



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Zoning Map Amendment

HEARING DATE: MAY 3, 2012

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CA 94103-2479

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*Project Name:* Zoning Map Amendments – Washington-Broadway Special Use District 1; Waterfront Special Use District 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets

*Case Number:* 2011.0533Z [Board File No. 11-0577]

*Initiated by:* Supervisor Chiu/ Introduced May 3, 2011

*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6257

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Approval with Modifications**

### ZONING MAP AMENDMENT

This legislation is associated with Board File No. 11-0548, which changes text in the Planning Code associated with the changes to Zoning Map proposed under this legislation.

Amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; 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. Please see the attached maps for specific boundaries.

Under Phases 1, the Commission recommended approval of adding the Embarcadero to the Scenic Street Special Sign District. Phase 2, which is the subject of this staff report, covers the changes to the Washington-Broadway SUD, the Waterfront SUDs and the Broadway Special Sign District. Phase 3, to be heard at a later Commission hearing will cover the proposed elimination of the Van Ness Special Sign District.

### SPECIFIC CHANGES OF PROPOSED MAP CHANGE ORGANIZED BY TOPIC

#### Washington-Broadway Special Use Districts

##### The Way It Is Now:

There are two Washington-Broadway Special Use Districts, which are intended to address special traffic and parking considerations in these areas. Washington-Broadway Special Use District 1 covers portions of Chinatown and contains residential and neighborhood commercial zoning districts. Washington-Broadway Special Use District 2 includes lots that are zoned C-2 Zoning between Columbus Avenue and

Front Street. The only difference between the two districts is that the Washington-Broadway SUD permits Wholesaling as of right.

**The Way It Would Be:**

Please see the attached map for the current boundaries. The proposed Washington-Broadway SUD would be combined into one SUD and only contain lots on the northeast side of Columbus that are zoned C-2 between Washington and Broadway Streets.

The maps provided by staff at the last hearing correctly describe the proposed Ordinance as drafted. The map attached the 2011.0533Z Case Report for the associated Ordinance No. Board File No. 11-0577 illustrates the text description from the Ordinance.

The draft Ordinance states:

“Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following amendments to Sheet SU01 of the Zoning Map of the City and County of San Francisco, duly approved and recommended to the Board of Supervisors by the Planning Commission, are hereby adopted:

**Description of Property to be added to Washington-Broadway Special Use District 1**

Blocks 0165, 0166, 0173, 0174, 0175, 0196, and 0197; all lots zoned C-2 on Blocks 0163, 0164, 0176, and 0195.”

However, it appears the proposed Ordinance was drafted in conflict with the associated legislative digest.

The legislative digest states:

“Consolidate the two Washington-Broadway SUDs into a single district, limited to the C-2 zoned areas between Washington and Broadway Streets.”

It is our understanding that Supervisor Chiu intended to make the change described in the legislative digest not that described in the draft Ordinance.

**Basis for Recommendation:**

The proposed merger would simplify the Code and remove redundant controls by eliminating an SUD and removing parcels located in Chinatown that already have protections provided by the Washington-Broadway SUD.

**Waterfront Special Use Districts**

**The Way It Is Now:**

In 1978, the City established three Waterfront Special Use Districts in order to provide for certain areas with unique natural and man-made physical characteristics, distinct maritime character, special traffic, parking and use considerations, recognized development potential, and proximity to residential, public and commercial areas of regional, national and international significance which should be protected from adverse adjacent development. Please see the attached map for the current boundaries. The Code restricts some automotive uses in these districts like motels and gas stations, and permits other uses such as wholesale establishments.

The General Plan also identifies two subareas of the Northeast Waterfront that overlap with these three SUDs; the Fisherman's Warf Subarea and the Base of Telegraph Hill Subarea.

**The Way It Would Be:**

The proposed legislation would amend Waterfront SUDs 2 and 3 so that they more closely corresponded to the Fisherman's Warf Subarea and the Base of Telegraph Hill Subarea respectively. The intent behind this expressed by the Supervisor's office is to provide more consistency in the policies and objectives outlined in the General Plan and controls identified in the Planning Code for those areas.

The ordinance would also take a few lots north of Broadway that are zoned C-2 and place them within the Waterfront Special Use District 3. All of the other lots zoned C-2 north of Broadway are within the Waterfront Special Use District 3. This change is intended to create consistency between the zoning district and the SUD.

