



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Initiation of Zoning Map & Planning Code Text Change

HEARING DATE: SEPTEMBER 19, 2013

*Project Name:* **Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District**

*Case Number:* 2013.0735TZ

*Initiated by:* Planning Department

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*Reviewed by:* Joshua Switzky, Acting Chief of Citywide Planning  
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*Recommendation:* **Approval**

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The action before the Commission is initiation of the Planning Code and Zoning Map amendments described below. This initiation action is required Per Planning Code Section 302(b), which necessitates a 20 day notice period prior to taking action on Planning Code and Zoning Map amendments. The initiation will allow the Planning Department staff to begin formal review of the ordinance, including review under the California Environmental Quality Act and General Plan Consistency. Initiation does not involve a decision on the substance of the amendments.

### PLANNING CODE AMENDMENT

The proposed Ordinance, if adopted, would amend the San Francisco Planning Code and Zoning Map by: 1) adding Section 747.1 to establish the Japantown Neighborhood Commercial District along the south side of Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street; 2) adding Section 261.3 and amending Section 134(a), Table 135A, Section 145.4(b), a portion of Table 151.1, Section 155(r), Section 201, Section 263.20(b), Section 607.1(f), and Section 702.1 to make conforming and other technical changes; 3) amending Sheet ZN02 of the Zoning Map to rezone specified properties to the Japantown Neighborhood Commercial District; and 4) adopting 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.

### The Way It Is Now:

- There is a Neighborhood Commercial, Moderate-Scale (NC-3) zoning district that runs along the south side of Post Street from Fillmore Street to Laguna Street, and a Neighborhood Commercial, Small-Scale (NC-2) zoning district that runs along the north side of Post Street from Webster Street to Laguna Street, and along Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street.

- NC-2 and NC-3 Zoning Districts have minimum parking requirements that are outlined in Planning Code Section 151.
- Residential density in the NC-2 portion is one unit per 800 square feet of lot area, and for the NC-3 portion is one unit per 600 square feet of lot area.

### The Proposed Ordinance:

The proposed legislation would:

- Create a new named Japantown Neighborhood Commercial District (NCD) along the south side of Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street
- Institute maximum parking controls within the Japantown NCD, as outlined under Section 151.1. The new controls would permit up to 0.75 cars for each dwelling unit, require Conditional Use authorization for up to 1.00 cars for each dwelling unit, and prohibit parking above 1.00 cars for each dwelling unit. Commercial uses would be governed by the standard maximum parking controls in Section 151.1
- Provide up to a 5-foot height bonus for properties zoned 40-X within the Japantown NCD for developments that provide ground floor ceiling heights in excess of 10 feet.
- Require ground floor commercial, and ban new curb cuts, on Buchanan Street between Post Street and Sutter Street, on the south side Post Street between Fillmore Street and Laguna Street, and on the north side of Post Street between Webster Street and Laguna Street.
- Allow residential density at one unit per 400 square feet of lot area.
- Generally tailor the allowed uses to the character and vision of the community, consistent with the goals of the JCHESS.

## ISSUES AND CONSIDERATIONS

### JCHESS and Named Neighborhood Commercial Districts

The Japantown Economic and Social Heritage Strategy (JCHESS) includes multiple recommendations for preserving and supporting Japantown's social heritage and stimulating its economy. One of these recommendations is to consider the creation of a Japantown Neighborhood Commercial District (NCD) along those portions of Post and Buchanan Streets that are reflective of Japanese and Japanese American culture and commerce. The JCHESS recommends the creation of a Japantown NCD because named NCDs allow for tailored controls that help to protect or enhance unique characteristics associated with a neighborhood, as compared to generic NC Districts, such as NC-2 and NC-3, which apply citywide. Additionally, creating a single NCD creates consistent controls across the commercial portion of Japantown. There are currently 28 named NCDs in the City, and there is a trend toward creating more individually named NCDs throughout the City (such as the proposed Fillmore and Divisadero NCDs).

### NCD Height Controls

San Francisco's height districts were historically based on multiples of 10 feet, such as 40 and 50. These base-ten height districts may lead to buildings that are similar in height to the older neighboring buildings but that are lesser in human comfort than buildings of similar scale built prior to the City's height limits. This is due to the desire to maximize the number of stories in new projects, thereby

squeezing the height of the floors, especially the ground floor where sidewalk-oriented retail and other uses that interface with the public realm are located. Recent community planning efforts have highlighted some failings of these base 10 height districts. The Market & Octavia<sup>1</sup> and Eastern Neighborhoods<sup>2</sup> Plans, both adopted in 2008, were the first to recognize that the base-ten height limits in neighborhood commercial districts, particularly those with lower height limits like 40 and 50 feet, often encourage inferior architecture and degraded (and often less successful) commercial spaces and public frontages. For this reason, both of these plans sought to encourage more active and attractive ground floor space by allowing an additional 5-feet of height in order to provide ground floor spaces with more generous clear ceiling heights (in excess of 10 feet) for uses that meet the definition of “active” uses.<sup>3</sup>

In 2008, Supervisor Sandoval sponsored a similar text amendment that extended this height increase outside of established plan areas to provide for a maximum five-foot special height allowance for active ground floor uses with tall ceilings in the NC-2 and NC-3 designated parcels fronting portions of Mission Street<sup>4</sup>. Another amendment introduced by Supervisor Avalos in 2009 now allows a maximum five foot height increase in certain NC-1 parcels in District 11<sup>5</sup>. Most recently, Geary Boulevard, Inner Clement, Outer Clement, the new Outer Sunset NCDs, 24<sup>th</sup>-Noe Street NCD and NC-2 zoned portions of Balboa Street were added to the list of zoning districts that allow the 5-foot height bonus.

The proposed Ordinance would not allow an additional floor to new projects. The 40-X and 50-X height districts can accommodate a maximum of four and five floors. Since the additional five foot height can only be used on the ground floor, the height limit still can only accommodate the same number of floors, and so does not represent an intensification of uses.

#### **Parking Requirements**

A recent study done by Michael Manville at UCLA found that there is a strong correlation between the elimination of parking mandates and increased housing supply<sup>6</sup>. The study found that when minimum parking requirements are removed, developers provide more housing because a site’s housing capacity is less constrained by the significant space needed to park cars, and also that developers provide different types of housing: housing in older buildings, in previously disinvested areas, and housing marketed toward non-drivers. Minimum parking requirements result in more space being dedicated to parking

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<sup>1</sup> Ord. 72-08, File No. 071157, App. 4/3/2008.

<sup>2</sup> Ord. 297-08, 298-08, 299-08 and 300-08, App. 12/19/2008.

