

[Planning Code – Green Landscaping Ordinance.]

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for “vehicle use area”, “ornamental fencing”, and “permeable surface”; amending the Public Works Code Section 805 to create requirements for the establishment of new street trees and replacement of dead street trees; and 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.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby find and determine that:

(a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience and welfare, for the reasons set forth in Planning Commission Resolution No. _____, and incorporates such reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

(b) Pursuant to Planning Code Section 101.1, the Board of Supervisors finds that the ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and with the General Plan and hereby incorporates a report containing those findings as if fully set forth herein. A copy of said report is on file with the Clerk of the Board of Supervisors in File No. _____.

1 (c) The Planning Department has completed environmental review of this ordinance
2 pursuant to the California Environmental Quality Act ("CEQA") and Chapter 31 of the San
3 Francisco Administrative Code. Documentation of that review is on file with the Clerk of the
4 Board of Supervisors in File No. _____ and is incorporated herein by
5 reference.

6 Section 2. The San Francisco Planning Code is hereby amended by adding Sections
7 102.31, 102.32, and 102.33 and by amending Sections 132, 142, 143, 156, 233, and 304 to
8 read as follows:

9 **SEC. 102.3. VEHICULAR USE AREAS.**

10 Vehicular use areas are defined as any area of the lot not located within any enclosed or
11 partially enclosed structure and that is devoted to a use by or for motor vehicles including parking
12 (accessory or non-accessory); and automotive uses as defined in Section 223 that are not enclosed by a
13 structure, including but not limited to storage of automobiles, trucks or other vehicles; gasoline
14 stations; car washes; motor vehicle repair shops; loading areas; and service areas. Vehicular use
15 areas shall be subject to landscaping and screening requirements per Section 142(b) under the
16 following circumstances:

17 (a) Construction or installation of any vehicular use area;

18 (b) Existing vehicular use areas that are accessory to an existing principal use if the property
19 will add gross floor area equal to 20 percent or more of the gross floor area of the existing buildings
20 on the lot or 3000 square feet, whichever is less;

21 (c) The repair, rehabilitation or expansion of any existing vehicular use are, if such change
22 would increase the number of existing parking spaces by 4 or more spaces; or

23 (d) The excavation and reconstruction of an existing vehicular use area if such excavation
24 involves the removal of 50% or more of the asphalt, concrete or other pavement devoted to vehicular
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1 use. This provision does not apply to resurfacing of pavement due to emergency work on underground
2 storage tanks, other emergency utility access, or in response to a public health and safety action
3 required by the local, state, or federal government.

4 **SEC. 102.32. ORNAMENTAL FENCING.**

5 A decorative metal fence shall be made of wrought iron or fencing that gives the appearance of
6 wrought-iron fencing, but expressly excludes plastic-based materials, barbed wire, similar non-
7 decorative fences as well as traditional chain-link or woven wire fences. Chain-link or woven wire
8 fences may be used if the fencing visible from the public right-of-way is bordered by rails on the top
9 and bottom and has well-built columns that are at least 8" wide and are topped with caps. The
10 columns shall be spaced no more than 8' apart.

11 **SEC. 102.33. PERMEABLE SURFACES.**

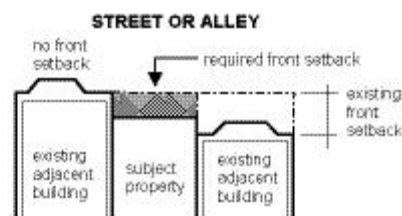
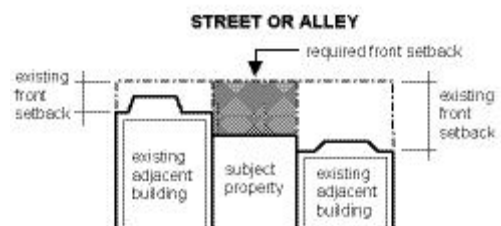
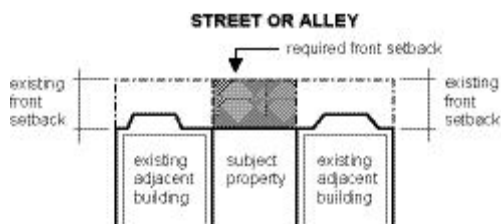
12 Permeable surfaces are those that allow stormwater to infiltrate the underlying soils.
13 Permeable surfaces shall include, but not be limited to, vegetative planting beds, porous asphalt,
14 porous concrete, single-sized aggregate, open-jointed blocks, stone, pavers or brick that are loose-set
15 and without mortar. Permeable surfaces are required to be contained so neither sediment nor the
16 permeable surface discharges off the site.

