

LEGISLATIVE DIGEST

[Zoning – Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown.]

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill – North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill – North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to offstreet parking or loading are prohibited; amending Section 151 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Existing Law

Each Neighborhood Commercial District (NCD) has a Zoning Control Table in the Planning Code that sets forth specific zoning controls such as Building Standards, Commercial and Institutional Standards and Uses, and Residential Standards and Uses. If there are any specific zoning control provisions, they are set forth at the end of the Table. Planning Code Section 714 provides the Zoning Control Table for the Broadway NCD; Section 722 provides the Zoning Control Table for the North Beach NCD.

Planning Code Section 803.2 sets forth the uses permitted in the Chinatown Mixed Use Districts. Table 810 provides the Zoning Control Table for the Chinatown Community Business District; Table 811 provides the Zoning Control Table for the Chinatown Visitor Retail District, and Table 812 provides the Zoning Control Table for the Chinatown Residential Neighborhood Commercial District.

Article 1.5 sets forth the Planning Code's off-street parking and loading requirements. Table 151 has a schedule of the number of required off-street parking spaces for different types of uses; Section 155 sets forth general standards as to the location and arrangement of off-street parking, freight loading and service vehicle facilities; and Section 161 sets forth the exemptions from off-street parking, freight loading and service vehicle requirements.

Public Works Code Section 723.2 sets forth the requirements and procedures for minor sidewalk encroachments. Among other things, it prohibits such encroachments from occupying more than 10% of the sidewalk area fronting the property or more than 25% of the width of the sidewalk unless the Director of Public Works determines that such restrictions are not applicable due to the nature of the encroachment.

Amendments to Current Law

For the Broadway and North Beach NCDs, Tables 714 and 722 are amended to add new off-street parking controls to the Residential Standards and Uses section. Sections 714.94 and 722.94 are amended to permit parking for up to one car for each two dwelling units and require a conditional use for up to .75 cars for each dwelling unit; parking for more than .75 cars for each dwelling unit is not permitted. Language has been added to the specific zoning control provisions at the end of each of the Tables to authorize installing a garage in an existing residential building as a conditional use and requires the Planning Commission to make specific findings.

For the Chinatown Mixed Used Districts, Section 803.2 is amended to require that installing a garage in an existing residential building requires a conditional use. In acting on an application for a conditional use, the Planning Commission must make the same findings as are required for the Broadway and North Beach NCDs. Tables 810, 811 and 812 are amended to add the same requirements. In the Chinatown Mixed-Use Districts, no off-street parking garage installations or new curb cuts are permitted on the alleyways and there are new off-street residential parking controls: one car for each two dwelling units is permitted, up to .75 cars for each dwelling unit is allowed as a conditional use, and above .75 cars for each dwelling unit is not permitted.

Section 249.49 is added to the Planning Code to establish a new special use district entitled the "Telegraph Hill – North Beach Residential Special Use District" that includes the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West. This special use district permits up to three cars for each four dwelling units; up to one car is authorized with a conditional use; and above one car for each dwelling unit is not permitted. Installation of a parking garage in an existing residential building requires a conditional use, and in acting on an application for a conditional use the Planning Commission must make the findings required for the Broadway and North Beach NCDs and for the Chinatown Mixed Use Districts.

Table 151 is amended to add off-street parking requirements for the Broadway and North Beach NCDs, the Telegraph Hill – North Beach SUD, and the Chinatown Mixed-Use Districts. Section 155 is amended to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of Protected Pedestrian- and Transit-Oriented Street Frontages; Section 161 is amended to provide that a conditional use is required to install a garage in an existing residential building in the North Beach NCD, the North Beach – Telegraph Hill SUD, the Chinatown Mixed-Use Districts, and the Chinatown Community Business District. In acting upon an application for a conditional use, the Planning Commission must make the special findings noted above.

Section 723.2 of the Public Works Code is amended to prohibit the Director of Public Works from approving a minor sidewalk encroachment that would facilitate the addition of a parking garage in a residential structure in the North Beach NCD, the Broadway NCD, the Telegraph Hill-North Beach Residential SUD, or the Chinatown Mixed-Use Districts.

Background Information

This legislation is proposed to regulate off-street parking and the installation of garages in existing residential structures in manner that ensures they do not significantly increase the level of automobile traffic, increase pollution, or impair pedestrian use on narrow public rights-of-way. It is also intended to prevent the ability to add parking from providing an incentive to convert existing residential buildings from rental buildings to tenancies-in-common.