<sup>3</sup> Note that most of the base height limits in mixed-use portions of these plan areas were rezoned to increase the base height limit by 5 feet (i.e. 45, 55, 65, 85) rather than granting an optional 5-foot bonus. In many of these areas ground floor commercial uses are required and minimum ground floor ceiling heights were established. Where commercial uses were not deemed to be mandatory (but still possible), ground floor walk-up townhouses that are elevated from the sidewalk are expected. In some areas, height limits were left at 40 and 50 feet and buildings are eligible for a 5-foot height bonus by meeting the same ceiling height and use standards.

<sup>4</sup> Ord. 321-08, File no. 081100, App. 12/19/2008.

<sup>5</sup> Ord. [5-10](#), File No. 090319, App. 1/22/2010

<sup>6</sup> [http://www.its.ucla.edu/research/rpubs/manville\\_aro\\_dec\\_2010.pdf](http://www.its.ucla.edu/research/rpubs/manville_aro_dec_2010.pdf)

than is needed, more than is reflective of existing car ownership patterns, and often more than is desirable from a traffic management standpoint. As the typical off-street parking space (including maneuvering space) consumes over 300 square feet of space (not much less than the typical studio-apartment), it is clear that linking the production of housing to the ability to store cars sharply limits housing opportunity. In a commercial area such as the Japantown NCD, it can be assumed that such parking requirements would also result in the loss of commercial space and the degradation of the commercial district, as access to off-street parking would displace ground-level commercial spaces and chop-up the continuity of the pedestrian experience and retail environment. Further, parking in newer buildings is typically provided underground, and underground parking spaces are expensive to construct, costing up to \$50,000 each or more. These costs are passed on to residents and businesses, which further decreases the affordability of new housing and commercial space.

### **REQUIRED COMMISSION ACTION**

The proposed Resolution is before the Commission so that it may recommend approval or disapproval to initiate the Planning Code and Zoning Map amendments.

### **RECOMMENDATION**

The Department recommends that the Commission recommend *approval* of the resolution of intent to initiate the Zoning Map and Planning Code amendments in order for staff at the Environmental Planning section of the Department to begin appropriate environmental review.

### **BASIS FOR RECOMMENDATION**

The creation of a Japantown NCD is a recommendation of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS). This NCD has been contemplated for a number of years by the Japantown community, which is interested in tailoring the zoning of their commercial district in a way that is not possible with the current NC-2 and NC-3 zoning. The initiation of this ordinance is a step towards fulfilling the goals and objectives of the JCHESS, by beginning the process of public review of the draft ordinance, including environmental review under CEQA.

### **ENVIRONMENTAL REVIEW**

The Resolution of Intent to Initiate is not a project under California Environmental Quality Act ("CEQA"), Public Resources Code section 15060(c)(3).

### **PUBLIC COMMENT**

The Japantown NCD has been discussed within the Japantown community for a number of years. The content of the proposed legislation is a reflection of that conversation between the community and the Planning Department.

<b>RECOMMENDATION:</b>	<b>Approval to Initiate</b>
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#### **Attachments:**

- Exhibit A: Draft Ordinance
- Exhibit B: Resolution to Initiate the Draft Ordinance
- Exhibit C: Map of Proposed District

**EXHIBIT A:**

**DRAFT ORDINANCE**

1 [Planning Code – Establishing the Japantown Neighborhood Commercial District]

2

3 **Ordinance amending the Planning Code to establish the Japantown Neighborhood**  
4 **Commercial District (NCD) between Geary Boulevard and Post Street from Fillmore**  
5 **Street to Laguna Street, the north side of Post Street from Webster Street to Laguna**  
6 **Street, and Buchanan Street from Post Street to mid-way between Sutter Street and**  
7 **Bush Street, amend various other sections to make conforming and other technical**  
8 **changes, amend the Zoning Map to add the Japantown NCD, and adopt environmental**  
9 **findings, Planning Code Section 302 findings, and findings of consistency with the**  
10 **General Plan and the Priority Policies of Planning Code Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;  
12 deletions are ~~*strike-through italics Times New Roman*~~.  
13 Board amendment additions are double-underlined;  
14 Board amendment deletions are ~~strikethrough normal~~.  
15 Ellipses indicate text that is omitted but unchanged.

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

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this  
19 ordinance comply with the California Environmental Quality Act (California Public Resources  
20 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
21 Supervisors in File No. 120796 and is incorporated herein by reference.

22 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code  
23 amendments will serve the public necessity, convenience and welfare for the reasons set forth  
24 in Planning Commission Resolution No. \_\_\_\_\_ and the Board hereby incorporates such  
25 reasons herein by reference. A copy of Planning Commission Resolution No. \_\_\_\_\_ is on  
file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

1 (c) This Board finds that these Planning Code amendments are consistent with the  
2 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set  
3 forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board hereby incorporates such  
4 reasons herein by reference.

5  
6 Section 2. The San Francisco Planning Code is hereby amended by adding Section  
7 261.3 and 747.1, to read as follows:

8 **SEC. 261.3. ADDITIONAL HEIGHT LIMITS FOR THE JAPANTOWN NCT DISTRICT.**

9 *(a) Purpose. Buchanan Street between Post Street and Sutter Street is a pedestrian-only thoroughfare*  
10 *lined with both neighborhood- and regional-serving retail uses. The street contains seating areas and*  
11 *culturally significant street furnishings, such as lighting and fountains. As such, it is important to allow*  
12 *for appropriate development heights while also maximizing light and air to the street.*

13 *(b) Controls. Along Buchanan Street between Post Street and Sutter Street, the portion of any building*  
14 *above 35 feet in height shall be set back one foot in height from the front property line for every foot*  
15 *above 35 feet, except for those features listed in Section 260(b) of this Code.*

16 **SEC. 747.1. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.**

17 *The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post*  
18 *Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to*  
19 *Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street.*  
20 *The character of these streets is largely commercial, including large malls, although there are some*  
21 *residential units above the ground story. Buildings are typically two- to four-stories, although there are*  
22 *two taller hotels. Geary Boulevard, Fillmore Street, and Sutter Street are important public transit*  
23 *corridors. The commercial district provides convenience goods and services to the surrounding*  
24 *neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from near and*  
25 *far.*

*The Japantown Neighborhood Commercial District controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses.*