17 **SEC. 132. FRONT SETBACK AREAS, RTO, RH AND RM DISTRICTS AND FOR**
18 **REQUIRED SETBACKS FOR PLANNED UNIT DEVELOPMENTS.**

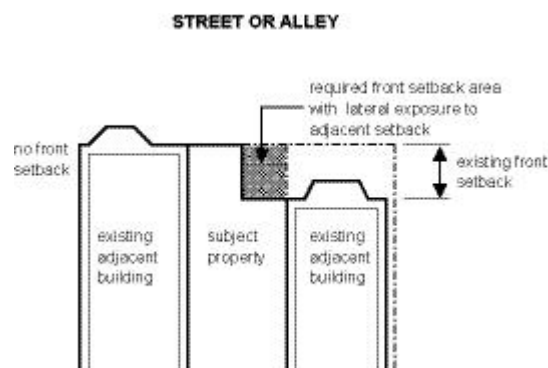
19 The following requirements for minimum front setback areas shall apply to every
20 building in all RH, RTO, and RM Districts, in order to relate the setbacks provided to the
21 existing front setbacks of adjacent buildings. Buildings in RTO Districts which have more than
22 75 feet of street frontage are additionally subject to the Ground Floor Residential Design
23 Guidelines, as adopted and periodically amended by the Planning Commission. Planned Unit
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Developments or PUDs, as defined in Section 304, shall also provide landscaping in required setbacks in accord with Section 132 (g).

(a) Basic Requirement. Where one or both of the buildings adjacent to the subject property have front setbacks along a street or alley, any building or addition constructed, reconstructed or relocated on the subject property shall be set back to the average of the two adjacent front setbacks. If only one of the adjacent buildings has a front setback, or if there is only one adjacent building, then the required setback for the subject property shall be equal to one-half the front setback of such adjacent building. In any case in which the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building."



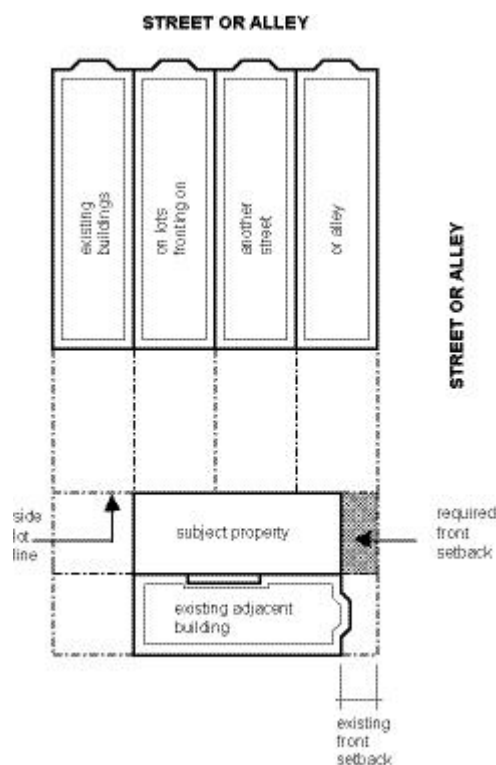
(b) Alternative Method of Averaging. If, under the rules stated in Subsection (a) above, an averaging is required between two adjacent front setbacks, or between one adjacent setback and another adjacent building with no setback, the required setback on the subject property may alternatively be averaged in an irregular manner within the depth between the setbacks of the two adjacent buildings, provided that the area of the resulting setback shall be at least equal to the product of the width of the subject property along the street or alley times the setback depth required by Subsections (a) and (c) of this Section; and provided further, that all portions of the resulting setback area on the subject property shall be directly exposed laterally to the setback area of the adjacent building having the greater setback. In any case in which this alternative method of averaging has been used for the subject property, the extent of the front setback on the subject property for purposes of Subsection (c) below relating to subsequent development on an adjacent site shall be considered to be as required by Subsection (a) above, in the form of a single line parallel to the street or alley.



(c) Method of Measurement. The extent of the front setback of each adjacent building shall be taken as the horizontal distance from the property line along the street or alley to the

building wall closest to such property line, excluding all projections from such wall, all decks and garage structures and extensions, and all other obstructions.

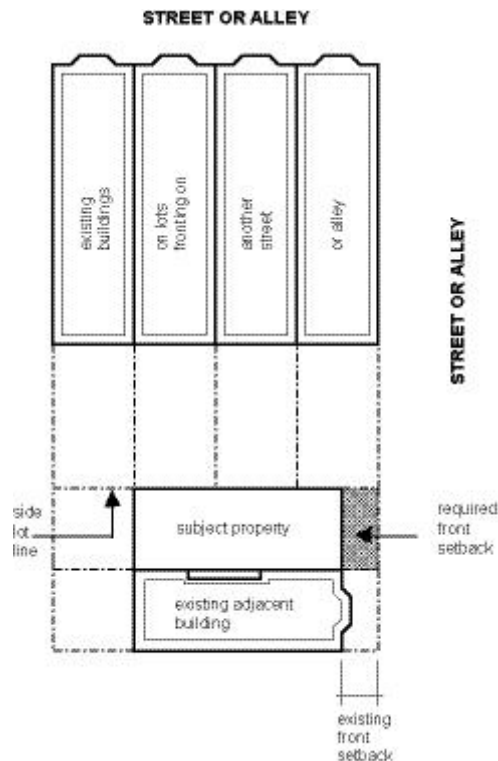
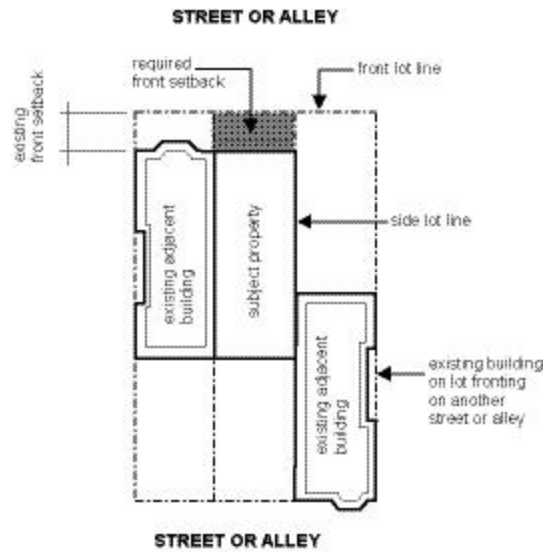
(d) Applicability to Special Lot Situations.



