

FILE NO. 001759

ORDINANCE NO. 293-00

[Planning Code Amendments]

Ordinance Amending Part II, Chapter II Of The San Francisco Municipal Code (Planning Code) By Adding Section 249.21 To Establish The California Street And Presidio Avenue – Community Center Special Use District, And Adopting Findings.

Note: This entire section is new.

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

Section 1. Part II, Chapter II, Article 2 of San Francisco Municipal Code (Planning Code) is hereby amended to add new Section 249.21 to read as follows:

Section 249.21

California Street and Presidio Avenue –
Community Center Special Use District

A Special Use District entitled the "California Street and Presidio Avenue – Community Center Special Use District (also referred to as the "California – Presidio Special Use District") the boundaries of which are shown on Section Map No. 3SU of the Zoning Map, is hereby established for the purposes set forth below.

(a) Purposes. To provide for the development of a Community Facility or Other Institution, Large, on a site that is currently split-zoned, which will serve both the immediate neighborhood and the larger San Francisco community, with related educational, cultural, social and recreational uses, including, but not limited to, retail sales, eating and drinking facilities and parking.

(b) Controls. All provisions of the Planning Code currently applicable to the RM-1 District and Sacramento Street Neighborhood Commercial District ("Sacramento NCD") portions of the California – Presidio Special Use District shall continue to apply to those portions of the site, except as otherwise provided in this Section 249.21.

Supervisors
KAUFMAN, AMMIANO, BECCERIL, BROWN, KATZ, LENO, NEWSOM, TENG, YAKI , Yee
BOARD OF SUPERVISORS

1 (1) Principal Permitted Uses. The following uses (including, without limitation, all
2 uses which are principal permitted uses in RM-1 and Sacramento NCD Districts) shall be
3 permitted as principal uses in this Special Use District:

4 Community Facility or Other Institutions, Large, which may include, but are not limited
5 to, theatre, auditorium, performance, and meeting space, classrooms, art activities, including
6 but not limited to, dance and music studios, health club, fitness center and related uses,
7 including, but not limited to, aerobics and cardiovascular areas, gymnasium, pools, spa and
8 other uses incidental thereto, social services, youth and day camp, teen programs, eating and
9 drinking uses (as defined in Section 790.34 of this Code, with the exception of large fast-food
10 restaurants as defined in Section 790.90 of this Code), other entertainment uses (as defined
11 in Section 790.38 of this Code), on-site catering, child care, retail, roof top recreation
12 (including, but not limited to, basketball courts, play structures and other related uses), rooftop
13 garden and parking. Such uses shall not be limited by story and may serve both the
14 immediate neighborhood and the larger San Francisco community. The permitted hours of
15 operation of commercial establishments shall be from 5 a.m. to 12 a.m.; any extended hours
16 will require conditional use authorization pursuant to subsection (b)(2) hereunder.

17 (2) Conditional Uses. The Planning Commission may authorize the following
18 uses within the California – Presidio Special Use District as a conditional use in accordance
19 with the requirements of Section 303 of this Code:

20 (i) Any principally permitted use under Subsection (b)(1) above where
21 the total floor area exceeds 130,000 gross square feet of floor area, excluding all parking and
22 loading areas, including driveways and maneuvering areas incidental thereto, located entirely
23 below curb level at the center line of the building along its California Street frontage.

24 (ii) Any use not authorized as a principal permitted use in Subsection
25 (b)(1) which is allowed as a conditional use in either the RM-1 or Sacramento NCD Districts.

1 (3) Conditional Use and Architectural Design Review by Planning

2 Commission. Any application for any new structure, or significant enlargement of any existing
3 structure to house a use permitted within the California – Presidio Special Use District shall be
4 subject to conditional use review and approval by the Planning Commission in accordance
5 with the requirements in this subsection (b)(3). The Planning Commission shall approve such
6 application if it finds that the proposed project:

7 (i) Meets the height, bulk, floor area limitation, parking standards and other
8 standards or requirements of the California – Presidio Special Use District set forth below,

9 (ii) Is consistent with the Priority Policies set forth in Planning Code Section
10 101.1, and

11 (iii) With respect to the architectural design that: (a) the mass and facade of
12 the proposed structure are compatible with the existing scale of the underlying RM-1 and
13 Sacramento NCD Districts, (b) the facade of the proposed structure is compatible with design
14 features of other non-residential facades and contributes to the positive visual quality of the
15 underlying RM-1 and Sacramento NCD Districts, (c) the treatment of screening, service areas,
16 lighting and general signage program is compatible with non-residential buildings in the area
17 or with the design and purposes of the proposed project, and (d) the building is designed in
18 discrete elements which respect the scale of development in the neighborhood.

