significant burden on property owners that are only seeking to rent out vacant space. The Department feels that the triggers should be narrowed and only include changes where the project is on a lot that (a) is greater than ½-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way, and (2) the project includes (a) new construction; or (b) addition of 20% or more of gross floor area to an existing building.

In consultation with Supervisor Chiu, the Department drafted more extensive changes to Section 138 that would address some of the concerns we have with the existing requirements and also make changes to the existing code language that clarify when certain requirements are required or not required, and expand some requirements. Supervisor Chiu supports these changes. The proposed changes are drafted in the attached Exhibit J.

The proposed changes include:

- Currently, projects of a certain size and within the DTR, RC, C, NC and Mixed-Use Districts, or Planned Unit Developments are required to plant street trees within a continuous trench[2]. The proposed changes by the Department would expand this to all districts.
- The changes proposed by the Planning Department would remove the provisions that require compliance with various sections of 138 when there is a permit to alter, such as a change of use greater than 50% of the existing square footage of a building. These provisions, like the one proposed in this legislation which ties the removal of encroachments to a change of use greater than 50%, are difficult to enforce because changes of use are often over the counter and they can add a significant burden on property owners that are only seeking to rent out vacant space; therefore the Department is proposing that these types of triggers be removed from Section 138 as well as the proposed legislation.
- The Department's proposed changes also reorganize portions of Section 138 that identify when requirements can be waived and who makes that determination. These changes are not significant and are being done to make the section more clear. For example, it clarifies that DPW determines when there is a technical infeasibility to planting street trees, while the Zoning Administrator determines incompatibility with existing policy. However, it maintains the ZA as the person who makes the ultimate determination.
- The Department's proposed changes also codify the Department current policy to allow existing street tress to be credited toward street tree requirements. This has been the Department's practice for some time, but it has not been explicitly called out in the Code.

[2] A continuous soil-filled trench parallel to the curb, such that the basin for each tree is connected.

REQUIRED COMMISSION ACTION

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

BASIS FOR RECOMMENDATION

1. San Francisco's Planning Code has provided for reduced parking requirements in dense and transit-rich neighborhoods since the 1960s, as a way of reducing traffic congestion, encouraging walking, cycling, and public transit, and making efficient use of scarce land;

2. In 1973, the San Francisco City Planning Commission and Board of Supervisors adopted the "Transit First Policy," giving top priority to public transit investments as the centerpiece of the city's transportation policy and adopting street capacity and parking policies to discourage increases in automobile traffic;

3. Off-street parking facilities increase building costs, which in turn are transferred to costs of housing and doing business. As a land use, off-street parking facilities compete with and displace land uses that provide greater social and economic benefit to the city;

4. A basic assumption of the Transportation Element is that a desirable living environment and a prosperous business environment cannot be maintained if traffic levels continue to increase in any significant way. A balance must be restored to the city's transportation system, and various methods must be used to control and reshape the impact of automobiles on the city. This includes limiting the city's parking capacity, especially long-term parking in commercial areas;

5. On October 26, 2010 the Board of Supervisors adopted the goal of having 20% of all trips be by bike by the year 2020;

6. The City of San Francisco's Housing Element seeks to remove unnecessary constraints to the construction and rehabilitation of housing;

7. Existing buildings contribute to the unique character of San Francisco. Reusing buildings, rather than demolishing and rebuilding them, can preserve the built character of neighborhoods, as well as foster sustainability by conserving the energy and materials embodied in these buildings.

8. Small commercial uses, although often nonconforming, tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes;

9. Small businesses that combine office, production, retail, and even residential uses are increasingly common in San Francisco, but frequently do not fit into traditional zoning categories. Creating more flexibility in zoning around accessory uses will help add to the vibrancy of the City's neighborhoods and to the City's diverse economic base;

10. Over the years, the Planning Code has been amended and expanded. While many of these changes have been necessary to address emerging issues and changing policy in the City, the current Planning Code can be overly complex and redundant;

RECOMMENDATION

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

The proposed Modifications include:

Clerical Modifications:

1. Section 249.5(a) should also reference map SU02, the North of Market Residential SUD is on both SU01 and SU02.

2. Section 309.1(b)(1)(F) references 827(a)(8)(AO(ii), it should reference 827(a)(8)(A)(ii)

3. Section 151(c)(4) should be amended to read as follows:

"In all districts other than NC, 15 spaces or seven percent of the total gross floor area of the structure or development, which is ever greater, *where no other spaces are required by this Section."*

This section was moved to Section 151 from another Section of the Code and reformatted. In the process, the underlined portion was inadvertently deleted.

Substantive Changes:

Parking

1. Accept the changes proposed in Supervisor Chiu's letter dated April 26, 2012 that remove the minimum parking controls and set maximum parking controls in RC Districts and Van Ness Avenue SUD.

Streetscape Improvements

2. Integrate the changed outline in Exhibit B, which cover Section 138.1 of the Planning Code.

Powers of the ZA

3. Amend Section 161 of the Planning Code to allow the Zoning Administrator to grant exceptions to off-street parking requirements in C-2 Districts per Section 307. This recommended change would result in allowing administrative exceptions to off-street parking requirements in all districts except the RH and RM districts.

Van Ness Avenue

4. Do not delete the Van Ness SSD from the Code and Zoning Map, or allow additional time for a more detailed analysis.

5. Add a grandfathering clause to the legislation that allows projects that have already been approved by the Planning Commission but not yet vested to be exempt from any parking changes on Van Ness Avenue.

ENVIRONMENTAL REVIEW

The proposal to amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections would result in no physical impact on the environment. The proposed legislation was determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines).

PUBLIC COMMENT

As of the date of this report, the Planning Department has received comments and questions on the proposed legislation from various members of the public, including the Port of San Francisco and the law firm Ruben and Junius.

Ruben and Junius is concerned about the legislation's changes to the parking requirements in the C-3 Zoning district, specifically the provision that would require CU for any parking beyond the 2 to 1 ratio. They felt that this added process without any clear benefit. They also expressed concern over the changes to Section 184 that would require surface parking lots to be removed after 5 years. Their concern is that it would make the operators cease operation immediately upon the adoption of the proposed ordinance. Staff's understanding is that they would have 5 years unit they ceased operation. Also, they expressed concern that several entitled projects that are currently on-hold would be required to go back through the entitlement process when they came to get their building permit if they did not meet the current Code requirements. As a remedy to this they wanted to see a grandfathering clause added to the legislation.

Steven L. Vettel, an Attorney with Farella Braun + Martel LLP expressed concern that the legislation would exempt any project with affordable housing units from the FAR calculations. In response Staff has clarified this section so that only units that are designated as Affordable are exempt from FAR calculations.