(1) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, a front setback area shall be required only along the street or alley elected by the owner as the front of the property. Along such street or alley, the required setback for the subject lot shall be equal to 1/2 the front setback of the adjacent building.

(2) Lots Abutting Properties That Front on Another Street or Alley. In the case of any lot that abuts along its side lot line upon a lot that fronts on another street or alley, the lot on

1 which it so abuts shall be disregarded, and the required setback for the subject lot shall be
2 equal to the front setback of the adjacent building on its opposite side.



1 (3) Lots Abutting RC, C, M and P Districts. In the case of any lot that abuts property in
2 an RC, C, M or P District, any property in such district shall be disregarded, and the required
3 setback for the subject lot shall be equal to the front setback of the adjacent building in the
4 RH, RTO, or RM District.

5 (e) Maximum Requirements. The maximum required front setback in any of the cases
6 described in this Section 132 shall be 15 feet from the property line along the street or alley,
7 or 15 percent of the average depth of the lot from such street or alley, whichever results in the
8 lesser requirement. The required setback for lots located within the Bernal Heights Special
9 Use District is set forth in Section 242 of this Code.

10 (f) Permitted Obstructions. Only those obstructions specified in Section 136 of this
11 Code shall be permitted in a required front setback area, and no other obstruction shall be
12 constructed, placed or maintained within any such area. No motor vehicle, trailer, boat or
13 other vehicle shall be parked or stored within any such area, except as specified in Section
14 136.

15 (g) Landscaping and Permeable Surfaces. The landscaping and permeable surface
16 requirements of this Section and Section (h) below shall be met by the permittee in the case of
17 construction of a new building; the addition of a new dwelling unit, a garage, or additional parking; or
18 paving or repaving more than 25 square feet of the front set-back . All front setback areas required
19 by this Section 132 shall be appropriately landscaped, and in every case not less than 20
20 percent of the required setback area shall be and remain unpaved and devoted to plant
21 material, including the use of native/drought resistant plant material. For the purposes of this
22 Section, permitted obstructions as defined by Section 136 shall be excluded from the front set-back area
23 used to calculate the required landscape and permeable surface area.
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1 (h) Permeable Surfaces. The front setback area shall be at least 50% permeable so as to
2 increase stormwater infiltration. The permeable surface may be inclusive of the area counted towards
3 the landscaping requirement; provided, however, that turf pavers or similar planted hardscapes shall
4 be counted only toward the permeable surface requirement and not the landscape requirement.

5 Permeable surfaces are defined in Section 102.33.

6 (1) The Zoning Administrator, after consultation with the Director of Public Works, may waive
7 the permeable surface requirement if the site does not qualify as a suitable location pursuant to
8 Department of Public Works rules and regulations.

9 (2) If the site receives stormwater run-off from outside the lot boundaries, the Zoning
10 Administrator, after consultation with the General Manager of the Public Utilities Commission, may
11 modify the permeable surface requirement to include alternative management strategies, such as bio-
12 retention or other strategies, pursuant to Public Utilities Commission rules and regulations.

13 (i) Relationship to Legislated Setback Lines. In case of any conflict between the
14 requirements of this Section 132 for front setback areas and a legislated setback line as
15 described in Section 131 of this Code, the more restrictive requirements shall prevail.

16 **SEC. 142. SCREENING AND GREENING OF PARKING AND VEHICLE USE**
17 **AREAS, ~~R AND NC AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.~~**

18 Off-street parking and “vehicle use areas” adjacent to the public right-of-way ~~in R and NC~~
19 ~~and Eastern Neighborhoods Mixed Use Districts~~ shall be screened as provided in this Section.

20 (a) Screening of parking and vehicle use areas less than 25 linear feet adjacent to a public
21 right-of-way:

22 (1) Every off-street parking space within a building, where not enclosed by solid
23 building walls, shall be screened from view from all streets and alleys through use of garage
24 doors or by some other means.

1 ~~——(b) (2)~~ Along rear yard areas and other interior open spaces, all off-street parking
2 spaces, driveways and maneuvering areas within buildings shall be screened from view and
3 confined by solid building walls.

4 ~~——(e) (3)~~ Off-street parking spaces in parking lots shall meet the requirements of Section
5 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas shall be
6 screened from view as provided in Section 156(d) of this Code.