**SEC. 747. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

			<u>Japantown</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>			
<u>747.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250 - 252, 260, 261.1, 261.3, 263.20, 270, 271</u>	<u>Generally 50-X, and 65-A along Fillmore Street. Additional 5 feet height allowed for ground floor active uses (as defined in 145.1(b)). Upper story setback of one foot for every foot above 35 feet in height from the front property line required along Buchanan Street between Post and Sutter. See Zoning Map.</u>
<u>747.11</u>	<u>Lot Size</u> <u>[Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.; C 10,000 sq. ft. and above</u>



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<u>747.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at residential levels</u> <u>§ 134(a) and (e)</u>
<u>747.13a</u>	<u>Street Frontage</u>	<u>§ 145.1</u>	<u>Required</u>
<u>747.13b</u>	<u>Street Frontage, Required</u> <u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Requirements apply to</u> <u>Buchanan Street between Post</u> <u>Street and Sutter Street and</u> <u>Post Street between Fillmore</u> <u>Street and Laguna Street on</u> <u>the south side, between</u> <u>Webster Street and Laguna</u> <u>Street on the north side.</u>
<u>747.13c</u>	<u>Street Frontage, Parking and</u> <u>Loading access restrictions</u>	<u>§155(r)</u>	<u>Restrictions apply to the north</u> <u>side of Post Street from</u> <u>Webster Street to Laguna</u> <u>Street; the south side of Post</u> <u>Street from Fillmore Street to</u> <u>Webster Street; and Buchanan</u> <u>Street from Post Street to</u> <u>Sutter Street.</u>
<u>747.14</u>	<u>Awning</u>	<u>§§ 136.1(a), 790.20</u>	<u>P</u>
<u>747.15</u>	<u>Canopy</u>	<u>§§ 136.1(b), 790.26</u>	<u>P</u>
<u>747.16</u>	<u>Marquee</u>	<u>§§ 136.1(c), 790.58</u>	<u>P</u>
<u>747.17</u>	<u>Streetscape and Pedestrian</u> <u>Improvements</u>	<u>§ 138.1</u>	<u>Required</u>

**COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

747.20	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>3.6 to 1</u> <u>§ 124(a) and (b)</u>
747.21	<u>Use Size</u> <u>[Non-Residential]</u>	<u>§ 790.130, § 121.2</u>	<u>P up to 3,999 sq. ft.;</u> <u>C 4,000 sq. ft. &amp; above</u>
747.22	<u>Off-Street Parking, Non-</u> <u>residential</u>	<u>§§ 145.1, 150, 151.1, 153</u> <u>- 157, 159 - 160, 204.5</u>	<u>None required. Maximum</u> <u>permitted as set forth in</u> <u>Section 151.1</u>
747.23	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155,</u> <u>204.5, 152, 161(b)</u>	<u>Generally, none required if</u> <u>gross floor area is less than</u> <u>10,000 sq. ft.</u>
747.24	<u>Outdoor Activity Area</u>	<u>§§ 790.70, 145.2(a)</u>	<u>P if located in front; C if</u> <u>located elsewhere</u>
747.25	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>NP</u>
747.26	<u>Walk-Up Facility</u>	<u>§§ 790.140, 145.2(b)</u>	<u>P if recessed 3 ft.;</u> <u>C if not recessed</u>
747.27	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 2 a.m.;</u> <u>C 2 a.m. - 6 a.m.</u>
747.30	<u>General Advertising Sign</u>	<u>§§ 262, 602 - 604, 608,</u> <u>609</u>	<u>NP</u>
747.31	<u>Business Sign</u>	<u>§§ 262, 602 - 604,</u> <u>607.1(f)(2), 608, 609</u>	<u>P</u>
747.32	<u>Other Signs</u>	<u>§§ 262, 602 - 604,</u> <u>607.1(c), (d), and (g).</u>	<u>P</u>

1		<u>608, 609</u>			
2			<u>Japantown</u>		
3	<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls by Story</u>	
4			<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>
5	<u>747.38</u>	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>P</u>	<u>C</u>
6	<u>747.39</u>	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>P</u>	<u>C</u>
7	<u>Retail Sales and Services</u>				
8	<u>747.40</u>	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>
9		<u>[Not Listed Below]</u>			<u>C</u>
10	<u>747.41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>	<u>C</u>
11	<u>747.43</u>	<u>Limited Restaurant</u>	<u>§ 790.90</u>	<u>P</u>	<u>C</u>
12	<u>747.44</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P</u>	<u>C</u>
13	<u>747.45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>P</u>	<u>C</u>
14	<u>747.46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>	<u>P</u>	<u>P</u>
15	<u>747.47</u>	<u>Adult Entertainment</u>	<u>§ 790.36</u>		
16	<u>747.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>	<u>P</u>	<u>C</u>
17	<u>747.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>P*</u>	<u>C#</u>
18	<u>747.50</u>	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>C</u>	<u>P</u>
19	<u>747.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>C</u>	<u>P</u>
20	<u>747.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>P</u>
21	<u>747.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>C</u>	<u>P</u>
22	<u>747.54</u>	<u>Massage Establishment</u>	<u>§ 790.60</u>	<u>C</u>	<u>C</u>
23			<u>§ 1900 Health Code</u>		<u>C</u>
24	<u>747.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>C</u>	<u>C</u>
25				<u>C</u>	<u>C</u>

1	<u>747.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 145.1, 156, 160</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>747.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
3	<u>747.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>	<u>C</u>		
4	<u>747.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
5	<u>747.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
6	<u>747.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>	<u>C</u>		
7	<u>747.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>C</u>		
8	<u>747.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
9	<u>747.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
10	<u>747.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>P</u>	<u>P</u>
11	<u>747.66</u>	<u>Storage</u>	<u>§ 790.117</u>			
12	<u>747.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			
13	<u>747.69a</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
14		<u>Establishments</u>				
15	<u>747.69b</u>	<u>Amusement Game Arcade</u>	<u>§ 790.4</u>	<u>C</u>	<u>C</u>	<u>C</u>
16		<u>(Mechanical Amusement Devices)</u>				
17	<u>747.69c</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
18	<u>747.69d</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<b><u>Institutions and Non-Retail Sales and Services</u></b>					
20						
21	<u>747.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>		<u>C</u>	<u>C</u>
22	<u>747.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
23	<u>747.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>P</u>	<u>P</u>
24	<u>747.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>P</u>	<u>P</u>
25	<u>747.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>