The Port of San Francisco contacted the Department about how the proposed project would affect their properties. Of particular concern were the changes to the parking requirements in the C-3 Districts.

RECOMMENDATION:	Recommendation of Approval with Modification

Attachments:

Exhibit A:	Draft Planning Commission Resolution, Case # 2011.0532T
Exhibit B:	Draft Planning Commission Resolution, Case # 2011.0533Z
Exhibit C:	Letter from Sup. Chiu Dated April 26, 2012
Exhibit D:	RC Districts Map
Exhibit E:	C-2 Districts Map
Exhibit F:	Transit, Bike and Pedestrian Network Maps
Exhibit G:	Van Ness SUD

Exhibit H: Special Sign District for Illumination
Exhibit I: Van Ness Avenue Sign District Matrix
Exhibit J: Proposed Changes to Section 138.1
The draft Ordinance was originally distributed to the Commission on October 13, 2011 date for October 20 hearing. The public may view the proposed Ordinance online at:
http://commissions.sfplanning.org/cpcpackets/2011.0532T.pdf
and
http://commissions.sfplanning.org/cpcpackets/2011.0533Z.pdf

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Certificate of Determination
Exemption from Environmental Review

Case No.:	**2011.0551E**
Project Title:	**Ordinance Nos. 110547 and 110548: Zoning – Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts**
Location:	Citywide
Project Sponsor:	Supervisor David Chiu, District 3, San Francisco Board of Supervisors
Staff Contact:	Jeanie Poling – (415) 575-9072 jeanie.poling@sfgov.org

PROJECT DESCRIPTION:

The project is two Board of Supervisors (BOS)-proposed ordinances. BOS #110547 would amend the Zoning Map by (1) adding blocks and lots to the Washington-Broadway Special Use District (SUD) 1; (2) adding blocks to the Waterfront SUD 2; (3) deleting blocks and adding lots to the Waterfront SUD 3; (4) making the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; (5) deleting the Van Ness Special District for Sign Illumination; and (6) adding The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets. BOS #110548 would amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, and 607.4 and amending various other sections. [Continued on following page.]

EXEMPT STATUS:

General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)).

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Bill Wycko
Environmental Review Officer

August 25 2011
Date

cc: Aaron Starr, Neighborhood Planner
Supervisor David Chiu, District 3
Distribution List
Historic Preservation Distribution List
Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The proposed project would: (1) increase the amount of principally permitted parking spaces for dwellings and modify floor-area controls in RC-4 (Residential-Commercial Combined, High Density) and C-3 (Downtown Commercial) Districts; (2) make off-street parking requirements in the Van Ness Special Use and RC-3 (Residential-Commercial Combined, Medium Density) Districts consistent with those of RC-4 Districts; (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; (4) allow exceptions from required parking requirements and expand bicycle parking requirements throughout the City under specified circumstances; (5) amend the restrictions on off-street parking rates in C-3 Districts and extend them to additional zoning districts; (6) revise sign, awning, canopy and marquee controls in specified zoning districts; (7) increase the permitted use size for limited corner commercial uses in RTO (Residential, Transit Oriented Neighborhood) and RM (Residential, Mixed) Districts, and allow reactivation of lapsed limited commercial uses in Residential Districts; (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront SUDs; (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; (10) permit certain exceptions from exposure and open space requirements for designated and contributory historic buildings throughout the City; and (11) modify conformity requirements in various use districts.

The legislation involves approximately 225 changes to the Planning Code, the bulk of which are clerical changes that would simplify the Planning Code by removing obsolete sections, consolidating controls for a single use or feature into a single code section, and harmonizing similar definitions and controls across use districts. Other clerical changes are proposed to address errors in the Planning Code, such as incorrect cross references to other Code sections. The proposed non-clerical changes are discussed below.

Density, Floor Area Ratio, and Open Space in C-3 Districts and the Van Ness SUD. The proposed project would remove the conditional use requirement for higher residential density in the C-3 Districts; exempt affordable housing from gross floor area ratio limits in the C-3 Districts and the Van Ness SUD; permit transferred development rights from any eligible site in a C-3 District and from the South of Market Extended Preservation District to be applied to any site in a C-3 District; count space dedicated to parking that exceeds principally permitted amounts, or parking located above ground, to floor area ratio (FAR) calculations in C-3 Districts (currently, parking up to 150 percent of what is principally permitted is exempt from FAR calculations); exempt bicycle parking from FAR calculations; and extend public open space requirements in C-3 Districts to projects that are primarily retail.

Parking and Automotive Uses. The proposed project would increase the number of principally permitted parking spaces from one for every four units to one for every two units in C-3 Districts, and from three for every eight units to one for every two units in RC Districts; decrease the minimum number parking spaces required in RC-3 Districts and the Van Ness SUD from one space per unit to one space for every four units; eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; permit exceptions from parking requirements where providing required parking would remove a transit stop, compromise a building's earthquake safety or create a geologic hazard; amend the pricing requirements for commuter parking to permit a discounted daily rate for use outside commute hours, and to extend these requirements to commuter parking in

Residential-Commercial and South of Market Mixed Use Districts and the Washington-Broadway SUD; expand bicycle parking requirements to include all uses; extend transportation brokerage requirements (that specify means to reduce commute travel by single-occupant vehicles) to all non-residential projects over 100,000 square feet in Commercial and Mixed Use Districts; consolidate various automotive use definitions in Commercial (C), Industrial (M), and Production, Distribution and Repair (PDR) Districts with those for Mixed-Use Districts; remove exceptions permitting non-accessory parking above the ground floor, and permitting exceptions from parking screening requirements, in C-3 Districts; consolidate the conditional use findings for non-accessory parking in C-3 Districts in a single section; and allow automobile service stations on transit-priority and major pedestrian streets to be converted to another use without conditional use authorization, and amend the conditional use criteria for conversion to include consideration of transportation impacts of the existing and proposed use.

Sign, Awning, Canopy, and Marquee Controls. The proposed project would permit awnings, canopies, and marquees in PDR Districts; consolidate awning, canopy, and marquee controls for all use districts into a single section; permit awnings to be made of cloth, glass, and metal, but not of plastic; conform signage controls in Residential Districts with those of Neighborhood Commercial Districts, and to prohibit general advertising signs in the few RC and NC Districts where they are currently permitted; remove the special sign districts permitting blinking, flashing, and rotating signs from the Van Ness Corridor and from the portion of Broadway in the Chinatown Community Business District; prohibit roof signs, other than historic signs, in Commercial Districts, to prohibit temporary general advertising signs around Union Square, and to limit business signs to 40 feet in height in C-3 districts; permit window signs and small projecting signs, decrease the permitted size of wall signs, and limit sign illumination to business hours for limited commercial uses in Residential Districts; add The Embarcadero to the list of scenic streets where certain sign requirements apply, and to exempt historic signs from the sign size limits for scenic streets; consolidate procedures for designating, altering, and reconstructing historic signs, and exempt historic signs from height limits on signs; modify the definitions of window signs and business signs; and remove certain provisions from the Market Street and Upper Market Sign Districts which duplicate or conflict with sign controls for the underlying use districts.