7 **(b) Vehicular use areas that are greater than 25 linear feet along the public right-of-way. All**
8 **lots containing vehicular use areas where such area has more than 25 linear feet along any public**
9 **right-of-way shall provide screening in accordance with the requirements of this Section and the**
10 **Ornamental Fencing Section 102.32. The following instances shall trigger the screening requirements**
11 **for these vehicle use areas:**

12 **(1) Any existing vehicular use area that is accessory to an existing principal use if such use**
13 **expands gross floor area equal to 20 percent or more of the gross floor area of an existing building;**

14 **(2) Any repair rehabilitation or expansion of any existing vehicular use area, if such repair,**
15 **rehabilitation or expansion would increase the number of existing parking spaces by either more than**
16 **20% or by more than four spaces, whichever is greater; or**

17 **(3) The excavation and reconstruction of an existing vehicular use area if such excavation and**
18 **reconstruction involves the removal of 50% or more of the asphalt, concrete or other surface devoted to**
19 **vehicular use. This provision does not apply to the resurfacing due to emergency work to underground**
20 **utilities if such work is intended to maintain safety or other public purpose beyond the control of the**
21 **property owner.**

22 **(c) Perimeter Screening. All vehicular use areas that are greater than 25 linear feet adjacent**
23 **to the public right-of-way shall provide a screening feature around the perimeter of the lot adjacent to**
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1 the public right-of-way. Screening shall add to the visual diversity of the use and need not be an opaque
2 barrier. This feature shall be at least one of the following:

3 (1) Ornamental fencing or a solid wall that is 4 feet in height and a 5 foot deep permeable
4 surface with landscaping along the perimeter of the lot that is adjacent to a public right-of-way; or

5 (2) A combination of permeable landscaping and ornamental fencing where the permeable
6 surface and landscaping is the equivalent area of a 5 foot deep average perimeter landscaping that has
7 been otherwise configured to result in either: (i) a public space or amenity that is accessible from the
8 public right-of-way or (ii) a natural drainage system, such as combined swales, retention basins,
9 detention basins or rain gardens, to reduce stormwater runoff.

10 (d) The Zoning Administrator is authorized to modify the requirements of subsection thereby
11 allowing alternative landscape treatments to partially or wholly satisfy this screening requirement
12 provided that alternative landscape treatments such as landscaped berms, perimeter plantings,
13 pedestrian lighting, benches and seating areas, or additional landscaping and tree plantings are
14 provided elsewhere on the site and will be visible from the public right-of-way or are provided in the
15 public right-of-way as regulated by Section 810B of the Public Works Code. The Zoning Administrator
16 may authorize such modification only upon finding that the proposed alternative landscape treatment
17 would:

18 (1) Provide a visual effect that promotes and enhances the pedestrian experience through the
19 use of quality urban design; and

20 (2) Promote the reduction of stormwater runoff.

21 **SEC. 143. STREET TREES,** ~~R, SPD, RSD, NC, C 3, DTR, MUG, MUO, MUR, UMU, SLR,~~
22 ~~SLI AND SSO DISTRICTS.~~

23 (a) In any ~~R, SPD, RSD, NC, C 3, DTR, MUG, MUO, MUR, UMU, SLR, SLI AND SSO~~
24 ~~DISTRICTS~~ District, street trees shall be installed by the owner or developer in the case of

1 construction of a new building; relocation of a building; the addition of gross floor area equal to
2 20 percent or more of the gross floor area of an existing building; the addition of a new dwelling unit, a
3 garage, or additional parking; or paving or repaving more than 25 square feet of the front set-back~~and~~
4 ~~within the RED, SPD, RSD, MUG, MUO, MUR, UMU, SLR, SLI and SSO Districts, in the case of~~
5 ~~change of 20 percent or more of the occupied floor area of an existing building to another use.~~

6 (b) The street trees installed shall be a minimum of one tree of 24-inch box size for
7 each 20 feet of frontage of the property along each street or alley, with any remaining fraction
8 of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either
9 within a setback area on the lot or within the public right-of-way along such lot.

10 (c) The species of trees selected shall be suitable for the site, and, in the case of trees
11 installed in the public right-of-way, the species and locations shall be subject to approval by
12 the Department of Public Works. Procedures and other requirements for the installation,
13 maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16
14 of the Public Works Code.

15 (d) In any case in which the Department of Public Works cannot grant approval for
16 installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width,
17 interference with utilities or other reasons regarding the public welfare, and where installation
18 of such tree on the lot itself is also impractical, the tree planning requirements of this Section
19 143 may be modified as described in Subsection 143(f) or (g) or waived as described in Subsection
20 143(g) by the Zoning Administrator to the extent necessary.

21 (e) When a pre-existing site constraint prevents the installation of a street tree, as an
22 alternative to payment of any portion of the in-lieu fee, the Zoning Administrator may allow the
23 installation of sidewalk landscaping to satisfy the requirements of Section 143, subject to permit
24 approval from the Department of Public Works in accordance with Public Works Code Section 810B.
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1 ~~(e)~~(f) In C-3, industrial, and South of Market Mixed Use Districts, the Zoning
2 Administrator may allow the installation of planter boxes or tubs or similar landscaping in
3 place of trees when that is determined to be more desirable in order to make the landscaping
4 compatible with the character of the surrounding area, or may waive the requirement in C-3,
5 industrial, and mixed use districts, districts where landscaping is considered to be
6 inappropriate because it conflicts with policies of the Downtown Plan, a component of the
7 General Plan, such as the Downtown Plan policy favoring unobstructed pedestrian passage or
8 the Commerce and Industry Element policies to facilitate industry.

