

## **LEGISLATIVE DIGEST**

[Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls]

**Ordinance amending the Planning Code to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, modify mid-block alley controls and their applicability to the South Of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, Regional Commercial District and C-3 (Downtown Commercial) District; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

### Existing Law

The Planning Code requires midblock alleys in the Eastern Neighborhoods Mixed Use District, South of Market Mixed Use District, C-3 District, and DTR District, except for parcels in the RH DTR District. (Planning Code § 270.2.) The Planning Code requires that, for the Eastern Neighborhood Mixed Use District only, 60 percent of the area of an alley be open to the sky.

Planning Code Section 260(b)(1)(F) allows additional building volume to screen certain rooftop features (e.g., mechanical equipment, elevator and stair penthouses), as described in Section 260(b)(1)(A) and (B) in any C-3 District except as otherwise allowed in the S-2 Bulk district; the Eastern Neighborhoods Mixed Use Zoning District, and the South of Market Mixed Use Zoning District. However, the allowable volume, as measured in cubic feet, may not exceed  $\frac{3}{4}$  of the horizontal area of all upper tower roof areas multiplied by 20.

Planning Code Sections 270.1 and 270.2 set forth bulk limitations for large lots in the Eastern Neighborhoods Mixed Use District with street frontage of 200 feet or more.

### Amendments to Current Law

This ordinance would extend the mid-block alley requirement to the South of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, and Regional Commercial District, and would require mid-block alleys only in the portion of the C-3 District south of Market Street. The ordinance would also require that in all areas where mid-block alleys are required, at least 60 percent of the area of an alley be open to the sky, and that any portion not open to the sky have a minimum clearance height of 15 feet.

This ordinance would allow projects in the C-3 District and large projects in the Eastern Neighborhoods Mixed Use District to have roof enclosures and screens with a maximum

volume equal to 100 percent of the horizontal area of all upper tower roof areas multiplied by 20, in order to allow to such enclosures and screens to reach the full height of the rooftop features and equipment, subject to design review. Existing buildings would be eligible for this increased maximum volume only if all rooftop equipment that is unused or permanently out of service is removed from the building.

The ordinance would also clarify that the horizontal bulk limitations of Planning Code Section 270.1 and 270.2 apply to buildings with alley or street frontage of 200 feet or more.

### Background Information

This ordinance is intended to more consistently apply mid-block alley requirements throughout the City. The introduction of mid-block alleys in certain Planning Districts was adopted in 2008 as part of the Eastern Neighborhoods Community Planning effort. This design feature divides large industrial blocks into more walkable segments and transforms historically industrial neighborhoods into urban, people-friendly places. When first enacted, Section 270.2 only applied to the Eastern Neighborhoods Mixed Use and DTR Districts, and required that mid-block alleys in Eastern Neighborhoods Mixed Use Districts be at least 60 percent open to the sky. In 2010, the City enacted Ordinance No. 85-10 extending the mid-block alley requirement to the South of Market Mixed-Use, C-M and South of Market C-3 Districts. However, the "60 percent open to the sky" requirement was not similarly extended at that time. This ordinance would extend the midblock alley requirements, and extend the "60 percent open to the sky" requirement to all required mid-block alleys.

With regard to rooftop enclosures, Planning Code Section 260(b)(1)(F) currently allows additional building volume to screen certain rooftop features (e.g., mechanical equipment, elevator and stair penthouses), as described in Section 260(b)(1)(A) and (B) in the C-3 District and Eastern Neighborhoods and South of Market Mixed Use Districts. However, the allowable enclosure or screen volume, as measured in cubic feet, may not exceed  $\frac{3}{4}$  of the horizontal area of all upper tower roof areas multiplied by 20, which may preclude adequate screening of rooftop features. Under current Code requirements, to take advantage of the maximum permitted height of 20 feet for the rooftop screen, a permit applicant must provide a setback at the building's terminus, which may not accomplish stated urban design goals of improving the appearance of the sky-line when viewed from a distance.

Because rooftop screen controls are measured in terms of volume, projects currently may provide a screen without a setback. But certain screens that are not set back must be reduced by 25 percent of the maximum permitted height, or 15 feet, which may prevent mechanical features from being adequately screened, especially considering that many mechanical features reach a height of 16 feet. To help ensure a building's terminus is consistent with the rest of the building's design, and to allow for more adequate screening of rooftop features, this ordinance would allow the volume of rooftop screens and/or enclosures to be modifiable, subject to design review, in C-3 and Eastern Neighborhood Mixed Use

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Districts, allowing the screen to reach a maximum volume equal to 100 percent of the horizontal area of all upper tower roof areas multiplied by 20.

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