[Increasing height exemption for elevator penthouses from 10 feet to 16 feet.]

Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Note: Additions are single-underline italics Times New Roman; deletions are strikethrough italics Times New Roman. Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

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

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and determines that:

(a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this ordinance will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 17047 recommending approval of this Planning Code Amendment, and incorporates such reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 050496.

(b) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and

SUPERVISOR ALIOTO-PIER
BOARD OF SUPERVISORS
with the General Plan and hereby adopts the findings of the Planning Commission, as set forth in Planning Commission Resolution No. 7074, and incorporates said findings by this reference thereto.

(c) This Board of Supervisors further finds that this ordinance, by making it easier to construct elevators which are able to serve rooftops, will help ensure compliance with the accessibility provisions of the San Francisco Building Code which, for instance, require that common-use areas in multi-family dwellings and recreational facilities in publicly funded housing be accessible to persons with disabilities.

Section 2. The San Francisco Planning Code is hereby amended by amending Section 260, to read as follows:

SEC. 260. HEIGHT LIMITS: MEASUREMENT.

(a) Method of Measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

(1) The point above which such measurements shall be taken shall be as specified in the definition of “height” in this Code.

(2) The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form, or any higher point of a feature not exempted under Subsection (b) below.

(3) In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level,
according to the definition of "height," as specified in the following table. These requirements
shall not apply to any property to which the bulk limitations in Section 270 of this Code are
applicable.

TABLE 260

HEIGHT MEASUREMENT ON LATERAL SLOPES WHERE HEIGHT LIMIT IS 65
FEET OR LESS

Average Slope of Curb or Ground From Which Height is Measured  Maximum Width for
Portion of Building that May Be Measured from a Single Point

<table>
<thead>
<tr>
<th>Average Slope of Curb or Ground</th>
<th>Maximum Width for Portion of Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 percent or less</td>
<td>No requirement</td>
</tr>
<tr>
<td>More than 5 percent but no more than 15 percent</td>
<td>65 feet</td>
</tr>
<tr>
<td>More than 15 percent but no more than 20 percent</td>
<td>55 feet</td>
</tr>
<tr>
<td>More than 20 percent but no more than 25 percent</td>
<td>45 feet</td>
</tr>
<tr>
<td>More than 25 percent</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

(b) Exemptions. In addition to other height exceptions permitted by this Code, the
features listed in this Subsection shall be exempt from the height limits established by this
Code, in an amount up to but not exceeding that which is specified.

(1) The following features shall be exempt; provided the limitations indicated for
each are observed; provided further that the sum of the horizontal areas of all features listed
in this Paragraph (b)(1) shall not exceed 20 percent of the horizontal area of the roof above which they are situated, or, in C-3 Districts, and in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and provided further that in any R, RC-1, RC-2, RC-3 or RC-4 District the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)(1) may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

(A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window-washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet. **However, for elevator penthouses, the exemption shall be limited to the top 16 feet**
regardless of the height limit of the building, and limited to the footprint of the elevator shaft, regardless of the height limit of the building. The design of all elevator penthouses in Residential districts shall be consistent with the “Residential Design Guidelines” as adopted and periodically amended for specific areas or conditions by the City Planning Commission.

The Zoning Administrator may, after conducting a public hearing, grant a further height exemption for an elevator penthouse for a building with a height limit of more than 65 feet but only to the extent that the Zoning Administrator determines that such an exemption is required to meet state or federal laws or regulations. All requests for height exemptions for elevator penthouses located in Residential or Neighborhood Commercial districts shall be subject to the neighborhood notification requirements of Sections 311 and 312 of this Code.

(C) Stage and scenery lofts.

(D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

(E) In any C-3 District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(F) In any C-3 or South of Market District, additional building volume used to enclose or screen from view the features listed under Subsections (b)(1)(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed 20 feet in height, measured as provided in Subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to ¾ of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times 20.
In any C-3 District, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross-section and 18 feet in diagonal dimension.

In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under Subsections (b)(1)(A) and (b)(1)(B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed 20 feet in height, measured as provided in Subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to ¾ of the horizontal area of all upper tower roof areas of the building measured times 20.

In the Van Ness Special Use District, additional building volume used to enclose or screen from view the features listed under Subsections (b)(1)(A) and (b)(1)(B) above and to provide additional visual interest to the roof of the structure. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this Subsection, but shall meet the requirements of Section 141 and shall not exceed 10 feet in height where the height limit is 65 feet or less or 16 feet where the height limit is more than 65 feet, measured as provided in Subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to ¾ of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt
features times 10 where the height limit is 65 feet or less or times 16 where the height limit is more than 65 feet.

(K) In the Northeast China Basin Special Use District, light standards for the purpose of lighting the ballpark.

(L) In the Candlestick Point Special Use District, light standards for the purpose of lighting the stadium, scoreboards associated with the stadium, and flagpoles and other ornamentation associated with the stadium.

(2) The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed:

(A) Railings, parapets and catwalks, with a maximum height of four feet.

(B) Open railings, catwalks and fire escapes required by law, wherever situated.

(C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.

(D) Unenclosed seating areas limited to tables, chairs and benches, and related windscreens, lattices and sunshades with a maximum height of 10 feet.

(E) Landscaping, with a maximum height of four feet for all features other than plant materials.

(F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.

(G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.

(H) Flagpoles and flags, clothes poles and clotheslines, and weathervanes.
(I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television or other electronic signals, where permitted as principal or conditional uses, subject to the limitations of Subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.

(J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

(K) Public monuments owned by government agencies.

(L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.

(M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by this Code.

(N) Buildings, structures and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

(O) Additional building height, up to a height of five feet above the otherwise applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work units located within a South of Market District.

(P) Enclosed recreational facilities up to a height of 10 feet above the otherwise applicable height limit when located within both an SSO District and a 65-U height and bulk district and when authorized by the City Planning Commission as a conditional use pursuant
to Sections 303 and 316 of this Code, provided that the project is designed in such a way as
to reduce the apparent mass of the structure above a base 50 foot building height.

(Q) Historic signs within an historic sign district permitted pursuant to Sections 302,
303 and 608.14 of this Code.

Section 3. The Planning Department concluded environmental review of this ordinance
pursuant to the California Environmental Quality Act. Documentation of that review is on file
with the Clerk of the Board of Supervisors in File No. 050496.

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

By: Sarah Ellen Owsovitz
Deputy City Attorney
Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

November 15, 2005  Board of Supervisors — PASSED ON FIRST READING
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

November 22, 2005  Board of Supervisors — FINALLY PASSED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
I hereby certify that the foregoing Ordinance was FINALLY PASSED on November 22, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom