



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code Text Amendment HEARING DATE: SEPTEMBER 8, 2016

*Project Name:* **Off-Street Parking and Loading Requirements**  
*Case Number:* **2015-009850PCA**  
*Initiated by:* John Rahaim, Planning Dept. Director / Initiated June 30, 2016  
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*Recommendation:* **Recommend Approval**

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### PLANNING CODE AMENDMENT

The proposed Ordinance would amend Planning Code Sections 102, 142, 150, 151, 151.1, 152, 152.1, 152.2, 155, 156, 161, 172, 204.5 and 303 and delete Sections 157, 157.1, and 158.1. These Sections regulate off-street parking and loading. The proposed changes clarify, consolidate and update provisions; correct typographical errors; and delete redundancies in these Sections. The Ordinance is proposed as part of the on-going effort to update the Planning Code, as begun by the consolidation and reorganization of Article 2.<sup>1</sup>

Sections 803.3, 825, 899 and the Zoning Control Tables of Sections 810, 811, 812, 814, 827, 829, 840, 841, 842, 843, 844, 845, 846, and 847 are also proposed for modification. The modifications would update references in response to the proposed changes to the sections noted above.

#### **Additional Changes since Initiation**

The proposed Ordinance for adoption has been modified and augmented since initiation. The changes stem from comments received from the public as well as from City Staff. The changes are clerical or clarifying in nature. The changes aim to correct cross references, both in light of the proposed changes and existing controls, and add further clarification to particular sections. Exhibit B lists the proposed modifications.

#### **The Way It Is Now:**

The Planning Code currently regulates off-street parking and loading across a number different Articles and Sections, including the following:

#### Article 1

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<sup>1</sup> Ordinance No. 22-15

<http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances15/o0022-15.pdf>

1. Section 102 includes the definition of Occupied Floor Area. Areas devoted to accessory parking are included in this definition. These areas factor into minimum parking requirements.

Article 1.2

2. Section 142 regulates the screening of parking and vehicle use areas. A typographical error in this Section cross references an incorrect subsection in Section 156.

Article 1.5

3. Section 150(e) outlines the circumstances under which off-street parking may be reduced and replaced by bicycle parking; however it omits reference to car-share spaces as another alternative to the provision of off-street parking.
4. Section 151, Table 151 establishes the minimum off-street parking requirement by land use activity; however it references land uses that were revised or renamed under Ordinance No. 22-15.
5. Section 151(c) provides multiple provisions for determining maximum quantities of accessory parking according to various criteria.
6. Section 151.1(b) provides a general outline of the controls for off-street parking for zoning districts subject to Section 151.1. It cites the Planning Code Sections where Conditional Use criteria are found for considering off-street parking in amounts beyond those principally permitted. It also includes a specific off-street parking control for the UMU, PDR-1-D and PDR-1-G zoning districts.
7. Section 151.1, Table 151.1 establishes the maximum off-street parking requirement by Land Uses/Activities. It references land uses that were revised or renamed and zoning districts that are no longer in use.
8. Subsections 151.1(e) – (g) provide procedural direction and Conditional Use criteria for reviewing requests for off-street parking in amounts greater than principally permitted. This is done by zoning district and by specific use. Subsection 151.1(h) outlines an analogous process, administered by the Zoning Administrator, for smaller residential projects in certain Mixed Use Districts. However, certain criteria for this process are not located in Subsection 151.1(h). Subsection 151.1(i) outlines a transportation management program requirement the Zoning Administrator may apply to certain projects in South of Market Mixed Use Districts.
9. Sections 152, 152.1 and 152.2 (and corresponding Tables) establish required or allowed loading spaces according to land use activity. The requirements are based on Gross Floor Area.
10. Section 155 establishes the general standards for the location and arrangement of off-street parking and loading. It contains 20 subsections, all without providing subsection titles, references to zoning districts no longer in use, a redundant provision on the screening of parking facilities and a fragmented subsection intended for deletion.
11. Section 156 provides additional guidance on the design and approval of parking lots. It cross references Conditional Use criteria found in Section 157.

12. Sections 157, 157.1 and 158.1 provide additional Conditional Use criteria for applications proposing parking exceeding accessory amounts.
13. Section 161 outlines special exemptions and exceptions from the off-street parking and loading requirements. It also establishes an off-street parking maximum for the Washington-Broadway Special Use District.