1	<u>747.84</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 790.141</u>			
2	<u>747.85</u>	<u>Philanthropic Administrative</u>	<u>§ 790.107</u>	<u>C</u>	<u>P</u>	<u>P</u>
3		<u>Service</u>				
4	<b><u>RESIDENTIAL STANDARDS AND USES</u></b>					
5	<u>747.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>747.91</u>	<u>Residential Density, Dwelling</u>	<u>§§ 207, 207.1, 207.4,</u>	<u>Generally, 1 unit per 400 sq.</u>		
7		<u>Units</u>	<u>790.88(a)</u>	<u>ft. lot area</u>		
8	<u>747.92</u>	<u>Residential Density, Group</u>	<u>§§ 207.1, 208, 790.88(b)</u>	<u>Generally, 1 bedroom per 210</u>		
9		<u>Housing</u>		<u>sq. ft. lot area</u>		
10	<u>747.93</u>	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>Generally, either 100 sq. ft. if</u>		
11		<u>[Per Residential Unit]</u>		<u>private, or 133 sq. ft. if</u>		
12				<u>common § 135(d)</u>		
13	<u>747.94</u>	<u>Off-Street Parking, Residential</u>	<u>§§ 150, 151.1, 153 - 157,</u>	<u>None required. P up to .75</u>		
14			<u>159 - 160</u>	<u>cars per unit, C up to 1.00</u>		
15				<u>cars per unit, NP above</u>		
16	<u>747.95</u>	<u>Community Residential Parking</u>	<u>§ 790.10</u>	<u>C</u>	<u>C</u>	<u>C</u>

**SPECIFIC PROVISIONS FOR THE JAPANTOWN**

**NEIGHBORHOOD COMMERCIAL DISTRICT**

<u>Article 7</u>		
<u>Code</u>	<u>Other Code</u>	
<u>Section</u>	<u>Section</u>	<u>Zoning Controls</u>
<u>§ 747.49</u>	<u>§ 790.110</u>	<u>*: Only two permitted within the District</u>
		<u>#: Applies north of Post St. New financial services uses above the first floor</u>
		<u>not permitted south of Post Street.</u>

1 Section 3. The San Francisco Planning Code is hereby amended by amending Section  
2 134(a), Table 135A, Section 145.4(b), a portion of Table 151.1, Section 155(r), Section 201,  
3 Section 263.20(b), Section 607.1(f), and Section 702.1, to read as follows:

4 **SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-**  
5 **MX, RSD, SLR, SLI AND SSO DISTRICTS.**

6 The rear yard requirements established by this Section [134](#) shall apply to every building in an  
7 R, NC-1, NC-2 District or Individual Neighborhood Commercial District as noted in Subsection  
8 (a), except those buildings which contain only single room occupancy (SRO) or live/work units  
9 and except in the Bernal Heights Special Use District, Western SoMa Special Use District,  
10 and Residential Character Districts to the extent these provisions are inconsistent with the  
11 requirements set forth in Sections [242](#) and [823](#) of this Code. With the exception of dwellings  
12 in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts containing  
13 only SRO units, the rear yard requirements of this Section [134](#) shall also apply to every  
14 dwelling in a(n) MUG, WMUG, MUO, MUR, UMU, SPD, RED, RED-MX, RSD, SLR, SLI,  
15 SSO, NC-2, NCT-1, NCT-2, NC-3, NCT-3, Individual Area Neighborhood Commercial Transit  
16 District, Individual Neighborhood Commercial District as noted in Subsection (a), C or M  
17 District. Rear yards shall not be required in NC-S Districts. These requirements are intended  
18 to assure the protection and continuation of established midblock, landscaped open spaces,  
19 and maintenance of a scale of development appropriate to each district, consistent with the  
20 location of adjacent buildings.

21 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the districts  
22 indicated:

23 (1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C, M, MUG, WMUG,**  
24 **MUO, MUR, UMU, RED, RED-MX, SPD, RSD, SLR, SLI and SSO Districts.** The minimum  
25 rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building

1 is situated, but in no case less than 15 feet. For buildings containing only SRO units in the  
2 South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts, the minimum  
3 rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building  
4 is situated, but the required rear yard of SRO buildings not exceeding a height of 65 feet shall  
5 be reduced in specific situations as described in Subsection (c) below.

6 **(A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, NCT-1, Inner Sunset, Outer**  
7 **Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley, and West**  
8 **Portal Avenue Districts.** Rear yards shall be provided at grade level and at each succeeding  
9 level or story of the building.

10 **(B) NC-2, NCT-2, Ocean Avenue, Castro Street, Inner Clement Street, Upper Fillmore**  
11 **Street, North Beach, Union Street, Valencia Street, 24th Street-Mission, Glen Park, RCD**  
12 **and Folsom Street Districts.** Rear yards shall be provided at the second story, and at each  
13 succeeding story of the building, and at the first story if it contains a dwelling unit.

14 \* \* \* (Diagram not shown but not to be deleted.)

15 **(C) RC-2, RC-3, RC-4, NC-3, NCT-3, Broadway, Hayes-Gough NCT, Japantown, Upper**  
16 **Market Street, Upper Market Street NCT, SoMa NCT, Mission Street NCT, Polk Street,**  
17 **Pacific Avenue, C, M, SPD, RSD, SLR, SLI, SSO, MUR, MUG, MUO, and UMU Districts.**  
18 Rear yards shall be provided at the lowest story containing a dwelling unit, and at each  
19 succeeding level or story of the building. In the Hayes-Gough NCT, lots fronting the east side  
20 of Octavia Boulevard between Linden and Market Streets (Central Freeway Parcels L, M, N,  
21 R, S, T, U, and V) are not required to provide rear yards at any level of the building, provided  
22 that the project fully meets the usable open space requirement for dwelling units per  
23 Section [135](#) of this Code, the exposure requirements of Section [140](#), and gives adequate  
24 architectural consideration to the light and air needs of adjacent buildings given the  
25 constraints of the project site.

1 (D) **Upper Market NCT and Upper Market NCD.** Rear yards shall be provided at the grade  
 2 level, and at each succeeding story of the building. For buildings in the Upper Market NCT  
 3 that do not contain residential uses and that do not abut adjacent lots with an existing pattern  
 4 of rear yards or mid-block open space, the Zoning Administrator may waive or reduce this rear  
 5 yard requirement pursuant to the procedures of subsection (e).

6 (E) **RED, RED-MX and WMUG Districts.** Rear yards shall be provided at the ground level for  
 7 any building containing a dwelling unit, and at each succeeding level or story of the building.

8 (2) **RH-2, RH-3, RTO, RTO-M, RM-1 and RM-2 Districts.** The minimum rear yard depth shall  
 9 be equal to 45 percent of the total depth of the lot on which the building is situated, except to  
 10 the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear  
 11 yards shall be provided at grade level and at each succeeding level or story of the building.

12 \* \* \* (Diagram not shown but not to be deleted.)

