

New Planning Code Summary

Interim Controls:

Large Residential Projects in RH-1, RH-2, and RH-3 Zoning Districts

Amended Sections:	134 and 136
Case Number:	Board File No. 150192/ Enactment No TBD
Legislative Sponsor:	Supervisors Wiener
Effective Date:	March 20, 2015
Expiration Date	September 20, 2016

These Interim Controls apply only to parcels zoned RH-1, RH-2, or RH-3, and located within the area bound by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of parcel 2620/063, the eastern property line of parcel 2619/001A, and Douglass Street (aka Dolores Heights). These interim controls apply to all applications for residential development in the area covered by the controls where a final site or building permit has not been issued as of the effective date of the Interim Controls.

The Way It Was:

1. Properties located within the area affected by the Interim Controls zoned RH-1 were permitted to cover up to 75% of the lot without seeking a Variance or Conditional Use authorization.
2. Properties zoned RH-2 and RH-3 within the area affected by the Interim Controls were permitted to cover more than 55% of lot based on averaging the depths of the adjacent buildings without seeking a Variance or Conditional Use authorization.
3. For all properties located within the area affected by the Interim Controls, encroachments into the required rear yard were permitted if the applicant obtained a Rear Yard Variance.
4. For properties located within the area affected by the Interim Controls, there were no requirements for Conditional Use Authorization based on the size of a proposed addition.

The Way It Is Now:

Parcels zoned RH-1, RH-2 and RH-3 located within the within the area affected by the Interim Controls are subject to the following requirements for the next 18 months:

1. Conditional Use authorization is required for any residential development, either as an addition to an existing building or as a new building that results in greater than 55% lot coverage. Lot coverage is interpreted to mean how much of the lot a building covers, and not how far the building extends into the lot.

2. Conditional Use authorization is required for any residential development that will result in total residential square footage exceeding 3,000 gross square feet on a parcel if the residential development will occur on a vacant parcel;
3. Conditional Use authorization is required for any residential development that will increase the total existing gross square footage on a developed parcel in excess of 3,000 square feet and by (a) more than 75% without increasing the existing legal unit count or (b) more than 100% if increasing the existing legal unit count; and

The Interim Controls outline the following findings for Conditional Use authorization:

1. Planning Commission shall only grant a Conditional Use authorization allowing residential development to result in greater than 55% lot coverage upon finding unique or exceptional lot constraints that would make development on the lot infeasible without exceeding 55% total lot coverage, or, in the case of the addition of a residential unit, that such addition would be infeasible without exceeding 55% total lot coverage.
2. The Planning Commission, in considering a Conditional Use authorization in a situation where an additional new residential unit is proposed on a through lot on which there is already an existing building on the opposite street frontage, shall only grant such authorization upon finding that it would be infeasible to add a unit to the already developed street frontage of the lot.

The link to signed legislation:

<https://sfgov.legistar.com/LegislationDetail.aspx?ID=2230063&GUID=528EB9C9-7D8B-4998-86AC-3917F888023F&Options=ID|Text|&Search=150192>