Limited Commercial Uses in Residential Districts. The proposed project would increase the maximum size of new limited corner commercial uses permitted in RTO, RM-3 and RM-4 districts from 1250 to 2500 square feet, and permit them to extend more than 50 feet from a street corner; require conditional use authorization to convert all or part of a dwelling to a limited corner commercial use; permit limited commercial uses to be reestablished in spaces that were in a commercial use before 1960, that have not been converted to a dwelling, and that conform to current code requirements, with conditional use authorization; and define commercial uses conditionally permitted in historic buildings in Residential Districts as those permitted in an NC-1 district rather than an RC-1 district.

Washington-Broadway and Waterfront SUDs. The proposed project would consolidate the two Washington-Broadway SUDs into a single district, limited to the C-2-zoned areas between Washington and Broadway Streets; permit exceptions to reduce parking requirements in Waterfront SUD #3; remove parking screening requirements for the Waterfront SUDs, so that the citywide screening requirements of Section 143 apply; and delete height limit exceptions for buildings on piers in 84-foot height districts, as such height limits no longer exist on the historic piers.

Conformity, Changes of Use, and Other Building Requirements. The proposed project would expand the exception from residential density limits and minimum parking requirements when converting non-conforming uses in existing buildings to residential uses in all districts where residential uses are principally permitted; permit exceptions from dwelling unit exposure and residential open space requirements when converting historic buildings to residential use; remove the exception for parking lots in C-3 districts from the conformity requirements for uses not in an enclosed building; prohibit construction of basement spaces under public streets and alleys; permit the Planning Department to require, as a condition of approval, that non-conforming encroachments onto public rights-of-way be removed or brought into conformity with current standards when projects are newly constructed or undergo major additions or major changes of use; extend rooftop screening requirements to Chinatown Mixed Use Districts; and permit dwellings to face onto alleys as narrow as 20 feet, rather than 25 feet.

REMARKS:

Many of the proposed changes to the Planning Code and Zoning Map would not result in physical environmental impacts, such as clerical changes that simplify or correct the Planning Code. The following is an analysis of the proposed project by resource topic.

Aesthetics: For non-conforming uses in residential districts, the proposed project would limit the size of signs and sign illumination outside of business hours; and would discourage inactive street-fronting uses like storage or garage doors on prominent corner lots. These proposed changes would not result in an adverse aesthetic effect on residential areas with non-conforming commercial uses. Furthermore, the proposed more restrictive signage controls, such as a citywide prohibition of new blinking signs, removal of exemptions for general advertising signs in commercial districts, and prohibition of roof signs in Neighborhood Commercial Districts also would not result in adverse aesthetic effects on the visual character and quality of the City. The proposed project would not affect a scenic resource or vista, nor would it create new sources of substantial light or glare, or cast shadows. Thus, there would be no significant adverse impacts related to visual character resulting from the proposed project.

Population and Housing: The proposed project would exempt affordable housing from certain floor area ratio limits, which may result in the creation of more affordable housing units and the inclusion of affordable units in market rate residential projects rather than off site. Also, the proposed project would allow buildings that have non-conforming uses (i.e., older storefronts) to be converted to residential uses by waiving certain open space and exposure requirements. Citywide, there are currently approximately 2,000 non-conforming limited commercial use buildings in residential districts. The proposed project would allow some of these units to convert to residential use. This incremental growth in residential infill units could be met by the city's existing infrastructure and is consistent with city and regional housing goals.

Historical Resources: The proposed project would encourage the preservation and reuse of existing buildings by facilitating the conversion of non-conforming uses to residential uses. It would also limit the size of signage in historic districts, with exemptions for historic signs. These changes would not result in adverse impacts on historic districts.

Transportation and Circulation: The proposed project would not generate new travel demand or reduce roadway capacity, nor result in adverse effects on the overall transit capacity. The proposed project would reduce parking requirements in dense and transit-rich neighborhoods and encourage walking, cycling, and public transit, and make efficient use of scarce land.

The proposed legislation would include changes to parking controls in C-3 (Downtown) districts. More parking would be permitted, but with a lower threshold for conditional use authorization required in more cases. Other proposed parking-related changes include the reduction of off-street parking requirements in Chinatown, North Beach, and lower Broadway areas; the reduction of residential parking requirements in the Van Ness corridor; the removal of parking requirements in the North of Market Residential SUD; the allowance of administrative exceptions from minimum parking requirements in the Fisherman's Wharf area (Waterfront SUD #2); and facilitation of the conversion of automobile service stations located on important transit and pedestrian streets to other compatible uses. The proposed project would not create transit-oriented districts in the Sunset District or elsewhere in the city. San Francisco does not consider parking supply as part of the permanent physical environment. Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment.

Greenhouse Gas Emissions/Energy Resources: The proposed project would encourage the preservation and reuse of existing buildings, rather than their demolition and new construction; this may foster sustainability by conserving the energy and materials embodied in these buildings. In addition, by discouraging parking, the proposed project would encourage walking, cycling, and the use of public transit, thereby resulting in fewer greenhouse gas emissions citywide.

Neighborhood Concerns: A "Notification of Project Receiving Environmental Review" was mailed on July 1, 2011, to community organizations and interested parties requesting comments concerning the potential environmental effects of this project. One commenter requested more information on how the proposed legislation would affect parking, traffic, and businesses along the Van Ness corridor; and another commenter wanted to know how the proposed legislation would affect the Sunset District, and specifically whether it would create transit-oriented districts. These topics are addressed in the remarks above.

Conclusion: CEQA State Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant impact on the environment. As discussed above, the project would not result in significant environmental effects. Thus, the proposed project is appropriately exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

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April 9, 2012

Supervisor Chiu and
Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Case Number 2011.0532T [Board File No. BF No. 11-0548: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.**

Recommendation: **Approval with Modifications**

Dear Supervisor Chiu and Ms. Calvillo,

On March 1, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance under Board of Supervisors File Number 11-0548.