13 **SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING, R,**  
 14 **NC, MIXED USE, C, AND M DISTRICTS.**

15 <b>TABLE 135A</b> 16 <b>MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP</b> 17 <b>HOUSING</b> 18 <b>OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT</b>		
19 <b>District</b>	20 <b>Square Feet Of</b> 21 <b>Usable Open</b> 22 <b>Space Required</b> 23 <b>For Each</b> 24 <b>Dwelling Unit If</b> 25 <b>All Private</b>	<b>Ratio of</b> <b>Common</b> <b>Usable Open</b> <b>Space That</b> <b>May Be</b> <b>Substituted for</b> <b>Private</b>
NC-1, NC-2, NCT-1, NCT-2, NC-S, Inner Sunset,	100	1.33



<p>Sacramento Street, West  Portal Avenue, Ocean  Avenue, Glen  Park, <i>Japantown</i></p>		
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**SEC. 145.4 REQUIRED GROUND FLOOR COMMERCIAL USES.**

(b) **Applicability.** The requirements of this Section apply to the following street frontages.

- (1) Folsom Street for the entirety of the Rincon Hill DTR, pursuant to Section [827](#);
- (2) Folsom Street for the entirety of the Folsom and Main Residential/Commercial Special Use District;
- (3) Van Ness Avenue, in the Van Ness and Market Downtown Residential Special Use District, from Fell Street to Market Street;
- (4) South Van Ness Avenue, for the entirety of the Van Ness and Market Downtown Residential Special Use District;
- (5) Market Street, for the entirety of the Van Ness and Market Downtown Residential Special Use District;
- (6) 3rd Street, in the UMU districts for parcel frontages wholly contained within 100 linear feet north or south of Mariposa Street or 100 linear feet north or south of 20th Street;
- (7) 4th Street, between Bryant and Townsend in the SLI and MUO Districts;
- (8) Hayes Street, for the entirety of the Hayes-Gough NCT;
- (9) Octavia Boulevard, between Fell Street and Hayes Street, in the Hayes-Gough NCT;
- (10) Market Street, for the entirety of the NCT-3, Upper Market NCD, and Upper Market NCT Districts;
- (11) Church Street, for the entirety of the NCT-3 and Upper Market NCT Districts;
- (12) 22nd Street, between 3rd Street and Minnesota Streets within the NCT-2 District;

- 1 (13) Valencia Street, between 15th and 23rd Streets in the Valencia Street NCT District;
- 2 (14) Mission Street, for the entirety of the Mission Street NCT District;
- 3 (15) 24th Street, for the entirety of the 24th Street-Mission NCT;
- 4 (16) 16th Street, between Guerrero and Capp Streets;
- 5 (17) 22nd Street, between Valencia and Mission Streets;
- 6 (18) 6th Street for its entirety within the SoMa NCT District;
- 7 (19) Ocean Avenue, for the entirety of the Ocean Avenue NCT District, except on the north
- 8 side of Ocean Avenue between Plymouth and Brighton Avenues;
- 9 (20) Geneva Avenue, between I-280 and Delano Avenue within the NCT-2 District;
- 10 (21) Fillmore Street, in the NC-3 District from Bush Street to McAllister Street;
- 11 (22) Diamond Street, for the entirety of the Glen Park NCT District;
- 12 (23) Chenery Street, for the entirety of the Glen Park NCT District.
- 13 (24) Geneva Avenue, between I-280 and Delano Avenue within the NCT-1 District.
- 14 (25) Buchanan Street between Post Street and Sutter Street
- 15 (26) Post Street between Fillmore Street and Laguna Street on the south side, and between Webster
- 16 Street and Laguna Street on the north side.

17 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-**  
18 **STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

19 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In order to  
20 preserve the pedestrian character of certain downtown and neighborhood commercial districts  
21 and to minimize delays to transit service, garage entries, driveways or other vehicular access  
22 to off-street parking or loading (except for the creation of new publicly-accessible streets and  
23 alleys) shall be regulated on development lots as follows on the following street frontages:

- 24 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except as set forth in
- 25 Section [827](#).

- 1 (2) Not permitted:
- 2 (A) The entire portion of Market Street from The Embarcadero to Castro Street,
- 3 (B) Hayes Street from Franklin Street to Laguna Street, Church Street in the NCT-3 and
- 4 Upper Market NCT Districts,
- 5 (C) Van Ness Avenue from Hayes Street to Mission Street,
- 6 (D) Mission Street from The Embarcadero to Annie Street and from 10th Street to Division
- 7 Street,
- 8 (E) Octavia Street from Hayes Street to Fell Street,
- 9 (F) Embarcadero in the DTR Districts,
- 10 (G) 22nd Street between 3rd Street and Minnesota Streets within the NCT-2 District,
- 11 (H) Valencia Street between 15th and 23rd Streets in the Valencia Street NCT District,
- 12 (I) Mission Street for the entirety of the Mission Street NCT District,
- 13 (J) 24th Street for the entirety of the 24th Street-Mission NCT,
- 14 (K) 16th Street between Guerrero and Capp Streets within the Valencia Street NCT and
- 15 Mission Street NCT Districts,
- 16 (L) 16th Street between Kansas and Mississippi Streets in the UMU and PDR-1-D Districts,
- 17 (M) 6th Street for its entirety within the SoMa NCT District,
- 18 (N) 3rd Street, in the UMU districts for 100 feet north and south of Mariposa and 100 feet
- 19 north and south of 20th Streets, and 4th Street between Bryant and Townsend in the SLI and
- 20 MUO District,
- 21 (O) Ocean Avenue within the Ocean Avenue NCT District,
- 22 (P) Geneva Avenue from I-280 to San Jose Avenue within the NCT-2 District,
- 23 (Q) Columbus Avenue between Washington and North Point Streets,
- 24 (R) Broadway from the Embarcadero on the east to Polk Street on the west, and
- 25 (S) All alleyways in the Chinatown Mixed Use Districts,