Article 1.7

14. Section 172 establishes a parking minimum for Live/Work units.

Article 2

15. Section 204.5 identifies the conditions for off-street parking and loading to be considered accessory; however it contains typographical errors.

Article 3

16. Section 303 provides additional Conditional Use findings for specific land uses activities. The additional Conditional Use findings for off-street parking and loading uses are not included in this Section.

**The Way It Would Be:**

The listed Planning Code Sections would be modified as follows:

Article 1

1. The definition of Occupied Floor Area in Section 102 would be revised to exclude areas devoted to accessory parking. This avoids including areas devoted to accessory parking into the calculation of areas required to provide parking in zoning districts with minimum requirements.

Article 1.2

2. The typographical error in Section 142 referencing an incorrect subsection in Section 156 would be corrected.

Article 1.5

3. Section 150(e) would be amended to include reference to the car-share space alternative to providing required off-street parking found in Section 166.
4. Section 151, Table 151 would be updated to conform to Land Use definitions in in Section 102.
5. The multiple provisions for establishing maximum quantities of accessory parking under Section 151(c) would be consolidated and updated.
6. The specific reference to parking maximums for the UMU, PDR-1-D and PDR-1-G zoning districts would be eliminated from Section 151.1(b) and incorporated to Table 151.1. The Planning Code Sections referencing Conditional Use criteria would be updated in response to the proposed revisions in the Ordinance.

7. Section 151.1, Table 151.1 would be updated to conform Land Use activity references to those in Article 1 and eliminate references to zoning districts no longer in use.
8. The procedures for requesting parking in excess of principally permitted amounts in Subsections 151.1(e)–(g) would be consolidated into residential and non-residential subsections. The Conditional Use criteria would be moved to Section 303, where other criteria for Conditional Uses are contained. The urban design criteria for requests for residential accessory parking in excess of principally permitted amounts for small residential projects in certain Mixed Use Districts would be relocated from Subsection 151.1(g)(1)(A) to Subsection 151.1(h). The transportation management program requirement the Zoning Administrator may apply to certain projects in South of Market Mixed Use Districts in Subsection 151.1(i) would be eliminated.
9. The required or allowed loading spaces under Sections 152, 152.1 and 152.2 (and corresponding Tables) would be based on Occupied Floor Area instead of Gross Floor Area. The land use descriptors would be consolidated and simplified.
10. Subsection titles would be added to Section 155 for ease of reading. In addition, references to zoning districts no longer in use, a redundant provision on the screening of parking facilities (already addressed in Section 145.1) and a fragmented subsection would be eliminated.
11. Section 156 would be amended to cross reference Conditional Use criteria in Section 303, Conditional Uses.
12. Sections 157, 157.1 and 158.1 would be deleted and their provisions consolidated into other Sections, including Section 303.
13. Section 161 would be amended to eliminate the reference to the off-street parking maximum for the Washington-Broadway Special use District. This allowed maximum would be relocated to Table 151.1, with other allowed off-street parking maximums.

#### Article 1.7

14. Section 172 would be amended to eliminate an out of date parking minimum for Live/Work units.

#### Article 2

15. The typographical errors in Section 204.5 would be corrected.

#### Article 3

16. Section 303 would be amended to include Conditional Use findings, including findings from Sections 157, 157.1 and 158.1, for off-street parking and loading in excess of what is principally permitted and for standalone parking uses.

## **BACKGROUND**

The Planning Department is undertaking a phased effort to reorganize the Planning Code. The purpose is to restructure the Planning Code to make it easier to read, understand, and use. This is accomplished by providing consistent formatting and standardizing use definitions throughout the Planning Code. In

2014 the Planning Department initiated Phase One of a three phased Planning Code Reorganization Project (Ordinance 22-15). Phase One focused on Article 2 of the Planning Code. As part of that phase of the project, all use definition were standardized and consolidated into Planning Code Section 102. The primary purpose of this Ordinance is to bring consistency between the land use activities listed in the parking control tables in Sections 151 and 151.1, and the list of uses in Section 102. Phase Two of this project is currently in process and focuses on Article 7 of the Planning Code. Phase Three will focus on Article 8 of the Planning Code and be initiated after Phase Two is complete.

## **ISSUES AND CONSIDERATIONS**

### **San Francisco's Transit First Policy and its Off-Street Parking and Loading Requirements**

In the early 1970's the Planning Commission and the Board of Supervisors adopted the City's Transit First Policy. Among other directives, this policy instructs the City to adopt parking policies that discourage increases in automobile traffic. It also encourages the use of transit, bicycling and walking over the continued use of the private automobile.