19 The criteria in this Subsection (b)(3) shall be in lieu of the criteria set forth in Sections
20 303(c), Section 121.1 (Development of Large Lots, Neighborhood Commercial Districts) and
21 Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts) and
22 Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in
23 R Districts) of this Code. In making determinations on applications for conditional use
24 authorization within the California – Presidio Special Use District, the Planning Commission
25

1 shall consider the purposes set forth in Subsection (a) above, in addition to any other criteria
2 to be applied hereunder.

3 (4) Floor Area Ratio. The floor area ratio limit shall be 2.5 to 1, provided,
4 however, that the limit shall not apply to floor area used for off-street parking and loading and
5 for driveways and maneuvering areas incidental thereto, where such parking and loading is
6 located entirely below curb level as measured from the property line at the center point of the
7 building along its California Street frontage.

8 (5) Height and Bulk Restrictions. The applicable Height and Bulk for this
9 Special Use District shall be 65-X.

10 (6) Required Setbacks – Site Coverage. The provisions of Sections 132,
11 134, and 136 of this Code governing setbacks shall not apply.

12 (7) Parking. The off-street parking requirement may be modified by the
13 Planning Commission pursuant to the procedures for granting conditional use authorization
14 set forth in Section 303 of this Code. In acting upon any application for a modification of
15 parking requirements the Planning Commission shall consider the criteria set forth below in
16 lieu of the criteria set forth in Section 303, or elsewhere in the Code, and shall grant the
17 modification if it finds that:

18 (i) Modification of the parking requirement is justified by the
19 reasonable anticipated auto usage by visitors of the project, including, without limitation,
20 taking into consideration appropriate link factors due to multiple uses of programs and
21 facilities, the normal hours of operation of such uses, programs and facilities and other factors
22 applicable to the proposed uses; or

23 (ii) Modification of the parking requirement will not be detrimental to
24 the health, safety, convenience or general welfare of persons residing or working in the
25 vicinity of the project. In making such finding, the Planning Commission may, among other

1 things, take into consideration (A) the proposed project's net effect on parking demand as
2 compared to the parking demand that is not currently being met because of the absence of
3 off-street parking associated with existing uses, and (B) whether the parking proposed for the
4 project will decrease the deficiency that currently exists with respect to the parking that would
5 normally be required under the Planning Code for the existing structures and uses.

6 Notwithstanding any other provisions of the Planning Code, parking may be made
7 available to nearby residents, businesses and the general public for use as short-term or
8 evening parking when not utilized by the uses authorized hereunder to which such parking is
9 otherwise accessory.

10 (8) Demolitions. The demolition of all buildings in this California – Presidio
11 Special Use District containing residential uses shall be authorized pursuant to the procedures
12 for granting authorization set forth in Section 303 of this Code, provided that the notice and
13 relocation assistance provisions of Chapter 37 of the San Francisco Administrative Code (the
14 San Francisco Residential Rent Stabilization and Arbitration Ordinance) are met. In
15 considering whether to grant a conditional use permit for demolition, in lieu of the criteria set
16 forth in Section 303, consideration shall be given to: (i) the purposes of this California –
17 Presidio Special Use District set forth in Subsection (a), above; (ii) the adverse impact on the
18 public health, safety and welfare due to the loss of existing housing stock in the underlying
19 RM-1 and Sacramento NCD Districts, and (iii) the hardship to the applicant if the permit is
20 denied or a particular mitigation or condition is required.

21 Conditional Use authorization for demolition of the building at 3272 California Street
22 shall be subject to such conditions, if any, as the Planning Commission may reasonably
23 require.

1 (9) Signs. Except as provided herein, signage shall be regulated as provided
2 in Article 6 of this Code, subject to review in accordance with the criteria set forth in
3 Subsection (b)(3) herein.

4 (i) Signs for Businesses or Other Authorized Uses.

5 A. Window Signs. Window signs shall be permitted. The total
6 area of all window signs shall not exceed 1/3 the area of the window on or in which the signs
7 are located. Such signs may be non-illuminated, indirectly illuminated or directly illuminated.

8 B. Wall Signs. One wall sign per business or authorized use
9 which fronts and opens on the street is permitted, provided that for a business or authorized
10 use located at the street intersection that fronts on two streets two wall signs shall be
11 permitted. The area of a wall sign shall not exceed 50 square feet and the height of the wall
12 sign shall not exceed 20 feet. The wall sign may be non-illuminated, indirectly illuminated or
13 directly illuminated.

