

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 10/22/2018)

[Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions]

Ordinance amending the Planning Code to add new standard required streetscape improvements under the Better Streets Plan; modifying the triggers that would require project sponsors to construct streetscape improvements in the public right-of-way; clarifying the recommended sidewalk width for street types; expanding curb cut restrictions for off-street parking and loading to nearly all zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted bicycle routes or lanes, and requiring a Conditional Use authorization or a Section 309 or 329 exception for new or expanded curb cuts in the applicable areas; adding criteria for the Planning Commission to consider when granting a Conditional Use authorization or an exception as part of a Downtown C-3-O(SD) (Downtown, Office (Special Development)) or large project authorization in mixed-use districts for such curb cuts; prohibiting new curb cuts in bus stops and on Folsom Street between Essex and Second Street; eliminating minimum off-street parking requirements for projects subject to the curb cut restrictions or prohibitions; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 302.

Existing Law

Planning Code Section 138.1 contains public right-of-way streetscape improvement requirements derived from the Better Streets Plan. This Section also adopts specified sidewalk width recommendations. Planning Code Section 150 presents off-street parking and loading requirements. Planning Code Section 155 sets forth restrictions and outright prohibitions for curb cuts for off-street parking and loading in various zoning districts and locations in San Francisco. Where restrictions exist (as opposed to a prohibition), the Planning Commission may grant a curb cut through a Conditional Use authorization or a Planning Code Section 309 exception for projects in the Downtown C-3-O(SD) zoning. The Planning Code does not contain any particular findings necessary for the Planning Commission to grant such a Conditional Use authorization or exception under Planning Code Section 303. Planning Code Section 161 establishes exemptions and exceptions from off-street parking and loading.

Amendments to Current Law

This legislation would add new standard required streetscape improvements under the Better Streets Plan and modify the triggers that would require project sponsors to construct

streetscape improvements in the public right-of-way. The ordinance would clarify the recommended sidewalk width for street types. The legislation would expand curb cut restrictions for off-street parking and loading to nearly all zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted bicycle routes or lanes. In addition to the existing requirements for a Conditional Use authorization or Section 309 exception to allow curb cuts in restricted areas, the ordinance also would allow a Section 329 (large project authorization) exception for curb cuts in mixed-use districts. The legislation would adopt criteria that the Planning Commission would consider in granting a Conditional Use authorization or exception for a new or expanded curb cut. The ordinance would prohibit new curb cuts in bus stops and on Folsom Street between Essex and Second Street. In addition, it would eliminate minimum off-street parking requirements for projects subject to the curb cut restrictions or prohibitions. The ordinance would make conforming changes to sections throughout the Planning Code. The legislation also would adopt various findings, including environmental, General Plan, and Planning Code Section 101.1 (priority policies) and Section 302 (public necessity).

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