In light of this visionary and long standing policy, it is reasonable that the Planning Code's off-street parking and loading regulations progress in a similar direction. For example, bolstering Conditional Use findings for allowing accessory parking above principally permitted amounts is a step in that direction. This can entail including findings assuring that the pedestrian and bicycling environment is not unnecessarily burdened as a result of poorly designed automobile parking facilities. It can also involve adding findings that require demonstrating that demand for additional parking cannot be satisfied by providing car-share spaces, by existing and forthcoming transit service, or by more efficient use of existing and available on- and off-street parking in the area.

Measures should also be taken to reduce the number of additional automobiles on the City's congested streets. Modifying the provisions for maximum quantities of accessory parking to favor the use of alternate methods of transportation is one way to accomplish this goal. As an example, certain zoning districts require a minimum number of off-street parking spaces. In some of these zoning districts 200% more parking than the minimum is still considered accessory parking. However, allowing a lesser amount as accessory can still strike a balance between providing additional parking facilities and avoiding further aggravating traffic congestion. This would also more closely adhere to the Transit First policy. Another example lies with the substitution of car-share spaces for required off-street parking. In zoning districts with required off-street parking minimums, the Planning Code should further highlight the option to substitute off-street parking with car-share spaces. This can help incentivize the use of other forms of transportation while maintaining the opportunity for automobile use.

Clarifying and fine tuning the off-street parking criteria can also help the City's parking regulations meet its broader policy goals. For instance, the Planning Code currently factors into the minimum parking calculation areas devoted to accessory parking. In the case of land use activities parked based on an area calculation, this causes off-street parking to be provided for areas already devoted to off-street parking. A similar situation occurs with the required off-street freight loading and service vehicles spaces requirement. In light of the City's transportation policy goals, it is reasonable to correct this situation and not require parking for areas already dedicated to that use. Another instance where the Planning Code needs amendment is with the off-street parking tables (Tables 151 and 151.1). These tables are used to determine off-street parking requirements for proposed land use activities. It is important that these tables are up to date and consistent with definitions used throughout the Planning Code. Currently the

land use activities in the tables are out of date with the new definitions that Phase One of the Planning Code Reorganization Project introduced. Updating these tables is therefore paramount to making the Planning Code easy and efficient to use.

Making corrections to typographical errors or erroneous cross references is also important to the efficient use of the Planning Code. These errors were found throughout the sections concerning off-street parking and loading. Typographical and cross reference errors in Article 8 were also found after initiation of the Ordinance. These are listed in Exhibit B.

## **RECOMMENDATION**

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The proposed ordinance incorporates the proposed modifications as outlined during the initiation of the Ordinance and further clerical modifications identified since the initiation of the Ordinance and outlined in Exhibit C.

## **BASIS FOR RECOMMENDATION**

The Department strongly supports the Ordinance, and the proposed clerical modifications identified since initiation, given the nature of the changes enacted by Ordinance No. 22-15. Updating the off-street parking and loading controls to conform to the changes enacted by Ordinance No. 22-15 is paramount to the ongoing Planning Code reorganization effort. This is especially the case for the proposed updates to the off-street parking tables, given their frequent use. Also important are changes correcting erroneous cross references, identified prior to and after initiation.

The Department is also in support of the proposed minor substantive changes. These are done to further align the off-street parking controls with the City's Transit First Policy and the general direction these controls have taken in recent years. This direction has included the promotion of alternatives to the private automobile as a means of transportation. The proposed changes to the procedures for requesting and maximum allowed accessory parking are therefore consistent with this policy context.

## **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.

## **IMPLEMENTATION**

The Department has determined that this ordinance will not adversely impact our current implementation procedures. The proposed reorganization, including proposed clarifications, consolidation and corrections, intends to facilitate the use of the Planning Code. This will improve implementation practices.

## **ENVIRONMENTAL REVIEW**

The proposal to amend the Planning Code would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Sections 15060(c)(2) and 15378 of the CEQA Guidelines.

**PUBLIC COMMENT**

As of the date of this report, the Planning Department has not received any public input the Ordinance.

<b>RECOMMENDATION:</b> <b>Recommendation of Approval with Modification</b>
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**Attachments:**

- Exhibit A:      Draft Planning Commission Resolution
- Exhibit B:      Proposed Clerical/Clarifying Modifications since Initiation
- Exhibit C:      Proposed Ordinance