9 ~~(f)~~(g) In Eastern Neighborhoods Mixed Use Districts, street trees shall be installed
10 along all street frontages in the public right of way as set forth in subsection (b). Street tree
11 basins shall be edged with decorative treatment, such as pavers or cobbles, in accordance
12 with City standards. *In the event that the Department of Public Works does not approve for any*
13 *reason the installation of the number of trees required as set forth in subsection (b), an in-lieu fee for*
14 *each missed street tree, in an amount set forth in Article 16 of the Public Works Code, shall be paid to*
15 *the Adopt A Tree Fund. When a pre-existing site constraint prevents the installation of a street tree, as*
16 *an alternative to payment of any portion of the in-lieu fee, the Zoning Administrator may allow the*
17 *installation of sidewalk landscaping in accordance with all adopted standards and requirements.*

18 (h) For each required tree that the Zoning Administrator waives, the permittee shall pay an
19 “in-lieu” street tree fee. This fee shall be the amount specified in the Public Works Code Article 16
20 and be payable prior to issuance of any certificate of occupancy. The fee amount shall be deposited in
21 the Department of Public Works' Adopt-A-Tree Fund.

22 ~~(g)~~(i) DTR and C-3 Districts. In DTR and C-3 Districts, in addition to the requirements
23 of subsections (a)- ~~(d)~~(h) above, all street trees shall:

1 ~~(1) be open to the sky and free from all encroachments for that entire width, planted at least~~
2 ~~one foot back from the curb line;~~

3 ~~(2)~~ (1) have a minimum 2 inch caliper, measured at breast height;

4 ~~(3)~~ (2) branch a minimum of 8 feet above sidewalk grade;

5 ~~(4)~~ (3) where in the public right-of-way, be planted in a sidewalk opening at least 16
6 square feet, and have a minimum soil depth of 3 feet 6 inches;

7 ~~(5)~~ (4) where planted in individual basins rather than a landscaped planting bed, be
8 protected by a tree grate with a removable inner ring to provide for the tree's growth over time;

9 ~~(6)~~ (5) provide a below-grade environment with nutrient-rich soils, free from overly-
10 compacted soils, and generally conducive to tree root development;

11 ~~(7)~~ (6) be irrigated, maintained and replaced if necessary by the property owner, in
12 accordance with ~~Sec. 174 of the~~ Public Works Code, Article 16; and

13 ~~(8)~~ (7) be planted in a continuous soil-filled trench parallel to the curb, such that the
14 basin for each tree is connected.

15 (j) Planned Unit Developments as defined by Section 304 of this Code are required the street
16 tree requirements described in Section 143 (a) – (h) and shall meet the following additional
17 landscaping requirements:

18 (1) A continuous soil trough with structural soils shall be provided that connects the root
19 systems of these street trees to increase tree health is required unless there is a physical constraint.

20 (2) Where ground floor setbacks are required, landscaping is also required in the setbacks per
21 Section 132(g). All building setback areas not occupied by steps, porches or other permitted
22 obstructions shall be permeable as defined in Section 102.33. Setbacks should be designed to provide
23 access to landscaped areas, encouraging active use by residents.

1 (i) A water source should be provided for each residential setback reachable by a 30-
2 foot hose.

3 (ii) To allow for landscaping and street trees at street grade, below-grade parking shall
4 be located at a depth below any surface of the setback to provide a minimum soil depth of 3 feet 6
5 inches.

6 (3) The Zoning Administrator is authorized to modify the additional landscaping requirements
7 for Planned Unit Developments. The Zoning Administrator shall allow modifications only when he or
8 she finds that modifications provide equal or greater ecological benefit than the above requirements.
9 Acceptable modifications may include alternative landscape treatments such as landscaped berms,
10 detention or retention basins, perimeter plantings, pedestrian lighting, benches and seating areas, or
11 additional landscaping and tree planting are provided elsewhere on the site or on the adjacent public
12 right-of-way itself, subject to permit approval from the Department of Public Works.

13 **SEC. 156. PARKING LOTS.**

14 (a) A "parking lot" is hereby defined as an off-street open area or portion thereof
15 solely for the parking of passenger automobiles. Such an area or portion shall be considered
16 a parking lot whether or not on the same lot as another use, whether or not required by this
17 Code for any structure or use, and whether classified as an accessory, principal or conditional
18 use.

19 (b) Where parking lots are specified in Articles 2 or 7 of this Code as a use for which
20 conditional use approval is required in a certain district, such conditional use approval shall be
21 required only for such parking lots in such district as are not qualified as accessory uses
22 under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to
23 all parking lots whether classified as accessory, principal or conditional uses.

1 (c) In considering any application for a conditional use for a parking lot for a specific
2 use or uses, where the amount of parking provided exceeds the amount classified as
3 accessory parking in Section 204.5 of this Code, the ~~City~~ Planning Commission shall consider
4 the criteria set forth in Section 157.

5 (d) Any vehicle use area that is less than 25 linear feet adjacent to a public right-of-way or
6 parking lot for the parking of two or more automobiles which adjoins a lot in any R District, or
7 which faces a lot in any R District across a street or alley, shall be screened from view
8 therefrom, except at driveways necessary for ingress and egress, by a solid fence, a solid
9 wall, or a compact evergreen hedge, not less than four feet in height.

