

1 [Planning Code - Establishing the Fillmore Street Neighborhood Commercial Transit District]

2
3 **Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood**
4 **Commercial Transit District along Fillmore Street between Bush and McAllister Streets**
5 **in place of the Fillmore Street Neighborhood Commercial District, amending various**
6 **other sections to make conforming and other technical changes, amending the Zoning**
7 **Map to make changes that conform with the Code amendments; affirming the Planning**
8 **Department’s determination under the California Environmental Quality Act; and**
9 **making findings of consistency with the General Plan, and the eight priority policies of**
10 **Planning Code, Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are ~~*strike-through italics Times New Roman*~~.
13 Board amendment additions are double-underlined;
14 Board amendment deletions are ~~strikethrough normal~~.
15 Ellipses indicate text that is omitted but unchanged.

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

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Section 21000 et seq.). The Board of Supervisors hereby affirms the determination.
21 Said determination is on file with the Clerk of the Board of Supervisors in File No. 150081 and
22 is incorporated herein by reference.

23 (b) On April 2, 2015, the Planning Commission, in Resolution No. 19349, adopted
24 findings that the actions contemplated in this ordinance are consistent, on balance, with the
25 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 150081, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that these
4 Planning Code amendments will serve the public necessity, convenience and welfare for the
5 reasons set forth in Planning Commission Resolution No. 19349. The Board hereby
6 incorporates such reasons herein by reference and adopts them as its own.

7
8 Section 2. The San Francisco Planning Code is hereby amended by amending
9 Sections 121.7, 151.1, 201, 702.1 and 747.1, to read as follows:

10 **SEC. 121.7. RESTRICTION OF LOT MERGERS IN CERTAIN DISTRICTS AND ON**
11 **PEDESTRIAN-ORIENTED STREETS.**

12 (b) In those NCT, NC and Mixed Use Districts listed below, merger of lots resulting in a
13 lot with a single street frontage greater than that stated in the table below on the specified
14 streets or in the specified Districts is prohibited except according to the procedures and
15 criteria in subsections (c) and (d) below.

| Street or District | Lot Frontage Limit |
|---|--------------------|
| Hayes, from Franklin to Laguna | 50 feet |
| RED and RED-MX | 50 feet |
| Church Street, from Duboce to 16th Street | 100 feet |
| Fillmore Street NCT , Folsom Street NCT, RCD, WMUG, WMUO, and SALI | 100 feet |
| Market, from Octavia to Noe | 150 feet |

| | |
|--|--------------------|
| 1 2 Ocean Avenue in the Ocean Avenue NCT | See Subsection (e) |
| 3 Inner and Outer Clement NCDs | 50 feet |
| 4 5 6 7 8 NC-2 districts on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue | 50 feet |

9 Notwithstanding the foregoing, merger of lots in the WMUO zoning district resulting in a
10 lot with a street frontage between 100 and 200 feet along Townsend Street is permitted so
11 long as a publicly-accessible through-block pedestrian alley at least 20 feet in width and
12 generally conforming to the design standards of Section 270.2(e)(5)-(12) of this Code is
13 provided as a result of such merger.

14 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**
15 **SPECIFIED DISTRICTS.**

16 (a) **Applicability.** This subsection shall apply only to NCT, RC, ~~RC~~, RCD, *Excelsior*
17 *Outer Mission NCD*, RTO, Mixed Use, M-1, PDR-1-D, PDR-1-G, and C-3 Districts, and to the
18 Broadway, Divisadero Street, ~~Fillmore Street~~, Excelsior Outer Mission Street, North Beach, and
19 Upper Market Neighborhood Commercial Districts.

20 * * * *

21 **Table 151.1**
OFF-STREET PARKING PERMITTED AS ACCESSORY

| 22 23 Use or Activity | Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted |
|-----------------------------|--|
| 24 25 * * * * | |

| | |
|---|---|
| <p>Dwelling units and SRO units in NCT, RC, C-M, RSD, SLR, and Chinatown Mixed Use Districts, and the Broadway <i>NCD</i>, Divisadero Street, <i>Fillmore</i>, North Beach <i>NCD</i>, and Upper Market Neighborhood Commercial Districts, except as specified below.</p> | <p>P up to one car for each two Dwelling or SRO Units; C up to 0.75 cars for each Dwelling Units, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each Dwelling Units.</p> |
| <p style="text-align: center;">* * * *</p> | |

SEC. 201. CLASSES OF USE DISTRICTS.

In order to carry out the purposes and provisions of this Code, the City is hereby divided into the following classes of use districts:

* * * *

| |
|---|
| <p>Named Neighborhood Commercial Districts (Defined in Sec. 702.1)</p> |
| <p style="text-align: center;">* * * *</p> |
| <p><i>Fillmore Street Neighborhood Commercial District (Defined in 747.1)</i></p> |
| <p style="text-align: center;">* * * *</p> |
| <p><i>Regional Commercial District (Defined in Sec. 744.1)</i></p> |
| <p style="text-align: center;">* * * *</p> |

| |
|---|
| <p>Named Neighborhood Commercial Transit (NCT) Districts (Defined in Sec. 702.1)</p> |
| <p><i>Fillmore Street NCT (Defined in Sec. 747)</i></p> |
| <p style="text-align: center;">* * * *</p> |

