Ordinance amending the Planning Code by abolishing a nine-foot legislated setback on the west side of 19th Avenue between Quintara Street and Rivera Street, and revising the Zoning Map to rezone from RH-1 (Residential, House; One-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 031 (1021 Quintara Street), and to rezone from RH-2 (Residential, House; Two-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 001 (located at the intersection of 19th Avenue and Quintara Street), Lot No. 033 (2121-19th Avenue), Lot No. 034 (2145-19th Avenue), and Lot No. 037 (2115-19th Avenue); adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
Supervisors in File No. 180389 and is incorporated herein by reference. The Board affirms this determination.

(b) On July 26, 2018, in Resolution No. 20245, the Planning Commission determined that the actions contemplated in this ordinance are consistent, on balance, with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board of Supervisors adopts this determination as its own. The Planning Commission Resolution is on file with the Clerk of the Board of Supervisors in File No. 180389 and is incorporated herein by reference.

(c) On July 26, 2018, in Resolution No. 20245, the Planning Commission adopted findings under Planning Code Section 302 determining that this ordinance serves the public necessity, convenience, and general welfare. The Board of Supervisors adopts these findings as its own.

Section 2. Findings Regarding Legislated Setback Line and Zoning Map Amendments.

(a) Consistent with former Article 4 of the Planning Code, which was superseded in October 1978 pursuant to Ordinance No. 443-78, Section 131 of the current Planning Code acknowledges certain City street frontages are subject to legislated setback lines that have been established by ordinance or resolution pursuant to former Article 4 of the Planning Code and earlier provisions of law. Ordinance No. 443-78 expressly continued the effectiveness of certain legislated setbacks as regulations of the Planning Code, including a legislated setback line running from north to south along a portion of the west side of 19th Avenue, between Quintara Street and Rivera Street (as described herein, the “Nine-Foot Legislated Setback Line”). The setback area begins at the eastern boundary of Assessor’s Block 2198 (the western boundary of 19th Avenue) and extends nine feet westward. From north to south, the Nine-Foot Legislated Setback Line begins at the northern boundary of Assessor’s Block No.
2198, Lot No. 001; extends to the south through Assessor’s Parcel Block No. 2198 through
Assessor’s Block No. 2198, Lot Nos. 001, 037, 033, 034, and 007; and ends at the southern
boundary of Assessor’s Block No. 2198, Lot No. 008.

(b) Abolition of the Nine-Foot Legislated Setback Line could facilitate transit-oriented
housing and development at a density greater than what would be permissible with the Nine-
Foot Legislated Setback Line in effect. Currently, many San Francisco neighborhoods are not
subject to legislated front yard setbacks. In the Sunset District, legislated front yard setbacks
apply primarily to small scale residential streets. Generally, front yard setbacks are imposed
to enhance the pedestrian frontage of the street, however, front yard setbacks are not
essential to enhancement of the pedestrian frontage. There are many provisions within the
Residential Design Guidelines that encourage the use of landscaping with or without a front
yard setback. The application of front yard setbacks along the west side of 19th Avenue is an
anomaly because 19th Avenue is a major transportation corridor with a variety of land uses,
including multifamily housing and commercial uses. Furthermore, the front yard setback is
applied unevenly on 19th Avenue between Quintara Street and Rivera Street. On the west
side of 19th Avenue between Quintara Street and Rivera Street, three different front yard
setbacks apply (nine-foot, six-foot, and three-foot setbacks), while there are no front yard
setbacks on the east side of 19th Avenue. The Nine-Foot Legislated Setback Line is
unnecessary, and its abolition would serve the public necessity, convenience, and general
welfare.

(c) Policy 13.1 of the General Plan Housing Element “[s]upport[s] ‘smart’ regional
growth that locates new housing close to jobs and transit,” and Policy 13.3 of the General
Plan “[p]romote[s] sustainable land use patterns that integrate housing with transportation in
order to increase transit, pedestrian, and bicycle mode share.” These policies support the
rezoning of parcels along 19th Avenue between Quintara Street and Rivera Street, an arterial
street served by public transit, to enable mixed-use residential development at a density level
greater than the density allowed in the RH-1 and RH-2 Districts.

Section 4. Abolition of Legislated Setback Line. The Planning Code is hereby
amended by abolishing the Nine-Foot Legislated Setback Line referenced in Section 2 of this
ordinance.

Section 5. Amendment of Zoning Map. The Planning Code is hereby amended by
revising Sheet ZN05 of the Zoning Map as follows:

<table>
<thead>
<tr>
<th>Description of Property</th>
<th>Use District To Be Superseded</th>
<th>Use District Hereby Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 2198, Lot 001 (intersection of 19th Avenue and Quintara Street at southwest corner)</td>
<td>RH-2</td>
<td>RM-2</td>
</tr>
<tr>
<td>Block 2198, Lot 031 (1021 Quintara Street)</td>
<td>RH-1</td>
<td>RM-2</td>
</tr>
<tr>
<td>Block 2198, Lot 033 (2121 19th Avenue)</td>
<td>RH-2</td>
<td>RM-2</td>
</tr>
<tr>
<td>Block 2198, Lot 034 (2145 19th Avenue)</td>
<td>RH-2</td>
<td>RM-2</td>
</tr>
<tr>
<td>Block 2198, Lot 037 (2115 19th Avenue)</td>
<td>RH-2</td>
<td>RM-2</td>
</tr>
</tbody>
</table>

Section 6. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

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

By: CHRISTOPHER T. TOM
Deputy City Attorney

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Ordinance amending the Planning Code by abolishing a nine-foot legislated setback on the west
side of 19th Avenue between Quintara Street and Rivera Street, and revising the Zoning Map to
rezone from RH-1 (Residential, House; One-Family) to RM-2 (Residential, Mixed; Moderate Density)
Assessor's Parcel Block No. 2198, Lot No. 031 (1021 Quintara Street), and to rezone from RH-2
(Residential, House; Two-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel
Block No. 2198, Lot No. 001 (located at the intersection of 19th Avenue and Quintara Street), Lot
No. 033 (2121-19th Avenue), Lot No. 034 (2145-19th Avenue), and Lot No. 037 (2115-19th Avenue);
adopting findings under the California Environmental Quality Act; and making findings of consistency
with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of
public necessity, convenience, and welfare under Planning Code, Section 302.

July 16, 2018 Land Use and Transportation Committee - CONTINUED

July 30, 2018 Land Use and Transportation Committee - RECOMMENDED AS
COMMITTEE REPORT

July 31, 2018 Board of Supervisors - PASSED ON FIRST READING
   Ayes: 11 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani,
   Tang and Yee

September 04, 2018 Board of Supervisors - FINALLY PASSED
   Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani,
   Tang and Yee
I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/4/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved
9/14/2018