**Basis for Recommendation:**

Per the Port's request, the Department is recommending to the Commission that they recommend against moving lots 0015, 0016, and 0017 from the Waterfront SUD No. 3 to the Waterfront SUD No. 2. The proposed rezoning does not create any substantial changes and would unnecessarily complicate the understanding of how the waterfront design review process relates to Port properties.

However, the Department recommends approve that other portion of the proposed map change that places all lots on Block 0142 and all lots zoned C-2 on Block 0143 into the Waterfront Special Use District 3. This would put all C-2 lots north of Broadway within the Waterfront SUD 3, creating consistency between the zoning district and the SUD.

**Broadway Special Sign District**

**The Way It Is Now:**

Per the Planning Code, the Special Sign District for Illumination on Broadway includes the main commercial frontage of Broadway between west of Columbus Avenue and Osgood Place; however, the Special Sign District Map (SS01) shows that the District extending past Columbus and into Chinatown all the way to Powell Street.

**The Way It Would Be:**

The proposed legislation would amend Map SS01 so that it correctly corresponded with the description of the Sign District in the Code.

**Basis for Recommendation:**

The Department recommends approval of this portion of the proposed ordinance. It appears that the map was not changed when the Code language was changed. This provision in the proposed ordinance would correct an error in the City's zoning map. Please see the associated case report (CASE NO. 2011.0532T "Parking, Awning, Signs, Exposure, Open Space, & LCUs") for a detailed discussion of the impacts of this change upon the Chinatown neighborhood. The associated case report describes the limited to no change for Chinatown should the proposed Ordinance be adopted.

**REQUIRED COMMISSION ACTION**

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval with modifications* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The proposed modifications are as follows:

1. Remove the rezoning of the Waterfront SUD from the proposed Ordinance.

## BASIS FOR RECOMMENDATION

1. Defining two distinct but very duplicative Washington Broadway SUDs is not necessary. The existing underling zoning can accommodate for any differences in land uses. Merging the two districts and removing Chinatown from this SUD, as proposed in the legislative digest, helps to simplify the Planning Code.
2. Moving lots 0015, 0016, and 0017 from the Waterfront SUD No. 3 to the Waterfront SUD No. 2 does not create any substantial changes and would unnecessarily complicate the understanding of how the waterfront design review process relates to Port properties.
3. Correcting the zoning map so that it is consistent with the Planning Code is good governance.

## ENVIRONMENTAL REVIEW

The proposed map changes were determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines).

## PUBLIC COMMENT

The Port of San Francisco contacted the Department about how the proposed project would affect their properties. The Port has concerns about how some of the proposed amendments would apply to land under the jurisdiction of the Port Commission, especially in the context of the Port Commission's duties and responsibilities under the San Francisco Charter and Burton Act. The Burton Act is the state legislation which promulgated the transfer of former State tidelands to the City and County of San Francisco. A copy of the Ports letter that addresses these concerns is attached to this report.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval with Modification</b>
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### Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Existing Conditions Map
- Exhibit C: Proposed Conditions Map. *Please note that this map has NOT yet been revised to reflect the boundaries of the proposed Washington-Broadway SUD as described in the Legislative Digest.*
- Exhibit D: Revised map showing the boundaries of the proposed Washington-Broadway SUD as described in the Legislative Digest.

Exhibit E: The draft Ordinance was originally distributed to the Commission on October 13, 2011 date for October 20 hearing. The public may view the proposed Ordinance online at: <http://commissions.sfplanning.org/cpcpackets/2011.0533Z.pdf>



# SAN FRANCISCO PLANNING DEPARTMENT

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## Draft Planning Commission Resolution

HEARING DATE: MAY 3, 2012

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*Project Name:* **Zoning Map Amendments – Washington-Broadway Special Use District 1; Waterfront Special Use District 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets**

*Case Number:* 2011.0533Z [Board File No. 11-0547]

*Initiated by:* Supervisor Chiu / Introduced May 3, 2011

*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Recommend Approval with Modifications**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD AMEND SHEETS SU01, SS01, AND SS02 OF THE SAN FRANCISCO ZONING MAP TO: 1) ADD BLOCKS AND LOTS TO THE WASHINGTON-BROADWAY SPECIAL USE DISTRICT 1; 2) ADD BLOCKS TO THE WATERFRONT SPECIAL USE DISTRICT 2; 3) DELETE BLOCKS AND ADD LOTS TO THE WATERFRONT SPECIAL USE DISTRICT 3; 4) MAKE THE BOUNDARIES OF THE SPECIAL DISTRICT FOR SIGN ILLUMINATION ON BROADWAY CO-EXTENSIVE WITH THE BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT; 5) DELETE THE VAN NESS SPECIAL DISTRICT FOR SIGN ILLUMINATION; AND 6) ADD THE EMBARCADERO FROM TAYLOR STREET TO SECOND STREET TO THE SPECIAL DISTRICT FOR SCENIC STREETS; 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.

### PREAMBLE

Whereas, on May 3, 2011, Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-0547 which would amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; 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 ; and

Whereas, on December 15, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance: proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas on March 1, 2012, the Planning Commission considered a portion of the proposed Ordinance herein referred to as "Phase One", covering the subject area of the Embarcadero Scenic Street Sign District; and

Whereas, at the March 1, 2012 hearing, the Commission recommended approval with modifications of Phase One in Resolution Number 18554; and

Whereas, at this same hearing the Commission the Commission requested that the next hearing consider the "Phase Two" topics of the same proposed Ordinance including the topics of changes to the Washington Broadway and Waterfront SUDs and the Van Ness Special Sign District for Illumination, and the Special District for Sign Illumination on Broadway; and

Whereas, the May 3, 2012 hearing is to consider the topics described as "Phase Two"; and

Whereas at the May 3, 2012 hearing, the proposed changes to the Van Ness Special Sign District were continued to a later hearing to be heard as Phase 3 of the proposed ordinance; and

Whereas, the proposed map changes were determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the Commission has 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 the applicant, 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

Whereas, the Commission has reviewed the proposed Ordinance; and

**MOVED**, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the proposed ordinance. Specifically, the Commission recommends the following modifications:

1. Do not move lots 0015, 0016, and 0017 from the Waterfront SUD No. 3 to the Waterfront SUD No. 2

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Having two Washington Broadway SUDs is not necessary, as the existing underlying zoning can accommodate for any differences in land uses. Merging the two helps to simplify the Planning Code.
2. Moving lots 0015, 0016, and 0017 from the Waterfront SUD No. 3 to the Waterfront SUD No. 2 does not create any substantial changes and would unnecessarily complicate the understanding of how the waterfront design review process relates to Port properties.
3. Correcting the zoning map so that it is consistent with the Planning Code is good governance.
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:
  - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:  
  
*As amended, Phase 2 of the proposed Ordinance will not have a negative impact on neighborhood-serving retail.*
  - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:  
  
*As amended, Phase 2 of the proposed Ordinance would have no impact on existing housing and neighborhood character.*
  - C) The City's supply of affordable housing will be preserved and enhanced:  
  
*As amended, Phase 2 of the proposed Ordinance will have no adverse effect on the City's supply of affordable housing.*
  - D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:
5. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

*As amended, Phase 2 of the proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*As amended, Phase 2 of the proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*Landmarks and historic buildings would be unaffected by the proposed legislation.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would not be negatively impacted by the proposed legislation.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 3, 2012