- 1 (T) Diamond Street within the Glen Park NCT District,  
2 (U) Chenery Street within the Glen Park NCT District,  
3 (V) Natoma Street from 300 feet westerly of 1st Street to 2nd Street,  
4 (W) Ecker Alley in its entirety,  
5 (X) Shaw Alley in its entirety,  
6 (Y) 2nd Street from Market to Folsom Streets.  
7 (Z) Post Street, on the north side from Webster Street to Laguna Street, and on the south side from  
8 Fillmore Street to Webster Street  
9 (AA) Buchanan Street from Post Street to Sutter Street.  
10 (3) Not permitted except with a Conditional Use authorization, except that in the C-3-O(SD)  
11 District, the Planning Commission may grant such permission as an exception pursuant to  
12 Section [309](#) in lieu of a Conditional Use authorization where the amount of parking proposed  
13 does not exceed the amounts permitted as accessory according to Section [151.1](#).  
14 (A) The entire portion of California Street, The Embarcadero, Folsom Street, Geary Street,  
15 Mission Street, Powell Street and Stockton Street in the C-3 Districts,  
16 (B) Grant Avenue from Market Street to Bush Street,  
17 (C) Montgomery Street from Market Street to Columbus Avenue,  
18 (D) Haight Street from Market Street to Webster Street,  
19 (E) Church Street and 16th Street in the RTO District,  
20 (F) Duboce Street from Noe Street to Market Street,  
21 (G) Duboce Street from Noe Street to Market Street,  
22 (H) Octavia Street from Fell Street to Market Street, and  
23 (I) 1st, Fremont and Beale Streets from Market to Folsom Street.  
24 (4) In C-3, NCT and RTO Districts, no curb cuts accessing off-street parking or loading shall  
25 be created or utilized on street frontages identified along any Transit Preferential, Citywide

1 Pedestrian Network or Neighborhood Commercial Streets as designated in the Transportation  
2 Element of the General Plan or official City bicycle routes or bicycle lanes, where an  
3 alternative frontage is available. For bicycle lanes, the prohibition on curb cuts applies to the  
4 side or sides of the street where bicycle lanes are located; for one-way bicycle routes or  
5 lanes, the prohibition on curb cuts shall apply to the right side of the street only, unless the  
6 officially adopted alignment is along the left side of the street. Where an alternative frontage is  
7 not available, parking or loading access along any Transit Preferential, Citywide Pedestrian  
8 Network or Neighborhood Commercial Streets as designated in the Transportation Element of  
9 the General Plan or official City bicycle lane or bicycle route, may be allowed on streets not  
10 listed in subsection (2) above as an exception in the manner provided in Section [309](#) for C-3  
11 Districts and in Section [303](#) for NCT and RTO Districts in cases where it can be clearly  
12 demonstrated that the final design of the parking access minimizes negative impacts to transit  
13 movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.

14 (5) For corner lots in the SALI District, no new curb cut shall be permitted, nor any existing  
15 curb cut expanded, on any Street or Alley identified as an alley in the Western SoMa Area  
16 Plan of the General Plan if any property on the same block with frontage along that Street or  
17 Alley is designated as a RED or RED-MX District.

18 (6) A "development lot" shall mean any lot containing a proposal for new construction, building  
19 alterations which would increase the gross square footage of a structure by 20 percent or  
20 more, or change of use of more than 50 percent of the gross floor area of a structure  
21 containing parking. Pre-existing access to off-street parking and loading on development lots  
22 that violates the restrictions of this Section [155](#)(r) may not be maintained.

23  
24 **Table 151.1**

25 **OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
<p>***</p> <p><i>Dwelling units in the Japantown NC District</i></p>	<p><i>P up to 0.75 cars for each dwelling unit; ; C up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above.</i></p>
<p>All non-residential uses in NCT, RSD, and SLR districts and the Upper Market NCD <i>and Japantown NCD</i>, except for retail grocery stores with over 20,000 gross square feet as specified below</p>	<p>For uses in <a href="#">Table 151</a> that are described as a ratio of occupied floor area, P up to 1 space per 1,500 square feet of occupied floor area or the quantity specified in <a href="#">Table 151</a>, whichever is less, and subject to the conditions and criteria of Section <a href="#">151.1(g)</a> NP above.</p>
<p>Retail grocery store uses in NCT, RSD, and SLR districts and the Upper Market Street NCD <i>and Japantown NCD</i> with over 20,000 square feet of occupied floor area</p>	<p>P up 1 space per 500 square feet of occupied floor area, and subject to the conditions and criteria of Section <a href="#">151.1(g)</a> C up to 1 space per 250 square feet of occupied floor area for that area in excess of 20,000 square feet, subject to the conditions and criteria of Section <a href="#">151.1(g)</a>. NP above.</p>

**SEC. 201. CLASSES OF USE DISTRICTS.**

In order to carry out the purposes and provisions of this Code, the City is hereby divided into the following classes of use districts:

\*\*\*

1	Named Neighborhood Commercial Districts
2	(Defined in Sec. <a href="#">702.1</a> )
3	Broadway Neighborhood Commercial District (Defined in Sec. <a href="#">714.1</a> )
4	Castro Street Neighborhood Commercial District (Defined in Sec. <a href="#">715.1</a> )
5	Inner Clement Street Neighborhood Commercial District (Defined in Sec. <a href="#">716.1</a> )
6	Outer Clement Street Neighborhood Commercial District (Defined in Sec. <a href="#">717.1</a> )
7	Upper Fillmore Street Neighborhood Commercial District (Defined in Sec. <a href="#">718.1</a> )
8	Haight Street Neighborhood Commercial District (Defined in Sec. <a href="#">719.1</a> )
9	Inner Sunset Neighborhood Commercial District (Defined in Sec. <a href="#">730.1</a> )
10	Upper Market Street Neighborhood Commercial District (Defined in Sec. <a href="#">721.1</a> )
11	North Beach Neighborhood Commercial District (Defined in Sec. <a href="#">722.1</a> )
12	Pacific Avenue Neighborhood Commercial District (Defined in Sec. <a href="#">732.1</a> )
13	Polk Street Neighborhood Commercial District (Defined in Sec. <a href="#">723.1</a> )
14	Sacramento Street Neighborhood Commercial District (Defined in Sec. <a href="#">724.1</a> )
15	Union Street Neighborhood Commercial District (Defined in Sec. <a href="#">725.1</a> )
16	24th Street-Noe Valley Neighborhood Commercial District (Defined in Sec. <a href="#">728.1</a> )
17	West Portal Avenue Neighborhood Commercial District (Defined in Sec. <a href="#">729.1</a> )
18	Noriega Street Neighborhood Commercial District (Defined in Sec. <a href="#">739.1</a> )
19	Irving Street Neighborhood Commercial District (Defined in <a href="#">740.1</a> )
20	Taraval Street Neighborhood Commercial District (Defined in <a href="#">741.1</a> )
21	Judah Street Neighborhood Commercial District (Defined in Sec. <a href="#">742.1</a> )
22	Regional Commercial District (Defined in Sec. <a href="#">744</a> )
23	<i>Japantown Neighborhood Commercial District (Defined in Sec. 747.1)</i>
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**SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR ACTIVE GROUND FLOOR USES IN CERTAIN DISTRICTS.**

