



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary: North Beach, Telegraph Hill, Broadway and Chinatown Area Controls

Amended Sections: 121.1, 151, 151.1, 155, 249.25, 249.49, 253.1, 722 and 780.3
Case Number: 2017-005179PCA
Board File/Enactment #: 170419/196-17
Initiated by: Supervisor Peskin
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The Ordinance amended the Development Standards, Off-Street Parking controls, Retail controls and Historic Preservation Review procedures for properties in the North Beach Neighborhood Commercial District, the North Beach Special Use District, the Telegraph Hill-North Beach Residential Special Use District, Broadway Neighborhood Commercial District and Chinatown Mixed Use Districts.

The Way It Was:

Development Standards and Off-Street Parking

1. In the North Beach Neighborhood Commercial District (NCD) new construction or significant enlargement of existing buildings on lots 5,000 square feet or larger required Conditional Use authorization.
2. In the Telegraph Hill-North Beach Residential Special Use District (SUD) up to three cars for each four Dwelling Units were permitted and up to one car for each Dwelling Unit was allowed with Conditional Use authorization.
3. To approve a garage installation in the North Beach NCD and in Chinatown Mixed Use Districts, the Planning Commission had to make four findings at a Mandatory Discretionary Review (MDR) hearing. In the Telegraph Hill-North Beach Residential SUD the Planning Commission had to make five findings. The MDR applied to existing structures of four units or more. Section 311 was required for buildings with less than four units. The findings considered the following: whether the proposed garage opening would cause the removal or conversion of a Residential unit; whether the proposed garage opening substantially decreases the livability of a Dwelling Unit without increasing the floor area a commensurate amount; whether the building had two or more evictions within the past ten years; whether the proposed garage opening was consistent with the Priority Policies of Planning Code Section 101.1. In the Telegraph Hill-North Beach Residential SUD the Commission had to consider whether the garage opening would front on a public right of way narrower than 41 feet.

Historic Preservation Review

4. In the North Beach SUD and Broadway NCD, the Planning Department with the Historic preservation Commission reviewed the alteration or expansion of buildings according to the Secretary of the Interior Standards for the Treatment of Historic Properties when the property is designated pursuant to Article 10 of the Planning Code. Properties that are not designated however are identified as potential or known historical resources. The Historic Preservation Commission did not review building permit applications or entitlements associated with properties that are not designated pursuant to either Article 10 or Article 11 of the Planning Code. The Planning Department reviewed projects involving known or potential resources for conformance with the Secretary of the Interior's Standards recognizing the City's priority policies that historic buildings will be protected and preserved and with the goal of issuing a Categorical Exemption for the purposes of CEQA review.

Retail Controls

5. In the North Beach NCD Health Services were principally permitted on the first and second stories and prohibited on the third story and above.
6. In the North Beach Special Use District a non-residential use proposing to use a space last occupied by a Commercial Use that was a Legacy Business did not need to secure Conditional Use authorization solely because the immediately prior use occupying that space was a Legacy Business
7. In the North Beach SUD, the Planning Commission was not required to determine whether a new use seeking Conditional Use authorization supports any of the purposes of the North Beach SUD.

The Way It Is Now:

Development Standards and Off-Street Parking

1. In the North Beach (NCD) new construction or significant enlargement of existing buildings on lots 2,500 square feet or larger requires Conditional Use authorization.
2. No more than 0.5 parking spaces for each dwelling unit are allowed in the Telegraph Hill-North Beach Residential SUD.
3. To approve a garage installation in the North Beach NCD, Telegraph Hill-North Beach Residential SUD and in Chinatown Mixed Use Districts, the Planning Commission must make five findings at a MDR hearing. This applies to existing or proposed structures of two units or more. These findings consider the following: whether the proposed garage opening would cause the elimination or

reduction of ground-story retail or commercial space; whether the proposed garage opening eliminates or decreases the square footage of any Dwelling Unit; whether the building had two or more evictions within the past ten years; whether the garage opening would front on an Alley pursuant to Section 155(r)(2) or on a public right of way narrower than 41 feet; and whether the proposed garage opening was consistent with the Priority Policies of Planning Code Section 101.1.

Historic Preservation Review

4. In the North Beach SUD the Planning Department or the Historic Preservation Commission is required to review the alteration or expansion of all buildings located within listed or potentially eligible National Register or California Register historic districts, including districts identified in the California Historical Resources Information System Inventory, according to the Secretary of the Interior Standards for the Treatment of Historic Properties. In the Broadway NCD, this analysis will only occur when a project is proposed, either through an addition or new construction, to exceed 40 feet in height.

Retail Controls

5. In the North Beach NCD Health Services are prohibited on the first story and require Conditional Use Authorization on the second story and above.
6. Conditional Use authorization is required in the North Beach SUD for a non-residential use proposing to occupy a space where the immediately prior use was a Commercial Use that was also a Legacy Business.
7. The Planning Commission is required to find that a new use seeking Conditional Use authorization supports the purposes of the North Beach Special Use District prior to granting the authorization.

Link to Signed Legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=5491818&GUID=994579A0-B2A5-429B-B82D-9194E8A82F22>