Linda Avery  
Commission Secretary

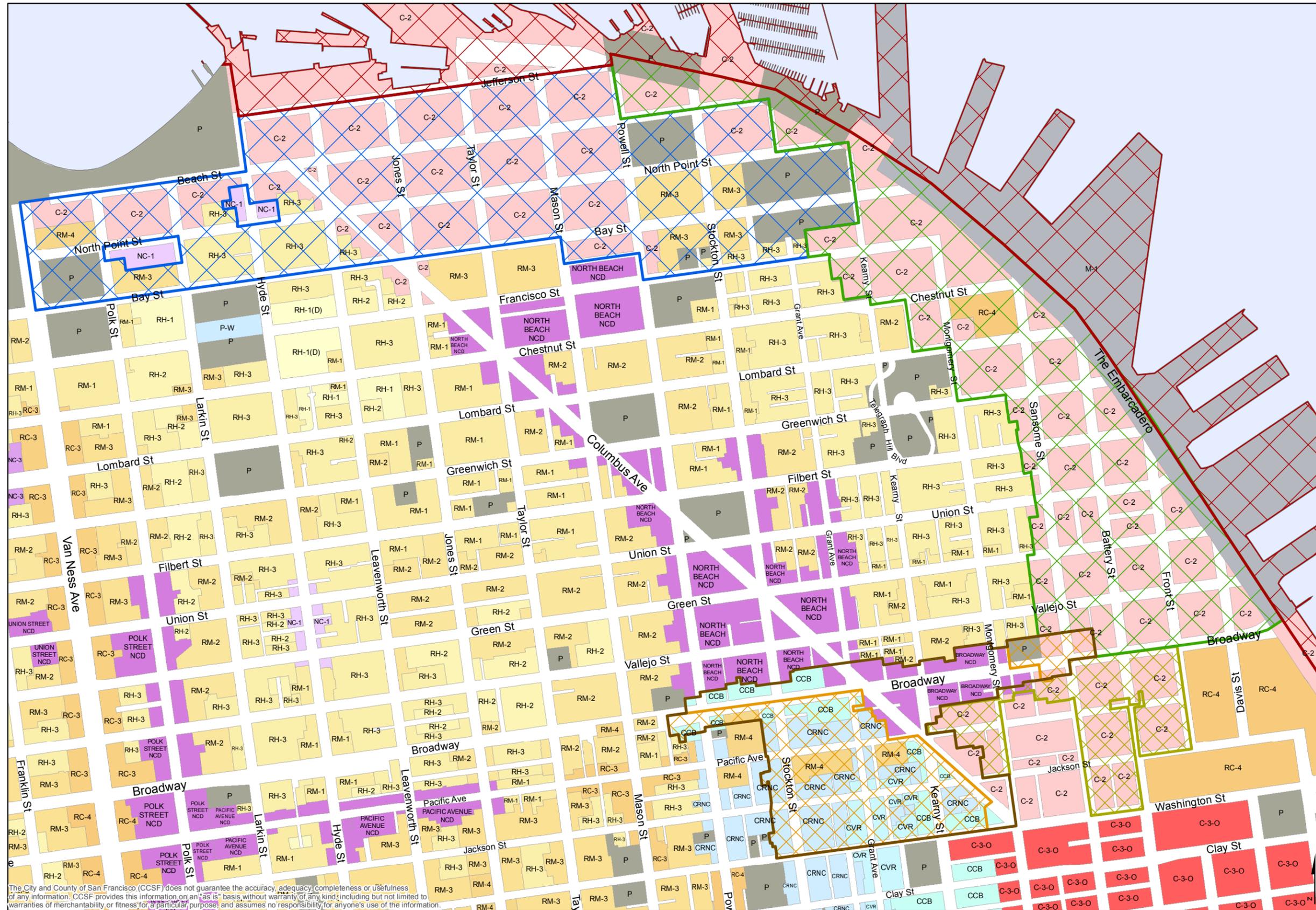
AYES:

NAYS:

ABSENT:

ADOPTED: May 3, 2012

# Existing Conditions



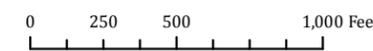
**Special Sign Districts:**  
 [Orange outline] Broadway Special Sign District

**Special Use Districts:**  
 [Orange cross-hatch] Washington Broadway SUD1  
 [Green cross-hatch] Washington Broadway SUD2  
 [Red cross-hatch] Waterfront SUD1  
 [Blue cross-hatch] Waterfront SUD2  
 [Green cross-hatch] Waterfront SUD3