At the March 1st Hearing, the Commission voted 7-0 to recommend approval with modifications of Phase 1 of the proposed Ordinance, which makes a variety of changes to Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Use controls in the City's Planning Code. At that hearing, the Commission requested that the proposal be amended with the following changes:

Clerical Modifications:

1. In Section 202 under the description of RH Districts, there is an added parenthesis in front of RH-2, this should be deleted. Also, under the description of PDR Districts "PDR-1-"should be changed to "PDG-1-G."
2. Sections 604(a) should reference Vintage Signs and not historic signs in conformance with Ordinance # 0160-11

Non Clerical Modifications:

1. Consider the implications of adding the Embarcadero to Scenic Street Special Sign District controls to large events held along the Embarcadero. Provide a provision to allow for temporary signs for large events along the Embarcadero, such as the America's Cup. Include a maximum duration for such temporary signs, so that they must be taken down after the event.
2. Remove the prohibition on reinstating lapsed LCUs where a residential unit has been established.

3. Maintain the existing height limits for signs in the in the C and M Districts.
4. Modify Section 151.1(f) so that any funds recovered from enforcing the Planning Code's bike parking requirements by the Planning Department are given to the Planning Department, and not the Metropolitan Transportation Administration.
5. Consider expanding the proposed legislation so that changing the copy, color or logo on a sign does not require that the sign be brought into conformance with current Planning Code requirements.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission. The attached resolution and exhibit provides more detail about the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

AnMarie Rodgers
Manager of Legislative Affairs

Cc: City Attorney Judith Boyajian

Attachments (one copy of the following): Planning Commission Resolution No. 18553
Department's Memo to the Planning Commission

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Planning Commission Resolution
No 18553

HEARING DATE: MARCH 1, 2012

Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Number:	2011.0532T [Board File No. 11-0548]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
Staff Contact:	Aaron Starr, Legislative Affairs aaron.starr@sfgov.org, 415-558-6362
Reviewed by:	AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation:	**Recommend Approval with Modifications Of "Phase One" Including the Topics of Clerical and Minor Modifications, Transfer of Development Rights, Limited Commercial Uses, Bike Parking and Signs.**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE BY REPEALING SECTIONS 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 AND 607.4 AND AMENDING VARIOUS OTHER CODE SECTIONS TO (1) INCREASE THE AMOUNT OF PRINCIPALLY PERMITTED PARKING SPACES FOR DWELLINGS IN RC-4 AND C-3 DISTRICTS, (2) MAKE OFF-STREET PARKING REQUIREMENTS IN THE VAN NESS SPECIAL USE DISTRICT AND RC-3 DISTRICTS CONSISTENT WITH THOSE OF RC-4 DISTRICTS, (3) ELIMINATE MINIMUM PARKING REQUIREMENTS FOR THE CHINATOWN MIXED USE DISTRICTS AND NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICTS, (4) ALLOW EXCEPTIONS FROM REQUIRED PARKING UNDER SPECIFIED CIRCUMSTANCES, (5) AMEND THE RESTRICTIONS ON OFF-STREET PARKING RATES AND EXTEND THEM TO ADDITIONAL ZONING DISTRICTS, (6) REVISE SIGN, AWNING, CANOPY AND MARQUEE CONTROLS IN SPECIFIED ZONING DISTRICTS, (7) INCREASE THE PERMITTED USE SIZE FOR LIMITED CORNER COMMERCIAL USES IN RTO AND RM DISTRICTS, AND ALLOW REACTIVATION OF LAPSED LIMITED COMMERCIAL USES IN R DISTRICTS, (8) REVISE THE BOUNDARIES OF AND MODIFY PARKING AND SCREENING REQUIREMENTS IN THE WASHINGTON-BROADWAY AND WATERFRONT SPECIAL USE DISTRICTS, (9) MODIFY CONTROLS FOR USES AND ACCESSORY USES IN COMMERCIAL AND RESIDENTIAL-COMMERCIAL DISTRICTS, (10) PERMIT CERTAIN EXCEPTIONS FROM EXPOSURE AND OPEN SPACE REQUIREMENTS FOR HISTORIC BUILDINGS, AND (11) MODIFY CONFORMITY REQUIREMENTS IN VARIOUS USE DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

Whereas, on May 3, 2011 Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-0548 which would amend the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to (1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts, (2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts, (3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts, (4) allow exceptions from required parking under specified circumstances, (5) amend the restrictions on off-street parking rates and extend them to additional zoning districts, (6) revise sign, awning, canopy and marquee controls in specified zoning districts, (7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts, (8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts, (9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts, (10) permit certain exceptions from exposure and open space requirements for historic buildings, and (11) modify conformity requirements in various use districts; and

Whereas, on October 20, 2012, December 15, 2011, February 9, 2012 and March 1, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meetings to consider the proposed Ordinance; and

Whereas, On February 9, 2012, the Commission continued the item to March 1, 2012 so that the so that the legislative sponsor, Board President David Chiu, could work with individual Commissioners who had issues with specific pieces of the legislation; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance proposed Ordinance: The C-3 parking and FAR changes (aka "the C3 Compromise"), changes to Planning Code Section 155(g) having to do with the long term parking rate structure, and proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas, at the March 1, 2012 Commission Hearing, the Commission divided up the proposed legislation into 3 Phases; and

Whereas at the March 1, 2012 Commission Hearing, Planning Department Staff (herein after "Staff") presented the 5 topics in Phase 1, which include Clerical and Minor Modifications, Transfer of Development Rights, Limited Commercial Uses, Bike Parking and Signs, as outlined in a memo sent to the Commission on February 29, 2012; and

Whereas Phases 2 and 3 will be heard at separate Commission hearings; and

Whereas, the proposed zoning changes have been determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearings and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the areas of the proposed ordinance covered in Phase 1, as discussed at the March 1, 2012 Planning Commission Hearing. Specifically, the Commission recommends the following modifications:

Clerical Modifications:

1. In Section 202 under the description of RH Districts, there is an added parenthesis in front of RH-2, this should be deleted. Also, under the description of PDR Districts "PDR-1-"should be changed to "PDG-1-G."
2. Sections 604(a) should reference Vintage Signs and not historic signs in conformance with Ordinance # 0160-11

Non Clerical Modifications:

1. Consider the implications of adding the Embarcadero to Scenic Street Special Sign District controls to large events held along the Embarcadero. Provide a provision to allow for temporary signs for large events along the Embarcadero, such as the America's Cup. Include a maximum duration for such temporary signs, so that they must be taken down after the event.
2. Remove the prohibition on reinstating lapsed LCUs where a residential unit has been established.
3. Maintain the existing height limits for signs in the in the C and M Districts.
4. Modify Section 151.1(f) so that any funds recovered from enforcing the Planning Code's bike parking requirements by the Planning Department are given to the Planning Department, and not the Metropolitan Transportation Administration.
5. Consider expanding the proposed legislation so that changing the copy, color or logo on a sign does not require that the sign be brought into conformance with current Planning Code requirements.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. In 1973, the San Francisco City Planning Commission and Board of Supervisors adopted the "Transit First Policy", giving top priority to public transit investments as the centerpiece of the city's transportation policy and adopting street capacity and parking policies to discourage increases in automobile traffic;

2. On October 26, 2010 the Board of Supervisors adopted the goal of having 20% of trips by bike by the year 2020;

3. Existing buildings contribute to the unique character of San Francisco. Reusing buildings, rather than demolishing and rebuilding them, can preserve the built character of neighborhoods, as well as foster sustainability by conserving the energy and materials embodied in these buildings;

4. The Planning Code's sign regulations have not been significantly changes since they were adopted. The proposed legislation seeks to rationalize and consolidate some of the existing controls.