10 (e) Any vehicle use area that has more than 25 linear feet adjacent to a public right-of-way or
11 is a parking lot for the parking of 10 or more automobiles shall be screened in accordance with the
12 standards described in Section 142, Screening and Greening of Parking and Vehicle Use Areas ~~within~~
13 ~~the NCT, C 3 O, C 3 R, C 3 S, or C 3 G Districts shall be screened from view from every street, except~~
14 ~~at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen~~
15 ~~hedge, not less than four feet in height.~~

16 (f) All artificial lighting used to illuminate a parking lot for any number of automobiles in
17 any ~~R, NC, C, or South of Market~~ District shall be so arranged that all direct rays from such
18 lighting fall entirely within such parking lot.

19 (g) No parking lot for any number of auto-mobiles shall have conducted upon it any
20 dead storage or dismantling of vehicles, or any repair or servicing of vehicles other than of an
21 emergency nature.

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

(i) Any parking lot approved pursuant to zoning categories .25, .27 and .29 of Sections 813 through 818 of this Code shall be screened in accordance with the standards described in Section 142, Screening and Greening of Parking and Vehicle Use Areas ~~from views from every street, except at driveways necessary for ingress and egress, by a solid fence or a solid wall not less than four feet in height~~, except where this requirement would prevent otherwise feasible use of the subject lot as an open space or play area for nearby residents.

(j) Interior Landscaping. All permanent parking lots are required to provide 1 tree per 5 parking spaces and a minimum of 20% permeable surface, as defined by Section 102.33 Permeable Surfaces. Permeable surfaces and grading shall be coordinated so that stormwater can infiltrate the surface in areas with less than 5% slope.

(k) Street Tree Requirement. All parking lots shall meet the street tree requirements specified in Section 143.

SEC. 223. AUTOMOTIVE.

All automotive uses that have vehicular use areas defined in Section 102.31 shall meet the screening requirements for vehicular use areas in Section 142.

TABLE INSET:

									PD	PD	PD	PD	
C	C-	C-	C-	C-	C-	C-	M-	M-	R-	R-	R-	R-	
1	2	3-	3-	3-	3-	M	1	2	1-	1-	1-	2	
		O	R	G	S				G	D	B		
-													SEC. 223. AUTOMOTIVE.
-													(a) Sale or rental of new or used automobiles, when conducted entirely within an enclosed building.
-													(b) Sale or rental of new or used trucks, when conducted entirely within an enclosed building.
-	*												(c) Lot for sale or rental of new

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													or used automobiles.
-	*												(d) Lot for sale or rental of new or used trucks.
-	*												(e) Sale or rental of new or used automobile trailers.
<u>p*</u> -	A			A	A	A	A	A					(f) Automobile service station for the sale and dispensing of gasoline, other motor fuels and lubricating oil directly into motor vehicles. The following activities shall be permitted at

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													such a service station if normally conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R District:
-													(1) The sale and dispensing of greases and brake fluids, including motor vehicle lubrication; and the sale or installation of tires, batteries and other accessories;
-													(2) Miscellaneous minor servicing and adjusting, which

1													may include brakes,
2													electrical equipment,
3													fan belt, headlamps,
4													sparkplugs, air filter,
5													distributor points,
6													carburetor, and
7													generator charging
8													rate;
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10													(3) Installati
11													on of lamp globes,
12													sparkplugs, oil filter
13													or filtering element,
14													windshield wiper
15													blades and motors,
16	–												radiator hose
17													(without removal of
18													radiator or water
19													pump), battery
20													cables and fan belt;
21													
22													(4) The
23													servicing and
24	–												repairing of tires and
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													batteries;
-													(5) The installation and servicing of smog control devices; and
-													(6) Automobile washing and polishing of an incidental nature, when performed primarily by hand and not including the use of any mechanical conveyor blower or steam-cleaning device.
-	*												(g) Automobile service station as described above,

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													with the following minor automobile repairs permitted therewith if conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet on any R District:
-													(1) Tuneup, including the repair or replacement of distributors, sparkplugs and carburetors;
-													(2) Brake repair;

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-													(3) Shock absorber replacement;
-													(4) Muffler exchange, with no open flame or torch;
-													(5) Wheel balancing and alignment;
-													(6) Wheel bearing and seals replacement;
-													(7) Replacement of universal joints;
-													(8) Radiator mounting and dismounting, with

1													repairs done
2													elsewhere;
3													
4													(9) Clutch
5													adjustments;
6	-												
7													(10) Repair
8													or replacement of
9													water pumps;
10	-												
11													(11) Repair
12													or replacement of
13													generators,
14													alternators and
15	-												voltage regulators;
16													
17													(12) Repair
18													or replacement of
19													starters;
20	-												
21													(13) Repair
22													or replacement of
23	-												fuel pumps;
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-													(14) Such other repairs as may be designated by the Chief of the San Francisco Fire Department as minor repairs under Paragraph 8.09(a)(5)(o) of Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code.
-											und er 7,5 00 gsf		(h) Repair garage for minor automobile repairs, limited to those repairs and other activities permitted at an automobile service station as described above,

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													and in addition the following minor automobile repairs; all such repairs and other activities shall be conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R District.
-													(1) Body and fender repair limited to replacement of parts and spot paint spraying; and
-													(2) Removal and replacement of