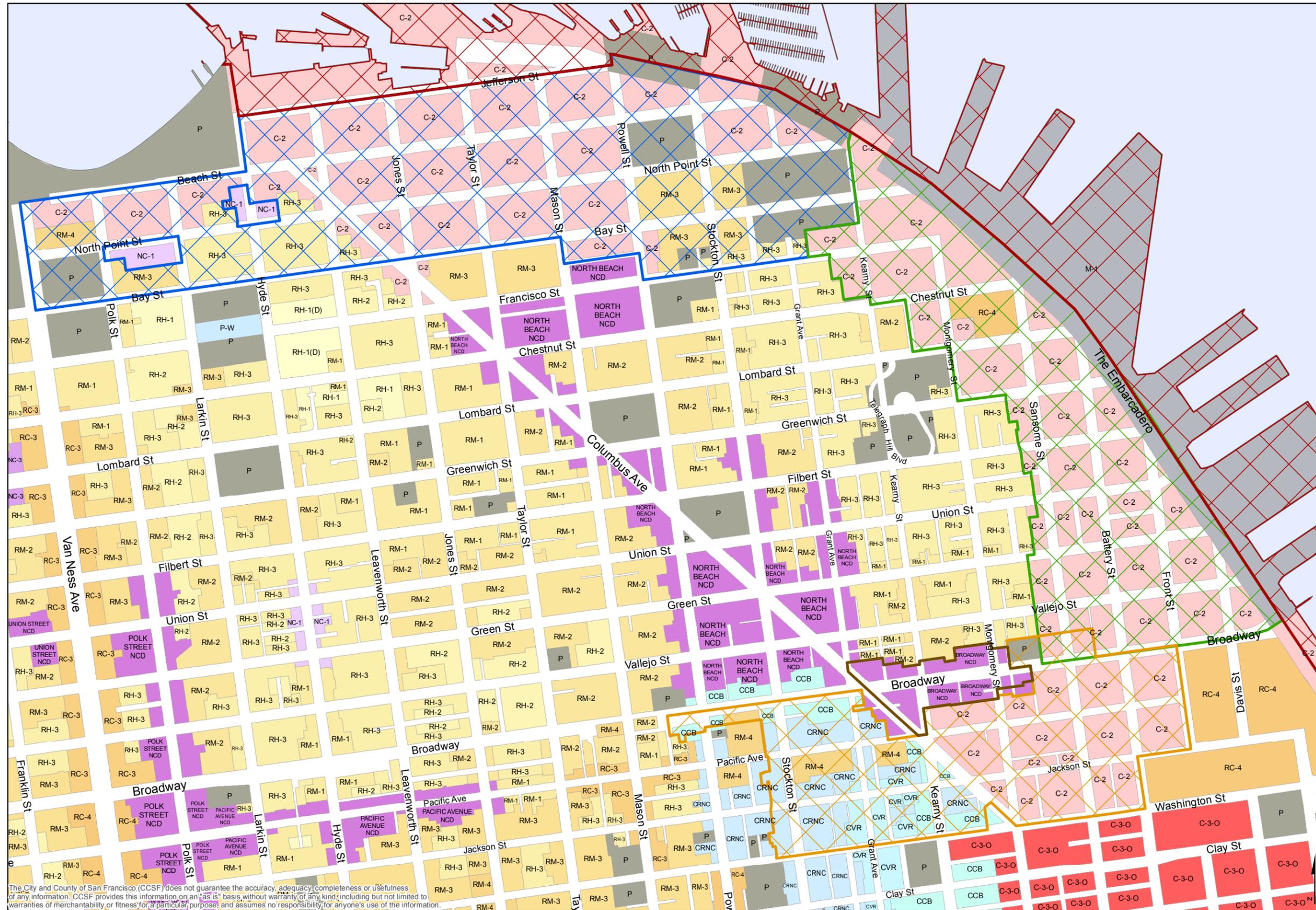
**Zoning Districts:**

[Dark Grey]	P	Public
[Light Blue]	P-W	Public (water)
[Light Yellow]	RH-1(D)	One Unit per Lot, Detached
[Yellow]	RH-1	One Unit per Lot
[Light Green]	RH-2	Two Units per Lot
[Light Orange]	RH-3	Three Units per Lot
[Light Yellow-Orange]	RM-1	Low Density (1 Unit per 800 sf)
[Yellow-Orange]	RM-2	Moderate Density (1 Unit per 600 sf)
[Orange]	RM-3	Medium Density (1 Unit per 400 sf)
[Dark Orange]	RM-4	High Density (1 Unit per 200 sf)
[Red-Orange]	RC-3	Medium Density (1 Unit per 400 sf)
[Red]	RC-4	High Density (1 Unit per 200 sf)
[Light Purple]	NC-1	Cluster (1 Commercial Story)
[Dark Purple]	NC-3	Moderate-Scale (3+ Commercial Stories)
[Purple]	NCD	Individual (Named, Controls Vary)
[Light Blue-White]	CRNC	Residential / Neighborhood Commercial
[Light Cyan]	CVR	Visitor Retail
[Cyan]	CCB	Community Business
[Pink]	C-2	Community Business
[Red]	C-3-0	Downtown Office
[Grey]	M-1	Light Industrial

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# Proposed Conditions



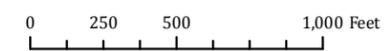
**Special Sign Districts:**  
 Broadway Special Sign District