5. Small commercial uses, although often nonconforming, tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes;

6. Over the years, the Planning Code has been amended and expanded. While many of these changes have been necessary to address emerging issues and changing policy in the City, the current Planning Code can be overly complex and redundant;

7. **General Plan Compliance.** Phase 1 of the proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. TRANSPORTATION ELEMENT

OBJECTIVE 1
MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA

Policy 1.2
Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3
Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Phase 1 of the proposed Ordinance would remove bike parking from FAR calculations, require renovated building to provide bike parking, and require hotels to provide bike parking. All of these measures help promote the City's transit first policy, and give priority to alternative modes of transportation.

II. URBAN DESIGN ELEMENT

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.14
Remove and obscure distracting and cluttering elements.

Phase 1 of the proposed Ordinance makes several changes to the City's sign controls which would provide the Planning Department with more authority to require that nonconforming signs be removed. It would also remove some provisions in the Planning Code, most notable from the Van Ness Special Use District, that allow for larger and flashing signs. These proposed changes would help to remove obscure distracting and cluttering elements in the City.

8. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

   A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

   Phase 1 of the proposed Ordinance will encourage neighborhood-serving retail uses or opportunities for employment in or ownership of such businesses by allowing expired Limited Conforming Uses to be reestablished.

   B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

   Phase 1 of the proposed Ordinance will allow Limited Conforming Uses to be reinstated, helping to conserve and protect the cultural and economic diversity of the City's neighborhoods.

   C) The City's supply of affordable housing will be preserved and enhanced:

   Phase 1 of the proposed Ordinance will not have any impact on affordable housing.

   D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

   Phase 1 of the proposed Ordinance will not have any impact on commuter traffic or MUNI transit.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

Phase 1 of the proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by Phase 1 of the proposed Ordinance. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

Phase 1 of the proposed Ordinance will broaden the City's TDR program, which is used to preserve and the City's historic buildings.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by Phase 1 of the proposed Ordinance. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on December 15, 2011.

Linda Avery
Commission Secretary

AYES: Commissioners Moore, Sugaya, Fong, Antonini, Miguel, Borden and Wu

NAYS: none

ABSENT: none

ADOPTED: March 1, 2012

SAN FRANCISCO
PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: MARCH 1, 2012
Continued from the February 9, 2012 hearing

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name:	Amendments relating to: Parking, Awning, Signs, Exposure, Open Space, and Limited Conforming Uses.
Case Numbers:	2011.0532T [Board File No. 11-0548] and 2011.0533Z [Board File No. 11-0577]
Initiated by:	Supervisor Chiu / Introduced May 3, 2011
Staff Contact:	Aaron Starr, Legislative Affairs aaron.starr@sfgov.org, 415-558-6362
Reviewed by:	AnMarie Rodgers, Manager Legislative Affairs anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation:	**Approval with Modifications**

BACKGROUND

At the February 9 hearing, the Planning Commission's final motion was made by Commissioner Borden and seconded by Commissioner Antonioni. The motion was for a three week continuance so that the Supervisor's office could work with individual Commissioners who have issues with specific pieces of the legislation. The intent behind this motion was to ensure that with the continuance there was a targeted discussion on issues at the next hearing. President Miguel encouraged his fellow Commissioners to communicate with both Staff and the Supervisor's office to ensure that staff knew what the Commissioner's wanted to discuss at the next hearing. The motion passed with a 5 to 1 vote, with Commissioner Sugaya voting against the motion.

Since that hearing, Staff met with newly elected Commission President Fong and Vice President Wu, who requested that staff chose 5 topics with broad consensus to discuss at the next hearing in order to have a targeted discussion. The topics that staff selected include Clerical and Minor Modifications, Transfer of Development Rights, Limited Commercial Uses, Bike Parking, and Signs.

The bulk of the information provided below is the same information that was provided in the previous staff report. Further, the Department's recommendation for Approval with Modifications, as outlined in the staff report, has not changed.

TOPICS FOR DICSUCCION

Clerical and Minor Modifications

Staff estimates that there about 120 clerical and minor modifications in the proposed legislation which seek to fix errors in the Code, delete obsolete references and provide clarification to certain Code sections. These changes are minor and help make the Code a more usable and effective document. Allowing these changes to move forward would significantly reduce the size of the proposed legislation and provide needed fixes to the Planning Code.

Clerical modifications include but are not limited to: correcting spelling errors, correcting incorrect references, removing redundant language, revising Department names, adding titles or headings to sections, correcting tenses, updating references or sections that were missed in previous Code changes, updating outdated language, and the like.

Minor modifications are changes that make more extensive text change, but which do not substantially change the Planning Code or entitlements. These include consolidating all awning and canopy controls into one section, consolidating Vintage Sign controls and Historic Marquee controls into one section, consolidating auto uses in Articles 2 and 8, simplifying definitions, and changing outdated references.

Transfer of Development Rights (TDRs):

The proposed changes to the TDR program were endorsed by the Historic Preservation Commission, and while there is concern about how the TDR program is tracked, there appears to be consensus that the proposed change is beneficial to the City and furthers the goals of the TDR program.

The proposed change would allow TDRs to be sold across C-3 Districts. The Department believes the market for TDRs is currently gridlocked. By allowing increased flexibility, more properties will be able to sell and use the TDR market.

1. **The Way It Is Now:**

   Development rights can be transferred when:
   - The Transfer Lot and the Development Lot are located in the same C-3 Zoning District; or
   - The Transfer Lot is located in a C-3-O, or C-3-R District and the Development Lot is located in the C-3-O(SD) Special Development District; or
   - When the Transfer Lot contains a Significant building and is located in the Extended Preservation District, as set forth in Section 819, or a C-3-G or C-3-S District and the Development Lot is located in the C-3-O (SD) Special District; or
   - The Transfer Lot is in a C-3-R District or a District designated C-3-O (SD) in the Yerba Buena Center Redevelopment Plan and is located in the Yerba Buena Center Redevelopment Project Area and the Development Lot is located in a C-3-O District;
   - The Transfer Lot is in a P District adjacent to a C-3 District and meets the requirements established in subsection (a)(4) above and the Development Lot is located in a C-3 District; or
   - The Transfer Lot is located in any C-3 District and contains an individual landmark designated pursuant to Article 10 and the Development Lot is located in any C-3 District but not within a Redevelopment Agency Plan Area.

