



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary:

Better Streets Plan and Curb Cut Restrictions

Amended Sections: 138.1, 155(r) and 303(y)
Case Number: 2018-008862PCA
Board File/Enactment #: 180914/277-18
Initiated by: Supervisors Kim
Effective Date: December 20, 2018

1650 Mission St.
 Suite 400
 San Francisco,
 CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

Ordinance amending the Planning Code to add new standard required streetscape improvements under the Better Streets Plan; modifying the triggers that would require project sponsors to construct streetscape improvements in the public right-of-way; clarifying the recommended sidewalk width for street types; expanding curb cut restrictions for off-street parking and loading to nearly all zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted bicycle routes or lanes, and requiring a Conditional Use authorization or a Section 309 or 329 exception for new or expanded curb cuts in the applicable areas; adding criteria for the Planning Commission to consider when granting a Conditional Use authorization or an exception as part of a Downtown C-3-0(SD) (Downtown, Office (Special Development)) or large project authorization in mixed-use districts for such curb cuts; prohibiting new curb cuts in bus stops and on Folsom Street between Essex and Second Street; and eliminating minimum off-street parking requirements for projects subject to the curb cut restrictions or prohibitions.

Planning Code Section 138.1

Recommended and Required Streetscape Features – 138.1(b)(2) Table 1

Under the Better Streets Plan, the City can require projects to construct “standard streetscape improvements” and request that projects construct “non-standard streetscape improvements.”

The Way It Was	The Way It Is Now
1. The City may have <i>requested</i> a project that triggers Section 138.1 to construct extended bulb-outs, mid-block bulb-outs and raised crosswalks, adjacent to their project.	The City may <i>require</i> a project that triggers Section 138.1 to construct extended bulb-outs, mid-block bulb-outs and raised crosswalks adjacent to their project provided any raised crosswalk spans a ROW that is 40 feet or less and is installed

	at a street corner.
2. The Planning Code <i>did not authorize</i> the City to require projects to remove on-street parking at crosswalks adjacent to their property (also known as “intersection daylighting”).	The City may <i>require</i> a project that triggers Section 138.1 to remove on-street parking at crosswalks adjacent to their property (also known as “intersection daylighting”).

Triggers – 138.1(c)(2)(A)

To trigger Section 138.1, projects must meet at least one of three conditions related to site geometry and one or three conditions related to the project’s scope.

	The Way It Was	The Way It Is Now
3.	Projects that contain 250’ or greater of street frontages on one or more public rights-of-ways met one of the geometric triggers for Section 138.1.	Projects that contain 150’ or greater of street frontages on one or more public rights-of-ways meet one of the geometric triggers for Section 138.1.
4.	<i>All new construction projects</i> (including residential projects) met one of the project scope triggers for Section 138.1.	New construction projects with <i>residential</i> components must include <i>at least 10 or more units of housing</i> in the project scope to meet one of the project scope triggers for Section 138.1.
5.	<i>All new construction projects</i> (including non-residential projects) met one of the project scope triggers for Section 138.1.	New construction projects with <i>non-residential</i> components must include <i>10,000 gross square feet of non-residential space</i> to meet one of the project scope triggers for Section 138.1.
6.	All change-of-use projects were currently <i>exempt</i> from Section 138.1	<i>Change-of-use projects involving the conversion of 10,000 gross square feet or greater of PDR use to residential or office use</i> PDR use trigger Section 138.1. Other types of change-of-use projects remain exempt from Section 138.1.

Sidewalk Widths 138.1(c)(2)(b)

The Better Streets Plan established a system of street types for all streets in San Francisco. Street types are based on a street segment’s contextual zoning. For most street types, the Better Streets Plan establishes a recommended sidewalk width. These widths are codified in Section 138.1.

The Way It Was	The Way It Is Now
-----------------------	--------------------------