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													engines, transmissions and differentials, with repairs to these components done elsewhere.
-											und er 5,0 00 gsf		(i) Repair garage for the following major automobile repairs, if conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R District:
-													(1) Internal engine repair or rebuilding;

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–													(2) Repair or rebuilding of transmissions, differentials or radiators;
–													(3) Reconditioning of badly worn or damaged motor vehicles or trailers;
–													(4) Collision service, including body, frame or fender straightening or repair; and
–													(5) Full body paint spraying.
–	*												(j) Automobile wash, when providing on the

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													premises a reservoir of vehicle storage and standing area, outside the washing facilities, equal to at least 1/4 the hourly capacity in vehicles of such facilities; provided,
-													(1) that incidental noise is reasonably confined to the premises by adequate soundproofing or other device, and
-													(2) that complete enclosure within a building may be required as a condition of approval,

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													notwithstanding any other provision of this Code; but the foregoing provisions shall not preclude the imposition of any additional conditions pursuant to Section 303 of this Code.
-													(k) Tire recapping, if conducted on premises not less than 200 feet from any R District.
€* -	*												(l) Parking lot, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code.

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€												(m) Storage garage open to the public for passenger automobiles, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code, where such storage garage is not a public building requiring approval by the Board of Supervisors under other provisions of law and is completely enclosed.
€*	*											(n) Storage garage open to the public for passenger automobiles, as
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													regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code, where such storage garage is not a public building requiring approval by the Board of Supervisors under other provisions of law and is not completely enclosed.
<u>P*</u> -	*												(o) Storage garage open to the public for passenger automobiles, as regulated in Sections 155, 156 and 157 and other provisions of Article

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													1.5 of this Code, where such storage garage is a public building requiring approval by the Board of Supervisors under other provisions of law.
C													(p) Major (nonaccessory) parking garage not open to the public, as defined in Section 158 and as regulated therein and in Sections 155 and 157 and other provisions of Article 1.5 of this Code.
-					A	A	A	A					(q) Parcel delivery service,

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													limited to facilities for the unloading, sorting and reloading of local retail merchandise for home deliveries, where the operation is conducted entirely within a completely enclosed building; including garage facilities for local delivery trucks, but excluding repair shop facilities.
-													(r) Parcel delivery service, not subject to the above limitations.
-													(s) Ambulance service.

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-													(t) Storage garage for commercial passenger vehicles and light delivery trucks.
-													(u) Storage yard for commercial vehicles or trucks, if conducted within an area completely enclosed by a wall or concealing fence not less than six feet high.
-													(v) Truck terminal facility, if located not less than 200 feet from any R District.

1 **SEC. 304. PLANNED UNIT DEVELOPMENTS.**

2 In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, the DTR
3 Districts, or the South of Market Mixed Use Districts, the Planning Commission may authorize
4 as conditional uses, in accordance with the provisions of Section 303, Planned Unit
5 Developments subject to the further requirements and procedures of this Section. After review
6 of any proposed development, the ~~City~~ Planning Commission may authorize such
7 development as submitted or may modify, alter, adjust or amend the plan before
8 authorization, and in authorizing it may prescribe other conditions as provided in Section
9 303(d). The development as authorized shall be subject to all conditions so imposed and shall
10 be excepted from other provisions of this Code only to the extent specified in the
11 authorization.

12 (a) Objectives. The procedures for Planned Unit Developments are intended for
13 projects on sites of considerable size, developed as integrated units and designed to produce
14 an environment of stable and desirable character which will benefit the occupants, the
15 neighborhood and the City as a whole. In cases of outstanding overall design, complementary
16 to the design and values of the surrounding area, such a project may merit a well reasoned
17 modification of certain of the provisions contained elsewhere in this Code.

18 (b) Nature of Site. The tract or parcel of land involved must be either in one
19 ownership, or the subject of an application filed jointly by the owners of all the property
20 included or by the Redevelopment Agency of the City. It must constitute all or part of a
21 Redevelopment Project Area, or if not must include an area of not less than 1/2 acre,
22 exclusive of streets, alleys and other public property that will remain undeveloped.

23 (c) Application and Plans. The application must describe the proposed development in
24 detail, and must be accompanied by an overall development plan showing, among other
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1 things, the use or uses, dimensions and locations of structures, parking spaces, and areas, if
2 any, to be reserved for streets, open spaces and other public purposes. The application must
3 include such pertinent information as may be necessary to a determination that the objectives
4 of this Section are met, and that the proposed development warrants the modification of
5 provisions otherwise applicable under this Code.

6 (d) Criteria and Limitations. The proposed development must meet the criteria
7 applicable to conditional uses as stated in Section 303(c) and elsewhere in this Code. In
8 addition, it shall:

- 9 (1) Affirmatively promote applicable objectives and policies of the General Plan;
10 (2) Provide off-street parking adequate for the occupancy proposed;
11 (3) Provide open space usable by the occupants and, where appropriate, by the
12 general public, at least equal to the open spaces required by this Code;
13 (4) Be limited in dwelling unit density to less than the density that would be allowed by
14 Article 2 of this Code for a district permitting a greater density, so that the Planned Unit
15 Development will not be substantially equivalent to a reclassification of property;
16 (5) In R Districts, include commercial uses only to the extent that such uses are
17 necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1
18 Districts under this Code, and in RTO Districts include commercial uses only according to the
19 provisions of Section 230 of this Code;
20 (6) Under no circumstances be excepted from any height limit established by Article
21 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In
22 the absence of such an explicit authorization, exceptions from the provisions of this Code with
23 respect to height shall be confined to minor deviations from the provisions for measurement of
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height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections;

(7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code;

(8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code; and

(9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

(10) Provide street trees as per the requirements of Section 143(j) of the Code.