   The Way It Would Be:

   Transfer of Development Rights would be limited to the following:
   - The Transfer Lot and the Development Lot are located in a C-3 Zoning District; or
   - The Transfer Lot contains a Significant building and is located in the South of Market Extended Preservation District, as set forth in Section 819, District; or
   - The Transfer Lot is in a P District adjacent to a C-3 District and meets the requirements established in subsection (a)(4) above and the Development Lot is located in a C-3 District; or
   - The Transfer Lot is located in any C-3 District and contains an individual landmark designated pursuant to Article 10 and the Development Lot is located in any C-3 District but not within a Redevelopment Agency Plan Area.

Basis for Recommendation:
This change basically allows TDRs to be transferred freely thought the C-3 District. The original restriction, which only allowed TDRs within the same C-3 District, was done to ensure that development wasn't concentrated in any one C-3 District. Since the program was enacted, a large percentage of TDRs have been transferred within the same C-3 Districts. Now that the program has been in place for 25 years and many districts in downtown have been built out, it's necessary to liberalize the controls in order to equalize the supply and demand ratio and keep the program alive.

Limited Commercial Uses

1. **The Way It Is Now:**
The Code does not currently allow lapsed LCUs to be reactivated once that use has been abandoned.

The Way It Would Be:
The proposed legislation would allow lapsed LCUs to be reinstated with Conditional Use Authorization so long as the space is located on or below the ground floor and was in commercial or industrial use prior to January 1, 1960; the subject space has not been converted to a dwelling unit; and the proposed commercial use meets all other requirements in the Code.

Basis for Recommendation:
The Department is often overturned at the Board of Appeals when we deny a permit for reinstituting LCUs; allowing them to be reinstated through the CU process will provide a clearer and more direct process for property owners who wish to do so. This change will also provide greater convenience for residents by placing more goods and services closer to where they live, which is a hallmark and benefit of living in a dense urban environment.

The Department recommends removing the prohibition on reinstituting LCUs that have been converted to residential units. Often, these spaces are not very well suited for residential units since they were originally designed as commercial spaces. Removing this provision would allow the Commission to determine whether or not the conversion is appropriate on a case by case basis, rather than making a blanket prohibition.

Bike Parking

The proposed changes to bike parking also don't appear to be overly controversial. They generally seek to encourage the inclusion of bike parking in new and existing buildings.

1. **The Way It Is Now:**
Bicycle parking is currently included in Gross Floor Area calculations.

The Way It Would Be:
Bicycle parking would no longer be included in Gross Floor Area calculations.

Basis for Recommendation:
Bike parking is something that the Department requires and encourages above the minimum standards. Removing bike parking for FAR calculations will remove a perceived "penalty" for including bike parking in a development and create an incentive to dedicate more space to bike parking than required.

2. **The Way It Is Now:**
Currently, the ZA enforces Bike Parking regulations. There is a $50/day fine imposed on violations if they have not been abated within 30 days, and fines are deposited with the Department of Parking and Traffic for expenditure by and for the Department's Bicycle Program.

The Way It Would Be:
Under the proposed legislation, violations would be handled through the regular Planning Department enforcement procedures and fees for violating this section of the Code would be the same as any other Code violation and fees would still be collected for the MTA's Bicycle Program.

Basis for Recommendation:
The current provision separates out bicycle parking from the rest of the Code provisions without any clear reason. Bike parking violations should be treated like any other Code violation. To that end, the Department believes the money generated from enforcement should go to the Planning Department to cover costs associated with that enforcement, and not to the MTA's Bicycle Program.

3. **The Way It Is Now:**
Bicycle parking is required when you construct a new commercial building or when a commercial building is enlarged and has a construction cost of at least $1,000,000.00.

The Way It Would Be:
The proposed legislation would require bicycle parking when a building undergoes a major change of use: any use involving half or more of the building's square footage, or 10,000 or more square feet or any increase in the amount of off-street automobile parking.

Basis for Recommendation:
This change helps to advance the City's goal of having 20% of trips by bike by 2012 by ensuring that bike commuters have a safe and secure place to park their bikes when they get to work.

4. **The Way It Is Now:**
Bicycle Parking is required for new retail buildings, but not new hotels.

The Way It Would Be:
The proposed legislation would require bike parking for new hotels under the same rules that apply to Retail Buildings.

Basis for Recommendation:
This change helps to advance the City's goal of having 20% of trips by bike by 2012 by encouraging hotel workers and possibly guest to commute by bicycle.

<u>Signs, Awnings and Canopies</u>

The existing sign, awning and canopy controls are unnecessarily complicated. Providing consistency in these regulations is a much needed change. While the Department generally supports these efforts, there are a couple of elements that the Department recommends moderating.

1. **The Way It Is Now:**
Section 136.1 states that awnings cannot be less than eight feet above the finished grade and no portion of any awning shall be higher than the windowsill level of the lowest story exclusive of the ground story and mezzanine, provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower.

The Way It Would Be:
The existing regulations would still apply; in addition awnings would not be able to extend above the bottom of projecting upper-story window bays, or cover and belt cornice or horizontal molding. And where piers or columns define individual store front bays an awning may not cover such piers or columns.

Basis for Recommendation:
The goal here is to make awning controls more in line with the Kearny/Mason/Market Street awning controls, which better articulate how awnings should relate to a building. This provision also helps to simplify the Code by making awning controls consistent throughout the City.

2. **The Way It Is Now:**
The Code currently allows nonconforming signs to exists until the end of the sign's normal life.

The Way It Would Be:
The proposed legislation adds language to this section of the Code that states: Signs would be brought into conformance when the operation ceases, moves to another location, when a new building is constructed or at the end of the signs natural life. In addition, signs would also be required to be removed within 90 days of the business going out of business. The addition of this provision would provide the Planning Department greater ability to remove signs that are nonconforming.

Basis for Recommendation:
This change will help to phase out signs that no longer comply with the Planning Code, and will provide the Department with more authority to require abandoned signs be removed.

3. **The Way It Is Now:**
606(c) Signs for Limited Conforming Uses are currently regulated by the sign requirements in Residential Districts.

The Way It Would Be:
New regulations would be inserted into the Code that specifically cover signs for LCUs. These regulations are similar to controls for signs in NC-1 Zoning Districts with some slight variation.

Basis for Recommendation:
This provision would rationalize our sign controls for LCUs by modeling them after sign controls for a district (NC-1) that has a similar intensity and use types.

4. **The Way It Is Now:**
Section 607(b) Roof signs are permitted in all C, M, and PDR Districts so long as they conform to a list of specific criteria.