(b) **Applicability.** The special height exception described in this section shall only apply to projects that meet all of the following criteria:

(1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as designated on the Zoning Map;

(2) project is located:

(A) in an NCT district as designated on the Zoning Map;

(B) in the 24<sup>th</sup> Street – Noe Valley, Castro Street, Upper Market Street, *Japantown*, Inner Clement Street and Outer Clement Street NCDs;

(C) on a NC-2 or NC-3 designated parcel fronting Mission Street, from Silver Avenue to the Daly City border;

(D) on a NC-2 designated parcel on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue;

(E) on a NC-1 designated parcel within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farallones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street; or

(F) on a NC-3 designated parcel fronting on Geary Boulevard from Masonic Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard between Palm Avenue and Parker Avenue;

(G) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor on Noriega Street west of 19th Avenue;



1 (H) on a parcel zoned NC-1 or NC-2 with a commercial use on the  
2 ground floor on Irving Street west of 19th Avenue;

3 (I) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground  
4 floor on Taraval Street west of 19th Avenue;

5 (J) on a parcel zoned NC-1 or NC-2 with a commercial use on the  
6 ground floor on Judah Street west of 19th Avenue;

7 (3) project features ground floor commercial space or other active use as  
8 defined by Section 145.1(b)(2) with clear ceiling heights in excess of ten feet from sidewalk  
9 grade, or in the case of residential uses, such walk-up residential units are raised up from  
10 sidewalk level;

11 (4) said ground floor commercial space, active use, or walk-up residential use is  
12 primarily oriented along a right-of-way wider than 40 feet;

13 (5) said ground floor commercial space or active use occupies at least 50% of  
14 the project's ground floor area; and

15 (6) except for projects located in NCT districts, the project sponsor has  
16 conclusively demonstrated that the additional 5' increment allowed through Section 263.20  
17 would not add new shadow to any public open spaces.

18 (c) One additional foot of height, up to a total of five feet, shall be permitted above the  
19 designated height limit for each additional foot of ground floor clear ceiling height in excess of  
20 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised  
21 above sidewalk grade.

22 \* \* \* (Diagram not shown but not to be deleted.)

23 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL DISTRICTS.**

24 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in  
25 all Neighborhood Commercial Districts subject to the limits set forth below.

1                   (1) **NC-1 and NCT-1 Districts.**

2                   (A) **Window Signs.** The total area of all window signs, as defined in  
3 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
4 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

5                   (B) **Wall Signs.** The area of all wall signs shall not exceed one square  
6 foot per square foot of street frontage occupied by the business measured along the wall to  
7 which the signs are attached, or 50 square feet for each street frontage, whichever is less.  
8 The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is  
9 attached. Such signs may be nonilluminated or indirectly illuminated; or during business  
10 hours, may be directly illuminated.

11                  (C) **Projecting Signs.** The number of projecting signs shall not exceed  
12 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24  
13 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which  
14 it is attached. No part of the sign shall project more than 75 percent of the horizontal distance  
15 from the street property line to the curblineline, or six feet six inches, whichever is less. The sign  
16 may be nonilluminated or indirectly illuminated, or during business hours, may be directly  
17 illuminated.

18                  (D) **Signs on Awnings.** Sign copy may be located on permitted awnings  
19 in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section  
20 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly  
21 illuminated.

22                  (2) **NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,**  
23 **Outer Clement Street, Upper Fillmore Street, Inner Sunset, Haight Street, Hayes-Gough,**  
24 **Upper Market Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street,**  
25 **Sacramento Street, SoMa, Union Street, Valencia Street, 24th Street - Mission, 24th**

1 **Street - Noe Valley, West Portal Avenue, Glen Park, RCD, Folsom Street and**  
2 **Japantown Neighborhood Commercial Districts.**

3 (A) **Window Signs.** The total area of all window signs, as defined in  
4 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
5 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

6 (B) **Wall Signs.** The area of all wall signs shall not exceed two square  
7 feet per foot of street frontage occupied by the use measured along the wall to which the  
8 signs are attached, or 100 square feet for each street frontage, whichever is less. The height  
9 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the  
10 height of the lowest of any residential windowsill on the wall to which the sign is attached,  
11 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

12 (C) **Projecting Signs.** The number of projecting signs shall not exceed  
13 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24  
14 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which  
15 it is attached, or the height of the lowest of any residential windowsill on the wall to which the  
16 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of  
17 the horizontal distance from the street property line to the curblin, or six feet six inches,  
18 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
19 business hours, may be directly illuminated.

20 (D) **Signs on Awnings and Marquees.** Sign copy may be located on  
21 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as  
22 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be  
23 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters  
24 or places of entertainment may be directly illuminated during business hours.

1                                   (E) **Freestanding Signs and Sign Towers.** With the exception of  
2 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one  
3 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the  
4 building or buildings are recessed from the street property line. The existence of a  
5 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
6 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
7 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the  
8 sign shall project more than 75 percent of the horizontal distance from the street property line  
9 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
10 illuminated; or during business hours, may be directly illuminated.

11                                   (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial**  
12 **Districts.**

13                                   (A) **Window Signs.** The total area of all window signs, as defined in  
14 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
15 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

16                                   (B) **Wall Signs.** The area of all wall signs shall not exceed three square  
17 feet per foot of street frontage occupied by the use measured along the wall to which the  
18 signs are attached, or 150 square feet for each street frontage, whichever is less. The height  
19 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the  
20 height of the lowest of any residential windowsill on the wall to which the sign is attached,  
21 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

22                                   (C) **Projecting Signs.** The number of projecting signs shall not exceed  
23 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32  
24 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it  
25 is attached, or the height of the lowest of any residential windowsill on the wall to which the

1 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of  
2 the horizontal distance from the street property line to the curblineline, or six feet six inches,  
3 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

4 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located  
5 on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as  
6 defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be  
7 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters  
8 or places of entertainment may be directly illuminated during business hours.

9 (E) **Freestanding Signs and Sign Towers.** With the exception of  
10 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4) of this  
11 Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign  
12 if the building or buildings are recessed from the street property line. The existence of a  
13 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
14 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
15 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the  
16 sign shall project more than 75 percent of the horizontal distance from the street property line  
17 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
18 illuminated, or during business hours, may be directly illuminated.

19 (4) **Special Standards for Automotive Gas and Service Stations.** For  
20 automotive gas and service stations in Neighborhood Commercial Districts, only the following  
21 signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards  
22 in this Section 607.1.