(11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

Section 3. The Public Works Code is hereby amended by amending Sections 805 to read as follows:

SEC. 805. RESPONSIBILITY FOR MAINTENANCE OF STREET TREES.

(a) Responsibilities of Property Owners. Except as specified in Subsections 805(b) and (c) below, it shall be the duty of owners of lots or portions of lots immediately abutting on, fronting on or adjacent to any street tree to maintain such street tree. This duty shall include both routine and major maintenance of the street tree. It shall be the responsibility of all public agencies, including City, State and federal agencies, to maintain street trees abutting on such public agency's property in accordance with this Section. In addition, and in accordance with

1 Section 706 of this Code, abutting property owners shall be responsible for the care and
2 maintenance of the sidewalk and sidewalk areas adjacent to any street tree.

3 Any person who suffers injury or property damage as a legal result of the failure of the
4 owner to so maintain a street tree, sidewalk and sidewalk areas shall have a cause of action
5 for such injury or property damage against such property owner. In addition to its rights under
6 Section 706 of this Code, the City and County of San Francisco shall have a cause of action
7 for indemnity against such property owner for any damages the City may be required to pay
8 as satisfaction of any judgment or settlement of any claim that results from injury to persons or
9 property as a legal result of the failure of the owner to maintain a street tree in accordance
10 with this Section.

11 The Department shall have available to interested persons, upon request, public
12 pruning standards to ensure that street trees receive proper care.

13 (b) Responsibilities of the Department. The Department may, at the Director's
14 discretion, determine to undertake the regular routine and/or major maintenance of certain
15 street trees or corridors of street trees to promote consistency in the maintenance of trees or
16 in the public interest. Where the Department determines to undertake such regular
17 maintenance of street trees, the Director shall specify in writing by Departmental Order those
18 trees or corridors of trees for which it has undertaken maintenance responsibility and shall
19 specify in writing whether the Department will be responsible for routine or major
20 maintenance, or both. Such determinations by the Department shall be readily accessible to
21 property owners and members of the public. Where the Department has undertaken certain
22 maintenance responsibility for street trees in writing, the abutting property owner shall be
23 relieved of responsibility for such street tree maintenance.

1 Where the Department assumes maintenance responsibilities after the effective date of
2 this Article, it shall send written notice of that fact to the abutting property owner.

3 (c) Street Tree Establishment and Replacement of Dead Street Trees.

4 (1) Establishment of Street Trees. The establishment period for newly planted street
5 trees shall be three years from the date of planting. If the street tree is not adequately established at
6 the end of this period, the Director shall treat this as an injury to the tree, as defined in Section 802(g),
7 and may seek penalties for violation, as set forth in Section 811. The Director may establish rules,
8 regulations, or any other form of written guidelines concerning standards for proper care and
9 maintenance during the establishment period.

10 (2) Replacement of Dead Street Trees. The permittee or agency responsible for a street
11 tree shall replace a dead street tree within six months of the demise or removal of the tree. Removal of
12 a dead street tree and planting of a replacement street tree shall be subject to all requirements set forth
13 in this Article for removal and planting. The Director is authorized to waive this replacement
14 requirement and may place conditions on any such waiver, which may include, but is not limited to,
15 replacement planting at an alternate location or payment of the in-lieu fee. Any such waiver shall be in
16 writing.

17 (d) Department Inventory and Publication of Street Tree Responsibilities. The
18 Department shall use its best efforts to maintain an inventory of all trees under its jurisdiction.

19 As of the effective date of this Article, the Department shall continue to maintain street
20 trees listed in its database as Department-maintained trees. Such information shall be made
21 available to the public upon request.

22 Within 120 days of the effective date of this Article, the Department shall publish in a
23 newspaper of general circulation in the City a list of all trees or corridors of trees maintained
24 by the Department.

1 ~~(d)~~ (e) Department Relinquishment of Street Tree Maintenance. The Director may, in
2 his or her discretion, determine to relinquish tree maintenance responsibilities for certain trees
3 or corridors of trees. Prior to such relinquishment, the Director shall post the affected trees
4 and send notice to abutting property owners of the Department's intent to relinquish
5 maintenance responsibilities on a date certain. Within 10 days of the posting and mailing of
6 such notice, any affected property owner may object in writing to such relinquishment. At the
7 written request of any person, the Director will hold a hearing prior to relinquishing
8 maintenance responsibility for a particular tree or corridor of trees. The Director's decision on
9 such relinquishment shall be final and nonappealable.

10 Prior to relinquishing maintenance responsibilities, the Department shall perform all
11 necessary major tree maintenance. As of the date designated by the Director, all tree
12 maintenance and tree-related maintenance shall be the responsibility of the abutting property
13 owner.

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

20 By: _____
21 John D. Malamut
22 Deputy City Attorney
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