1 Regional Commercial District (Defined in Sec. 744.

2 * * * *

3 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

4 * * * *

| Named Neighborhood Commercial Districts | Section Number |
|---|----------------|
| * * * * | |
| <u>Fillmore Street Neighborhood Commercial District</u> | <u>§ 747</u> |
| * * * * | |
| <u>Regional Commercial District</u> | <u>§ 744.1</u> |
| * * * * | |
| Named Neighborhood Commercial Transit (NCT) Districts | Section Number |
| <u>Fillmore Street Neighborhood Commercial Transit District</u> | <u>§ 747</u> |
| * * * * | |
| <u>Regional Commercial District</u> | <u>§ 744</u> |

16 **SEC. 747.1. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

17 The Fillmore Street Neighborhood Commercial Transit District (“Fillmore Street NCT
18 NCD”) extends along Fillmore Street between Bush and McAllister Streets. Fillmore Street's
19 dense mixed-use character consists of buildings with residential units above ground-story
20 commercial use. Buildings range in height from one-story commercial buildings to high-rise
21 towers. Fillmore Street and Geary Boulevard are important public transit corridors. The
22 commercial district provides convenience goods and services to the surrounding
23 neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from
24 near and far.

The Fillmore Street NCT NCD controls are designed to encourage and promote development that enhances the walkable, mixed-use character of the corridor and surrounding neighborhoods. Rear yard requirements at residential levels preserve open space corridors of interior blocks. Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions.

* * * *

Table SEC. 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

| No. | Zoning Category | § References | Fillmore Street <u>Transit</u> Controls by Story | | |
|---------------------------------------|-------------------------------------|---------------------------------|--|-----|------|
| | | § 790.118 | 1st | 2nd | 3rd+ |
| * * * * | | | | | |
| RESIDENTIAL STANDARDS AND USES | | | | | |
| 747.90 | Residential Use | § 790.88 | P | P | P |
| 747.91 | Residential Density, Dwelling Units | §§ 207, 207.1, 207.4, 790.88(a) | <i>Generally, 1 unit per 600 sq. ft. lot area No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, and other applicable controls of this and other Codes, as well as by</i> | | |

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| | | | <i>applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. § 207.4, 207.6</i> |
| 747.92 | Residential Density, Group Housing | §§ 207.1, 208, 790.88(b) | <i>Generally, 1 bedroom per 210 sq. ft. lot area. No group housing density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. § 208</i> |
| **** | | | |

1 Section 3. Sheets ZN02 and ZN07 of the Zoning Map of the City and County of San
 2 Francisco are hereby amended, as follows:

| <u>Description of Property</u> | <u>Use District to be Superseded</u> | <u>Use District Hereby Approved</u> |
|---|--|--|
| All parcels zoned Fillmore Street Neighborhood Commercial on Blocks 0677, 0678, 0683, 0684, 0702, 0707, 0708, 0725, 0726, 0731, 0732, 0749, 0750, 0755, 0756, and 0774. | Fillmore Street Neighborhood Commercial District | Fillmore Street Neighborhood Commercial Transit District |
| Block 702, Lot 038 and Block 779, Lot 031. | RM-3 | Fillmore Street Neighborhood Commercial Transit District |
| Block 0789, Lot 001. | RH-3 | Fillmore Street Neighborhood Commercial Transit District |
| Block 780, Lots 035 and 036. | NC-1 (Neighborhood Commercial, Cluster) District | RTO (Residential Transit Oriented) District |

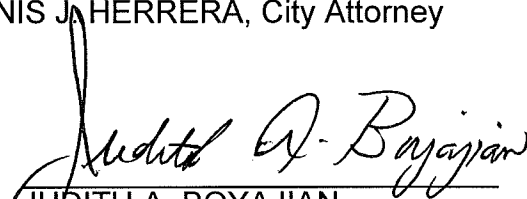
22 Section 4. Effective Date. This Ordinance shall become effective 30 days from the
 23 date of passage. Enactment occurs when the Mayor signs the ordinance, the Mayor returns
 24 the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the
 25 Board of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 5. Scope of Ordinance. In enacting this ordinance, the Board intends to amend
2 only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation
3 marks, charts, diagrams, or any other constituent part of the Municipal Code that are explicitly
4 shown in this legislation as additions, deletions, Board amendment additions, and Board
5 amendment deletions in accordance with the "Note" that appears under the official title of the
6 legislation.

7 Specifically, the Board of Supervisors recognizes that a pending ordinance in File No.
8 150082 amends some of the same sections of the Planning Code. The Board intends that, if
9 adopted, the additions and deletions shown in both ordinances be given effect so that the
10 substance of each ordinance be given full force and effect. To this end, the Board directs the
11 City Attorney's Office and the publisher to harmonize the provisions of each ordinance.
12

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

15
16 By:


17 JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150081

Date Passed: July 14, 2015

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial Transit District along Fillmore Street between Bush and McAllister Streets in place of the Fillmore Street Neighborhood Commercial District, amending various other sections to make conforming and other technical changes; amending the Zoning Map to make changes that conform with the Code amendments; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

June 29, 2015 Land Use and Transportation Committee - RECOMMENDED

July 07, 2015 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Noes: 1 - Avalos

July 14, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150081

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
7/14/2015 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

7/17/15

Date Approved