23 (A) A maximum of two oil company signs, which shall not extend more  
24 than 10 feet above the roofline if attached to a building, or exceed the maximum height  
25 permitted for freestanding signs in the same district if freestanding. The area of any such sign

1 shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or  
 2 signs that are within 10 feet of the street property line shall not exceed 80 square feet in area.  
 3 No such sign shall project more than five feet beyond any street property line. The areas of  
 4 other permanent and temporary signs as covered in Subparagraph (B) below shall not be  
 5 included in the calculation of the areas specified in this Subparagraph.

6 (B) Other permanent and temporary business signs, not to exceed 30  
 7 square feet in area for each such sign or a total of 180 square feet for all such signs on the  
 8 premises. No such sign shall extend above the roofline if attached to a building, or in any case  
 9 project beyond any street property line or building setback line.

10 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

Named Neighborhood Commercial Districts	Section Number
Broadway Neighborhood Commercial District	§ <a href="#">714</a>
Castro Street Neighborhood Commercial District	§ <a href="#">715</a>
Inner Clement Street Neighborhood Commercial District	§ <a href="#">716</a>
Outer Clement Street Neighborhood Commercial District	§ <a href="#">717</a>
Upper Fillmore Street Neighborhood Commercial District	§ <a href="#">718</a>
Haight Street Neighborhood Commercial District	§ <a href="#">719</a>
Upper Market Street Neighborhood Commercial District	§ <a href="#">721</a>
North Beach Neighborhood Commercial District	§ <a href="#">722</a>
Polk Street Neighborhood Commercial District	§ <a href="#">723</a>
Sacramento Street Neighborhood Commercial District	§ <a href="#">724</a>
Union Street Neighborhood Commercial District	§ <a href="#">725</a>
24th Street-Noe Valley Neighborhood Commercial District	§ <a href="#">728</a>
West Portal Avenue Neighborhood Commercial District	§ <a href="#">729</a>

1	Inner Sunset Neighborhood Commercial District	\$ <a href="#">730</a>
2	Glen Park Neighborhood Commercial Transit District	\$ <a href="#">738.1</a>
3	Noriega Street Neighborhood Commercial District	\$ <a href="#">739.1</a>
4	Irving Street Neighborhood Commercial District	\$ <a href="#">740.1</a>
5	Taraval Street Neighborhood Commercial District	\$ <a href="#">741.1</a>
6	Judah Street Neighborhood Commercial District	\$ <a href="#">742.1</a>
7	Folsom Street Neighborhood Commercial Transit District	\$ <a href="#">743.1</a>
8	Regional Commercial District	\$ <a href="#">744.1</a>
9	<i>Japantown Neighborhood Commercial District</i>	\$ <a href="#">747.1</a>

11 Section 4. Sheets ZN02 of the Zoning Map of the City and County of San Francisco  
12 are hereby amended, as follows:

14 <u>Description of Property</u>	14 <u>Use District to be Superseded</u>	14 <u>Use District Hereby Approved</u>
15 All parcels zoned NC-3 16 on Blocks 0700 and 0701; 17 all parcels zoned NC-2 on 18 Blocks 0675, 0676, 0685, and 19 0686	NC-2 and NC-3	Japantown Neighborhood Commercial District

21 Section 5. Effective Date. This Ordinance shall become effective 30 days from the  
22 date of passage.

1 Section 6. In enacting this Ordinance, the Board intends to amend only those words,  
2 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,  
3 or any other constituent part of the Planning Code that are explicitly shown in this legislation  
4 as additions, deletions, Board amendment additions, and Board amendment deletions in  
5 accordance with the "Note" that appears under the official title of the legislation.

6  
7 APPROVED AS TO FORM:  
8 DENNIS J. HERRERA, City Attorney

9  
10 By: \_\_\_\_\_  
11 JUDITH A. BOYAJIAN  
12 Deputy City Attorney



**EXHIBIT B:**

**RESOLUTION TO  
INITIATE THE  
DRAFT ORDINANCE**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Draft Planning Commission Resolution

HEARING DATE: SEPTEMBER 19, 2013

*Project Name:* **Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District**

*Case Number:* 2013.0735TZ

*Initiated by:* Planning Department

*Staff Contact:* Steve Wertheim, Citywide Planning  
steve.wertheim@sfgov.org, 415-558-6612

*Reviewed by:* Joshua Switzky, Acting Chief of Citywide Planning  
joshua.switzky@sfgov.org, 415-575-6815

*Recommendation:* **Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### INITIATING AMENDMENTS TO THE ZONING MAP AND PLANNING CODE TO CREATE A JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

#### PREAMBLE

WHEREAS, on September 19, 2013 the Planning Commission has adopted Resolution No. \_\_\_\_ in support of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS); and

WHEREAS, the JCHESS includes a number of recommendations intended to fulfill the vision that Japantown will thrive as a culturally rich, authentic, and economically vibrant neighborhood, which will serve as the cultural heart of the Japanese and Japanese American communities for generations to come; and

WHEREAS, one of the recommendations of the JCHESS is to create a Japantown Neighborhood Commercial District (NCD) to help reflect the particular characteristics of the neighborhood and community goals; and

WHEREAS, staff has drafted an ordinance amending the Planning Code to create the proposed Japantown NCD ("the Ordinance"), created in collaboration with the Japantown community and as a first step in fulfilling the recommendation and vision of the JCHESS; and

WHEREAS, the proposed Japantown NCD controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses.

WHEREAS, the proposed Ordinance will need review under the California Environmental Quality Act, (“CEQA”) Public Resources Code section 21000 et. seq., and review for consistency with the San Francisco General Plan and the Priority Policies in Planning Code Section 101.1(b), prior to any possible approval by the Commission; and

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Resolution of Intent to Initiate the proposed Ordinance as required by Planning Code Section 302(b), on September 19, 2013; and

WHEREAS, the Commission has reviewed the Resolution of Intent to initiate the proposed Ordinance, and heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and now therefore be it:

**MOVED**, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution of Intent to Initiate amendments to the Planning Code and Zoning Map.

**AND BE IT FURTHER MOVED**, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes staff to initiate review of the proposed Ordinance under the California Environmental Quality Act, and, after appropriate CEQA review, and authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Planning Code and Zoning Map amendments contained in the draft ordinance, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after October 17, 2013.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on September 19, 2013.

Jonas P. Ionin  
Acting Commission Secretary

AYES:

NOES:

ABSENT:

**EXHIBIT C:**

**MAP OF PROPOSED  
DISTRICT**



Japantown Zoning Districts (Existing)



Japantown Zoning Districts (Proposed)