14 C. Projecting Signs. One projecting sign per business or
15 authorized use that fronts and opens on the street is permitted, provided that for a business or
16 use located at the street intersection that fronts on two streets two signs shall be permitted. In
17 no case shall more than five such projecting signs be permitted within this California –
18 Presidio Special Use District. The area of the projecting signs shall not exceed 32 square feet
19 and the height shall not exceed 30 feet. Projecting signs may be non-illuminated, indirectly
20 illuminated, or directly illuminated.

21 D. Signs on Awnings. One awning or marquee per business or
22 authorized use which fronts and opens on the street shall be permitted, provided that for a
23 business or use located at a street intersection which fronts on two streets two awnings or
24 marquees may be permitted. The area of the sign copy on such marquee shall not exceed 40
25 square feet and may be non-illuminated or indirectly illuminated.

1 Only one wall sign, awning sign, or projecting sign as described in this Subsection is
2 permitted for each business or authorized use fronting on a street, provided that for a
3 business or use at the intersection fronting on two streets, any two of such signs is permitted.

4 (ii) Projecting Signs (Banner Type). Up to four banner-type projecting
5 signs adjacent to the main entrance are permitted. The area of these projecting signs shall
6 not exceed 32 square feet and the height shall not exceed 50 feet. Such signs shall be non-
7 illuminated or indirectly illuminated non-fluttering fixed banner types (principally used to
8 celebrate holidays or announce events).

9 (iii) Identifying Sign. One project name identifying sign above the main
10 entrance to the building shall be permitted and the area of the identifying sign shall not exceed
11 200 square feet and 40 feet in height. The identifying sign may be non-illuminated or
12 indirectly illuminated.

13 (iv) Directly Illuminated Wall Sign. A directly illuminated digitally
14 programmable sign or signs attached to the building facade at or around the corner of the
15 building at California Street and Presidio Avenue to display announcements about community
16 center events, programs and related matters consistent with the purposes and uses of the
17 project is permitted.

18 Unless otherwise provided, signs described in this Section shall not exceed 100 square
19 feet.

20 Section 2. Findings.

21 Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
22 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
23 Planning Commission Resolution No. 16029 and Resolution No. 16030, and incorporates
24 such reasons by this reference thereto.

1 The Board of Supervisors finds that this ordinance is in conformity with the Priority
2 Policies of Section 101.1(b) of the Planning Code and the General Plan and hereby adopts
3 the findings of the Planning Commission, as set forth in Planning Commission Resolution No.
4 16029, and incorporates said findings by this reference thereto.

5 On November 9, 2000, by Motion No. 16027, the Planning Commission certified the
6 Final Environmental Impact Report as adequate and complete.

7 In Resolution No. 16029, the Planning Commission recommended these amendments
8 to the Planning Code.

9 In Resolution No. 1027-00, this Board of Supervisors affirmed the Planning
10 Commission's certification of the Final Environmental Impact Report as adequate and
11 complete and adopted findings in connection with its consideration of these Planning Code
12 Amendments under the California Environmental Quality Act ("CEQA"), the State CEQA
13 Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain
14 findings in connection therewith, and adopted a mitigation monitoring program, which findings
15 and programs are hereby incorporated by reference as if fully set forth herein.

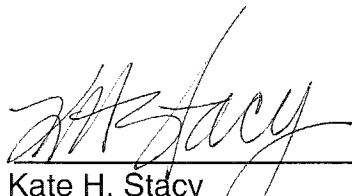
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17 APPROVED AS TO FORM:

RECOMMENDED:

18 Louise H. Renne
19 City Attorney


PLANNING COMMISSION

20
21
22 By:



Kate H. Stacy
Deputy City Attorney

By:



Gerald Green
Director of Planning



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 001759

Date Passed:

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by adding Section 249.21 to establish the California Street and Presidio Avenue-Community Center Special Use District, and adopting findings.

December 4, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

December 11, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

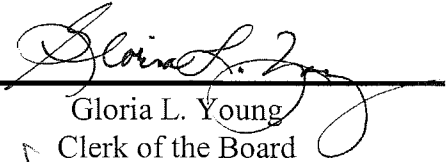
Absent: 1 - Becerril

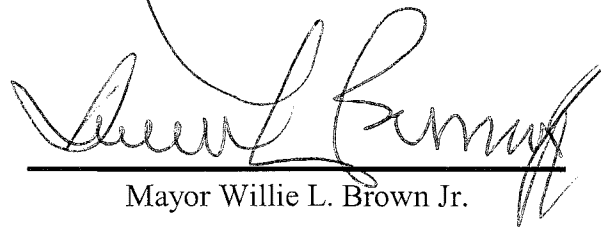
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I hereby certify that the foregoing Ordinance was FINALLY PASSED on December 11, 2000 by the Board of Supervisors of the City and County of San Francisco.

DEC 22 2000

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.