- | | |
|---|--|
| <p>7. In some instances, City policy indicates a preference for a sidewalk width greater than the sidewalk width established in Section 138.1. The Planning code <i>made no provisions</i> for the City to require a project sponsor to build a sidewalk to the wider dimension. Examples of such policies include:</p> <ul style="list-style-type: none"> • Streetscape plans or community-based plans adopted by the Board of Supervisors which specified sidewalk widths greater than the Sidewalk width established in the Better Streets Plan • Legislated sidewalk widths previously approved by the Board of Supervisors that exceeded the recommended sidewalk width established in the Better Streets Plan | <p>The City may require a project sponsor to widen sidewalks by dimensions that exceed the recommended sidewalk widths in the Better Streets Plan where existing policies justify such a widening. Instances where this provision may apply include:</p> <ul style="list-style-type: none"> • Streetscape plans or community-based plans adopted by the Board of Supervisors which specify sidewalk widths greater than the Sidewalk width established in the Better Streets Plan • Legislated sidewalk widths previously approved by the Board of Supervisors that exceed the recommended sidewalk width in the Better Streets Plan |
| <p>8. Section 138.1, allocated recommended sidewalk widths for all street types except for Downtown Commercial Streets (streets within the C-3, C-2, and CCB zoning districts). The Code deferred to the City's Downtown Streetscape Plan to determine sidewalk widths on Downtown Commercial Streets. However, some Downtown Commercial Streets are sited outside of the Downtown Streetscape Plan Area and thus had no recommended sidewalk width.</p> | <p>The recommended sidewalk width for Downtown Commercial Streets that are sited outside of the Downtown Streetscape Plan Area is 15 feet.</p> |

Review and Approvals 138.1(c)(2)(C)

The Way It Was	The Way It Is Now
<p>9. Section 138.1 required project sponsors to submit a required streetscape plan 60 days prior to any Department or Planning Commission Approval Action.</p>	<p>Projects are required to submit a streetscape plan with the project's first Development Application.</p>
<p>10. Under the existing code, a project's public realm improvements were required to be installed prior to the City's issuance of a project's final Certificate of Occupancy or</p>	<p>The Zoning Administrator is authorized to extend the timeframe for a completion of required streetscape improvements for change-of-use projects after a project has been</p>

Temporary Certificate of Occupancy unless constructed.
otherwise extended by the Zoning
Administrator.

Planning Code Section 155

Restrictions on new Curb Cuts – 155 (r)

The Way It Was	The Way It Is Now
11. Project's whose only available frontage is on a street where a curb cut is prohibited or is only allowed via a Conditional Use Authorization were not explicitly exempted from their off-street parking requirements.	Project's whose only available frontage is on a street where a curb cut is prohibited or is only allowed via a Conditional Use Authorization are exempted from their off-street parking requirements.
12. Vehicular access to off-street parking was not prohibited on Folsom Street between The Embarcadero and Essex Street.	Vehicular access to off-street parking is prohibited on Folsom Street between The Embarcadero and 2 nd Street.
13. Projects were allowed seek a Conditional Use Authorization to install a curb cut in a bus stop.	Projects are prohibited from installing a new curb cut in a bus stop.
14. Projects in C-3, NCT or RTO Districts were required to seek a Conditional Use Authorization to be granted a curb on any Transit Preferential Street, the Citywide Pedestrian Network or Neighborhood Commercial Streets or on a street fronting a bike lane if no other frontage is available.	Projects in all zoning districts except for M, P, PDR, all RH1, RH2, RH3 and SALI Districts are required to seek a Conditional Use Authorization to be granted a curb on any Transit Preferential Street, the or Neighborhood Commercial Streets or on a street fronting a bike lane or protected bikeway if no other frontage is available.
15. Projects in Neighborhood Commercial Districts were not required to seek a Conditional Use Authorization to install a new curb cut on a Neighborhood Commercial Street. Projects in Neighborhood Commercial Transit Districts were required to seek a Conditional Use Authorization to install a new curb cut on a Neighborhood Commercial Street.	Projects in both Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts are required to seek a Conditional Use Authorization to install a new curb cut on a Neighborhood Commercial Street regardless no minimum parking requirement and be required to.
16. The Planning Code prohibited curb cuts on the Citywide Pedestrian Network as defined	The reference to the Citywide Pedestrian Network has been removed from the

	in the City's General Plan where other frontages are available.	Planning Code because the the Citywide Pedestrian Network was recently removed from the City's General Plan.
17.	Projects that trigger both Section 155(r) and either Section 309 or 329 were required to schedule two separate items at the Planning Commission.	Projects that trigger both Section 155(r) and either Section 309 or 329 may schedule one item at the Planning Commission resulting in more efficient use of staff time.

Planning Code Section 303

Conditional Uses – 303 (x)

	The Way It Was	The Way It Is Now
18.	The Planning Code included no additional criteria the Commission should consider when determining whether a CUA for a curb cut on a protected corridor should be granted.	The Planning Code includes additional criteria for the Commission to Consider when determining whether a CUA for a curb cut on a protected corridor should be granted

Link to Signed Legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=6797067&GUID=F6DB5973-9768-48AD-B217-F8E46FF0C86A>