The Way It Would Be:
Roof signs would be prohibited in all C Districts; this would include the C-3 Downtown Districts and the C-2 Districts, which are generally located along the northeast waterfront and Stonestown Mall.

Basis for Recommendation:
Roof signs create visual clutter and add height to buildings.

5. **The Way It Is Now:**
Signs are currently allowed to be up to 100' in C-3 Districts, and 40' in all other C and M Districts.

The Way It Would Be:
Signs in all C and M Districts would be limited to 40' in height. This would include the C-3 Downtown Districts and the C-2 Districts, which are generally located along the Northeast Waterfront and Stonestown Mall. M Districts include the piers along the Northeast Waterfront and south of the Bay Bridge, as well as parcels located in Mission Bay, Eastern Neighborhoods and the Bayview/Hunters Point area.

Basis for Recommendation:
The Department doesn't find that the 100' height limit is problematic in the C-3 District given the scale of the District. It recommends either keeping the height at 100' or reducing it to no less than 60'.

6. **The Way It Is Now:**
Signs in RC Districts are regulated under Section 606, which also regulates all signs in Residential Districts.

The Way It Would Be:
Signs in RC Districts, which include some of San Francisco's densest neighborhoods such as the Tenderloin and areas along Van Ness Avenue, would now be regulated by the controls in Section 607.1, which currently regulates signs in NC Districts.

Basis for Recommendation:
This proposed change is intended to rationalize our sign controls by making them consistent thought the City's mixed use districts.

7. **The Way It Is Now:**
Signs for Gas Stations that are attached to the gas station building can project 10 above the roof line.

The Way It Would Be:
Gas station signs that are attached to the building could no longer project above the roof line.

Basis for Recommendation:
Gas stations are the only use in the Code where this is allowed. Since free standing signs can already project above the station roof line, the Department doesn't see the need to continue allowing this exception for gas stations.

8. **The Way It Is Now:**
The Embarcadero is not included in the list of Scenic Street Special Sign District. Scenic Street Special Sign District Controls prohibit general advertising signs and signs exceeding 200 square feet in area on any portion of a property that is within 200 feet of any street included on this list. New General Advertising signs are banned in the City, but existing general advertising signs can be moved to other areas of the City, including the Embarcadero, with approval from the Planning Commission and Board of Supervisors.

The Way It Would Be:
The Embarcadero would be included on this list. Once on the list, signs on the Embarcadero would be restricted to 200 sq. ft. and general advertising signs would be prohibited.

Basis for Recommendation:
While the Department thinks it is appropriate to add the Embarcadero to the Scenic Street Special Sign District list, it is concerned about the impacts this could have on the ability of large events

along the Embarcadero, such the America's Cup, to install temporary signs during the event that don't meet the requirements of the Scenic Street Special Sign District controls. The Department believes that there should be a provision that exempts temporary signs for such events.

RECOMMENDATION:	Recommend Approval with Modifications

Attachments:
n/a

SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

October 13, 2011

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall room 244
1 Carlton B. Goodlett Place
San Francisco, CA 94102-4694

Re: Board of Supervisors File No. 110548 [Planning Code - Zoning - Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts.]

Small Business Commission Recommendation: **Approval of selected sections. No comment on remaining parts of the ordinance.**

Dear Ms. Calvillo:

On October 3, 2011, the Small Business Commission voted 5-1 to recommend that the Board of Supervisors approve selected parts of BOS File No. 110767.

The Commission supports the following selected parts of File No. 110548 that the Commission believes are within the direct scope of our purview.

- **Accessory uses in Commercial, Residential-Commercial, and Industrial Districts**
  (Amendments to Section 204.3)
- **Sign, Awning, Canopy, and Marquee controls**
  (Amendments to Sections 136, 136.1, 136.2, 136.3, 262, 602.9, 602.24, 602.25, 602.26, 606, 607, 607.1, 608.6, 608.8, 608.10, 790.24, 790.26, 790.58, 890.21, 890.24, and 890.58)
- **Limited Commercial Uses in Residential Districts**
  (Amendments to Sections 186, 209.9, and 231)

The Commission makes no comment on remaining sections of the proposed ordinance.

Sincerely,

Regina Dick-Endrizzi
Director, Office of Small Business

cc. Supervisor David Chiu
Jason Elliott, Mayor's Office
Aaron Starr, San Francisco Planning Department

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Assistant Clerk, Land Use and Economic Development Committee, Board of Supervisors

DATE: December 12, 2014

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Economic Development Committee

The Board of Supervisors' Land Use and Economic Development Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 12, 2014

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On November 25, 2014, Supervisor Wiener introduced the following legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use and Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use and Economic Development Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
AnMarie Rodgers, Senior Policy Manager
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 12, 2014

File No. 110548

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On November 24, 2014, Supervisor Wiener introduced the following substituted legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 16, 2014

File No. 110548

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On June 24, 2014, Supervisor Chiu introduced the following legislation:

File No. 110548

Ordinance amending the Planning Code to: 1) delete minimum parking requirements for specified zoning districts and make maximum parking requirements in specified zoning districts consistent with the requirements in Neighborhood Commercial Transit Districts; 2) remove conditional use requirements for higher residential densities in specified zoning districts; 3) make surface parking lots a nonconforming use in the Washington-Broadway Special Use District; 4) make Automotive Use definitions consistent and delete references to deleted sections of the Code; 5) amend the Zoning Map to consolidate the two Washington-Broadway Special Use Districts and revise the boundaries; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Not defined as a project under CEQA Guidelines Sections 15378 & 15060(c)(2) because it does not result in a physical change in the environment.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning, ou=Environmental Planning, email=joy.navarrete@sfgov.org, c=US
Date: 2014.07.25 15:58:46 -07'00'

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS

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Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Assistant Clerk, Land Use & Economic Development Committee, Committee Board of Supervisors

DATE: July 16, 2014

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use & Economic Development Committee

The Board of Supervisors' Land Use & Economic Development Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 110548
Ordinance amending the Planning Code to: 1) delete minimum parking requirements for specified zoning districts and make maximum parking requirements in specified zoning districts consistent with the requirements in Neighborhood Commercial Transit Districts; 2) remove conditional use requirements for higher residential densities in specified zoning districts; 3) make surface parking lots a nonconforming use in the Washington-Broadway Special Use District; 4) make Automotive Use definitions consistent and delete references to deleted sections of the Code; 5) amend the Zoning Map to consolidate the two Washington-Broadway Special Use Districts and revise the boundaries; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 16, 2014

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On June 24, 2014, Supervisor Chiu introduced the following legislation:

