



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Change Summary: NE Legislation (AKA the Chiu Ordinance, AKA Mega Leg)

Code Change: LCCUs, LCUs, Bike Parking, Automobile Service Station Conversions, and Clerical Modifications.

Case Number: Board File No. 120471, 120472, and 120751 (173-12, 176-12, and 174-12 adopted Ordinance)

Initiated By: Supervisor Chiu, originally on May 3, 2011. Reintroduced June 19, 2012

Effective Date: September 2 and September 7, 2012

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This Code changes were originally introduced as one ordinance (BF 110548) and have since been split up into several different ordinances. Some have already been reintroduced at the Board and signed by the Mayor, while others are still waiting to be reintroduced at the Board. The items listed below will become effective by September 2 or 7, 2012.

Clerical Modifications – The original legislation made several clerical modifications to the Planning Code. Clerical modifications that did not also accompany other significant changes to the Planning Code were placed into a separate ordinance (BF 120472) and will be effective September 7, 2012. To review the final legislation you can click on this link: <http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0176-12.pdf>

102.9 – Bicycle Parking and Gross Floor Area (BF 120471)

The Way It Was: Bicycle parking was included in Gross Floor Area Ratio (FAR) calculations.

The Way It Is Now: Bicycle parking that meets the standards of Sections 155.1 through 155.5 is exempt from Gross FAR calculations.

Section 155.1 – Bicycle Parking Requirements for City-Owned and Leased Buildings (BF 120471)

The Way It Was: Section 155.1 was enforced by the Zoning Administrator and any fines collected went to the MTA's bicycle parking program.

The Way It Is: Section 155.1 is enforced by the Department's Enforcement Division. Any fines that are collected go back to the Department to pay for enforcement costs.

Section 155.4 – Bicycle Parking Required in New or Renovated Commercial Buildings (BF 120471)

The Way It Was: Bicycle parking was required when constructing a new commercial building or an enlargement of an existing commercial building with an estimated construction cost of at least \$1,000,000.00. Hotels were not included in this Section.

The Way It Is: In addition to new construction and major alterations listed above, bike parking is now required for any change of use involving half or more of the building's square footage or 10,000 or more square feet, or any increase in the amount of off-street automobile parking. Hotels are now included in this Section, and are required to provide bicycle parking at the same ratio as Retail buildings.

Section 186 – Limited Commercial Uses (BF 120715)

The Way It Was: Limited Commercial Uses (LCUs) in RH, RM, RTO, and RED Districts that had been discontinued or abandoned, as defined in Section 183, cannot be reestablished.

The Way It Is Now: LCUs in RH, RM, RTO, and RED Districts that have been discontinued or abandoned, as defined in Section 183, may be reactivated with Conditional Use authorization under Section 303. In approving such a use and in addition to the findings required by Section 303, the Planning Commission shall find that:

- (1) the subject space is located on or below the ground floor and was in commercial or industrial use prior to January 1, 1960; and
- (2) the proposed commercial use meets all the requirements of Section 186 of the Code and other applicable sections of this Code.

Section 228.2 – Conversion of Automobile Service Stations (BF 120471)

The Way It Was: Conditional Use authorization from the Planning Commission, or a conversion determination from the Zoning Administrator was required to change the use of any Automobile Service Station (AKA gas stations) in the City.

The Way It Is Now: Automotive Service Stations which front on a Primary Transit Streets or Citywide Pedestrian Network Streets as designated in the General Plan are not subject to the conversions requirements outline in this Section; they do not need to obtain Conditional Use authorization from the Planning Commission or a conversion determination from the Zoning Administrator for a change of use.

Section 231 – Limited Corner Commercial Uses (LCCUs) (BF 120715)

The Way It Was: LCCUs were permitted in RTO, RTO-M, RM-3, or RM-4 Districts so long as they occupied no more than **1000 sq. ft.** of commercial area and were located on a corner lot as defined by Section 102.15, with no part of the use extending more than **50 feet** in depth from the corner.

The Way It Is Now: The rules for LCCUs in RTO and RTO-M Districts have not changed. LCCUs are permitted in RM-3 and RM-4 Districts so long as they occupied no more than **2,500 sq. ft.** of commercial area and are located on a corner lot as defined by Section 102.15, with no part of the use extending more than **100 feet** in depth from the corner. This rule change may be expanded to RTO and RTO-M districts through additional legislation once the Market and Octavia plan has gone through its 5-year review.

<p>Board File 120471</p>	<p>Ord. No. 173-12</p>	<p>Bicycle Parking; Automotive Service Station Conversions</p> <p>Full text available at: http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0173-12.pdf</p>
<p>Board File 120751</p>	<p>Ord. No. 174-12</p>	<p>Limited Commercial Uses in Residential Districts</p> <p>Full text available at: http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0174-12.pdf</p>
<p>Board File 120472</p>	<p>Ord. No. 176-12</p>	<p>Clerical Modifications and Repeal of Obsolete Sections</p> <p>Full text available at: http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0176-12.pdf</p>