**Special Use Districts:**  
 Washington Broadway SUD  
 Waterfront SUD1  
 Waterfront SUD2  
 Waterfront SUD3

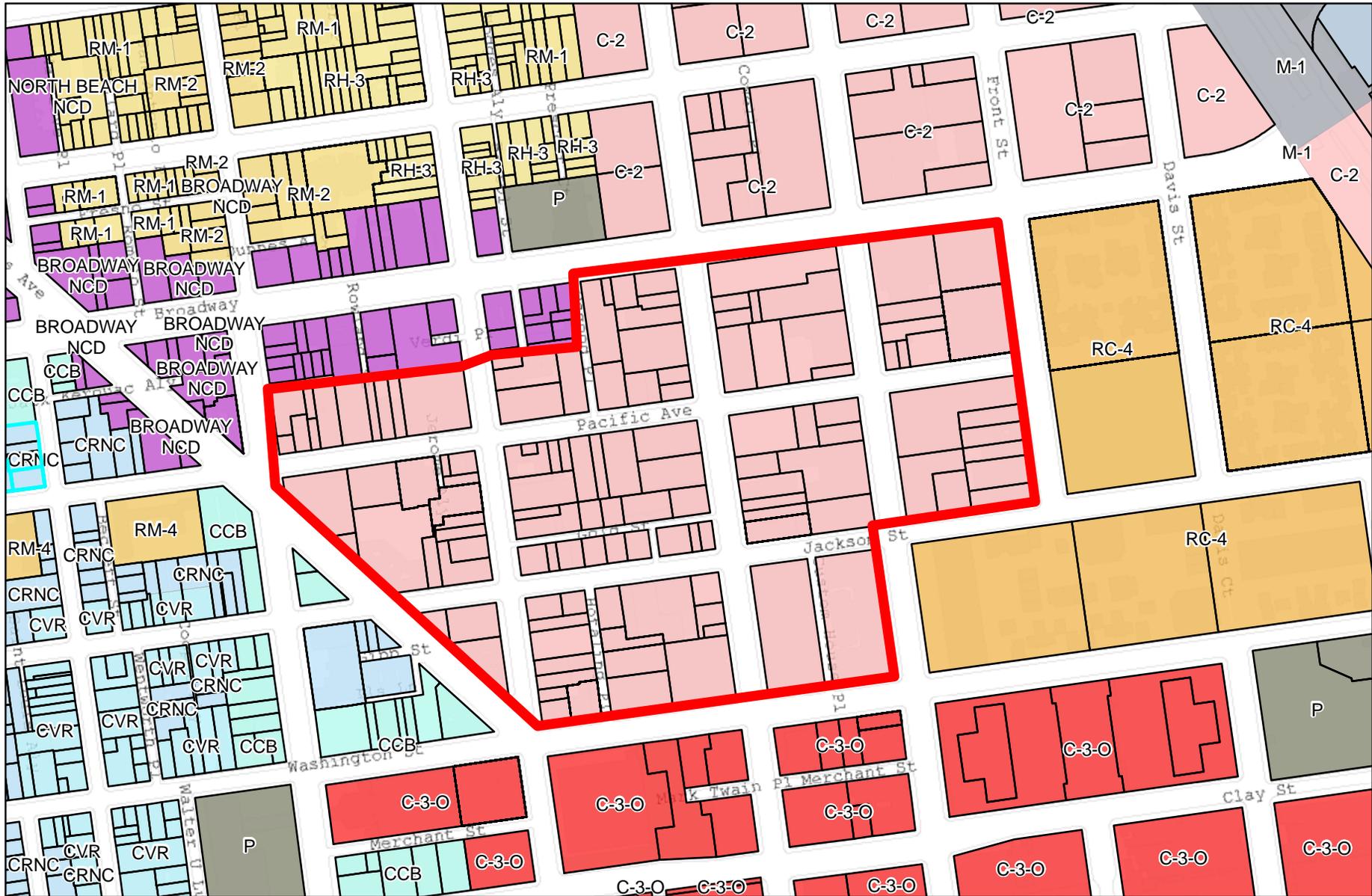
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	RH-2	Two Units per Lot
	RH-3	Three Units per Lot
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	RC-4	High Density (1 Unit per 200 sf)
	NC-1	Cluster (1 Commercial Story)
	NC-3	Moderate-Scale (3+ Commercial Stories)
	NCD	Individual (Named, Controls Vary)
	CRNC	Residential / Neighborhood Commercial
	CVR	Visitor Retail
	CCB	Community Business
	C-2	Community Business
	C-3-0	Downtown Office
	M-1	Light Industrial

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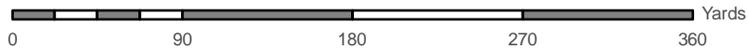


# Proposed Washington-Broadway SUD Per Legislative Digest



 Proposed Washington Broadway SUD Outline

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