File No. 110548

Ordinance amending the Planning Code to: 1) delete minimum parking requirements for specified zoning districts and make maximum parking requirements in specified zoning districts consistent with the requirements in Neighborhood Commercial Transit Districts; 2) remove conditional use requirements for higher residential densities in specified zoning districts; 3) make surface parking lots a nonconforming use in the Washington-Broadway Special Use District; 4) make Automotive Use definitions consistent and delete references to deleted sections of the Code; 5) amend the Zoning Map to consolidate the two Washington-Broadway Special Use Districts and revise the boundaries; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
AnMarie Rodgers, Senior Policy Manager
Scott Sanchez, Zoning Administrator
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December 12, 2014

File No. 110548

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On November 24, 2014, Supervisor Wiener introduced the following substituted legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because is does not result in a physical change in the environment.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning, ou=Environmental Planning, email=joy.navarrete@sfgov.org, c=US
Date: 2014.12.18 17:17:41 -08'00'

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 12, 2011

Planning Commission
Attn: Linda Avery
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On May 3, 2011, President Chiu introduced the following proposed legislation:

File No. 110548

Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, and 607.4 and amending various other Sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R Districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

Alisa Somera

By: Alisa Somera, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Bill Wycko, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 12, 2011

File No. 110548

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On May 3, 2011, President Chiu introduced the following proposed legislation:

File No. 110548

Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, and 607.4 and amending various other Sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R Districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

The legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

By: Alisa Somera, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Chris Schulman, Commission Secretary
Small Business Commission, City Hall, Room 448

FROM: Angela Calvillo, Clerk of the Board

DATE: May 12, 2011

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use & Economic Development Committee

The Board of Supervisors Land Use and Economic Development Committee has received the following, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 110548

Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, and 607.4 and amending various other Sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R Districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Please return this cover sheet with the Commission's response to **Alisa Somera, Clerk, Land Use & Economic Development Committee.**

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____

Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Assistant Clerk, Land Use and Economic Development Committee, Board of Supervisors

DATE: January 20, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Economic Development Committee

The Board of Supervisors' Land Use and Economic Development Committee has received the following **substitute** legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 12, 2014

File No. 110548

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On November 24, 2014, Supervisor Wiener introduced the following substituted legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Andrea Ausberry, Assistant Clerk, Land Use and Economic Development Committee, Board of Supervisors

DATE: December 12, 2014

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Economic Development Committee

The Board of Supervisors' Land Use and Economic Development Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

****

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

____ No Comment

____ Recommendation Attached

_____
Chairperson, Small Business Commission

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 12, 2014

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On November 25, 2014, Supervisor Wiener introduced the following legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use and Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use and Economic Development Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
AnMarie Rodgers, Senior Policy Manager
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 12, 2014

File No. 110548

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On November 24, 2014, Supervisor Wiener introduced the following substituted legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use & Economic Development Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because is does not result in a physical change in the environment.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning, ou=Environmental Planning, email=joy.navarrete@sfgov.org, c=US
Date: 2014.12.18 17:17:41 -08'00'

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

January 20, 2015

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On January 13, 2015, Supervisor Wiener introduced the following substitute legislation:

File No. 110548

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use and Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Assistant Clerk
Land Use and Economic Development Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
AnMarie Rodgers, Senior Policy Manager
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Monday, January 26, 2015**

Time: **1:30 p.m.**

Location: **Committee Room 263, located at City Hall**
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: **File No. 110548.** Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, January 23, 2015.

Angela Calvillo, Clerk of the Board

DATED: January 14, 2015
PUBLISHED/POSTED: January 16, 2015

LAND USE & ECONOMIC DEVELOPMENT COMMITTEE
NOTICE REVIEW

Legislative File No. 110548

Planning Code - Signs, Awnings, Canopies, and Marquees

Initial: ON Initial: BS 1/13/15

Date: January 9, 2015

Publishing Logistics

Hearing Date: Jan. 26
Notice Must be Submitted: Jan. 14
Notice Will Publish: Jan 16.

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Alisa Somera
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

EXM 2708027

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description AS - 01.26.15 Land Use - 110548 Zoning Map

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

01/16/2015

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	$315.00
NetTotal	$283.50

* A 0 0 0 0 0 3 6 5 0 5 4 5 *

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE MONDAY, JANUARY 26, 2015 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **File No. 110548.** Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, January 23, 2015. Angela Calvillo, Clerk of the Board

Somera, Alisa (BOS)

From: glenda_sobrique@dailyjournal.com
Sent: Wednesday, January 14, 2015 2:27 PM
To: Somera, Alisa (BOS)
Subject: Confirmation of Order 2708027 for AS - 01.26.15 Land Use - 110548 Zoning Map

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 120503
Type of Notice : GPN - GOVT PUBLIC NOTICE
Ad Description : AS - 01.26.15 Land Use - 110548 Zoning Map
Our Order Number : 2708027
Newspaper : SAN FRANCISCO EXAMINER 10%
Publication Date(s) : 01/16/2015

Thank you for using the Daily Journal Corporation.

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Address	1 DR CARLTON B GOODLETT PL #244	**Phone**	4155547704
City	SAN FRANCISCO	**Fax**	4155547714
State - Zip	CA - 94102		

Product Information

Legal GOVERNMENT - GOVT PUBLIC NOTICE

Order Information

Attention Name Alisa Somera

Billing Reference No. Save

Ad Description AS - 01.26.15 Land Use - 110548 Zoning Map

Sale/Hrg/Bid Date -

Special Instructions -

Orders Created

Order No.	Newspaper Name	Publishing Dates	Ad	Price Description	Price	Ad Status
2708027	SAN FRANCISCO EXAMINER 10%, CA **Billed To:** CCSF BD OF SUPERVISORS (OFFICIAL NOTICES) **Created For:** CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)	01/16/2015	**Depth :** 6.78" **Lines :** 84	**$3.75 84 lines * 1 Inserts[$315.00] $ 10% set aside [$-31.50]**	**$283.50**	Sent

Order No.	Newspaper	View
2708027	SAN FRANCISCO EXAMINER 10%	**View Ad In PDF**

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE MONDAY, JANUARY 26, 2015 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **File No. 110548.** Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the

Zoning Map to conform with the Code amendments; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, January 23, 2015. Angela Calvillo, Clerk of the Board

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.

☐ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee.

☐ 4. Request for letter beginning "Supervisor [ ] inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. [ ] from Committee.

☐ 7. Budget Analyst request (attach written motion).

☒ 8. Substitute Legislation File No. 110548

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

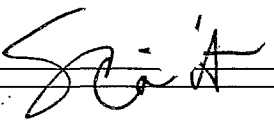
Supervisor Wiener

Subject:

Planning Code - Signs, Awnings, Canopies, and Marquees

The text is listed below or attached:

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; amending the Zoning Map to make that conform with the Code amendments; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Signature Sponsoring Supervisor: 

For Clerk's Use Only: