

Received at CPC Hearing 12/7/17
M. Small

PLANNING COMMISSION December 7, 2017

Good afternoon Commissioners.

I am Richard Frisbie from the Laurel Heights Improvement Assn.

I'd like to discuss the Urban Design Guidelines which appears to be mimicking the Residential Expansion Threshold fiasco.

In the interest of time I'll address only one issue: the Makeup of the External Advisory Group.

I have a lengthy letter from Jeff Joslin which extols the purpose of this group.

To quote "I'm sorry you've found the process unsatisfactory. There have been a huge number of stakeholders involved..." and it goes on.

So, let's take a brief look at Stakeholders included in this the Advisory Group.

Most people would consider neighborhood groups to be the MOST important stakeholders.

Of the 45 members exactly **three** are from Neighborhood Associations!

The developers alone have a greater representation on this group than do the neighborhood associations.

In fact representatives from developers, architects and real estate groups make up approximately 50 percent of your Advisory Group whereas neighborhoods represented less than 5 percent and the largest

neighborhood coalition in San Francisco, the Coalition of San Francisco Neighborhoods, has **ZERO** representation. Pretty bizarre I would say!

If a farmer were to develop a new henhouse I doubt his Advisory Group would consist of three hens along with 5 foxes and 25 other carnivores who find chicken to be a preferred meal!

And yet that's exactly what the Planning Department's Advisory Group looks like.

On September 25, the Coalition of San Francisco Neighborhoods sent a detailed 13 page letter to "The Planning Commission" addressing Concerns about the DRAFT of the Urban Design Guidelines.

The letter began "Dear Commissioners" so I can only assume that each of you has received a copy.

To date, December 7, 2017, ten weeks later, we have received no response whatsoever.

Not even the courtesy of a reply acknowledging receipt!

Thank you!

Oh by the way, "Here's a copy of the CSFN letter."



Received at CPC Hearing 12/7/17
S. Velasco Pa M. Small

www.csfn.net • PO Box 320098 • San Francisco CA 94132-0098 • Est 1972

September 25, 2017

Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

via electronic submission

Subject: Opposition to Adoption of "Urban Design Guidelines," Concerns and Requests

Dear Planning Commissioners:

The Coalition for San Francisco Neighborhoods (CSFN) opposes several portions of the March 16, 2017 Draft "Urban Design Guidelines" (UDGs) document in its current iteration. Planning staff informed CSFN that the proposed draft of the UDGs will be the "overarching" built-form design document for the entire city. As an overarching document which will have development projects follow some very rough and seemingly arbitrary criteria without mention of the existing Residential Design Guidelines (RDGs) or any neighborhood-specific design guidelines and without any text stating their inter-relationships with the UDGs – especially as no "overlay" criteria exist -- it is critical that some revisions be made before adopting them. CSFN delegates have voiced concerns to Planning staff and asked for changes to problematic text and illustrations in the document and they are still in need of revision. As the UDGs continue to morph, new questions arise.

CSFN seeks the Planning Commission's assistance in directing Planning staff to make the necessary changes, clarifications and respond to CSFN's questions. Until this is done to the satisfaction of CSFN and until there is substantial meaningful dialogue with CSFN, these UDGs should be put on hold indefinitely.

CSFN's CONCERNS and REQUESTS:

1. CONCERN: In regards to applicability, the relationship and respective roles of UDGs, RDGs, neighborhood-specific design guidelines and any other design guidelines are not known from reading this document. Within the body text of the document, no other guidelines besides the Draft "Ground Floor Residential Design Guidelines" (GFRDGs) is mentioned. In addition, it is not clear as to how the UDGs relate to the Urban Design Element of the General Plan nor to the Commerce and Industry Element's Urban Design Guidelines of the General Plan and conformity to it with the objectives of the UDGs and also in relation to the Priority Policies under Proposition M.

REQUEST: For Planning Commission to direct Planning staff to include the text within

the body of this main UDG document the Urban Design Element of the General Plan and the similarly named Urban Design Guidelines of the Commerce and Industry Element of the General Plan. For a document as important as the “overarching” regulatory document for the entire city, the mere addition of a few more pages to the 71-page work, with roughly 168 arbitrary photos and illustrative pictures that take up the bulk of the document, should not be a major effort as the General Plan text exists today. Staff needs direction from the Commission of the inclusion of these two parts of the General Plan in the main text of the UDGs than as any footnote or as an appendix item as they do not exist in the main body of this work. (See also Item 2B and Item 4 below.)

REQUEST: For Planning Commission to direct Planning staff, since there is no mention of the RDGs nor its relationship to the UDGs, to include text to explicitly state on Page 6 that the RDGs and any other neighborhood-specific or other finer-grained guidelines including that of historical shall be controlling for all residential housing-zoned parcels RH-1, RH-2, RH-3, RM-1, RM-2, RM-3, e.g.

REQUEST: For Planning Commission to direct Planning staff to include the following text:

“For RH-1, RH-2, RH-3, RM-1, RM-2, RM-3, RTO and PDR zoning districts, project applicants shall consult the RDGs and any applicable residential or historic design guidelines depending on where the project would be located and that in the event of a conflict between the UDGs, the RDGs, neighborhood-specific design guidelines, and/or historical design guidelines, the most stringent shall prevail.”

2. CONCERN: Definition changes (Page 8).

A. “Adjacent”: As residential areas in the city are more varied and can change from block to block or even within 100 feet depending on what occurs on the block or neighborhood, it is vital that Planning maintains the definitions as has been codified. Per the March 16, 2017 Draft UDGs, Planning proposes an *alternate* definition for the word “adjacent” (Page 8). “Adjacent” no longer refers to what is immediately next door or about a parcel sharing any property line to another but instead includes the meanings of “near, close or contiguous” which are very subjective and imposes less certainty of the kind of project that will be resulted next to someone. This is a substantive change as sample comparison parcels would include lots that may not have the same zoning district designation nor even share a lot line as under the old definition of “adjacent.” Parcels 1,000 feet away or as “near” or “close” as the city of Oakland could be interpreted as “adjacent.” “Near” and “close” are imprecise and the resulting design of development projects could be disruptive to certain areas -- especially if in well-established streets or areas with limited boundaries. The UDGs would cause less certainty for the neighborhoods which, as CSFN was told, these UDGs would instill more certainty.

The many diverse neighborhoods have been able to each have a sense of place through the current definition of “adjacent” as used in Section 102 – “Definitions” – “Adjacent

Building. Generally, a building on a lot adjoining the subject lot along a side lot line.” This is more precise than what is being proposed to be used as the definition of “adjacent.” All prior Zoning Administrator decisions were based on this current definition which means the lot “next door” rather than the more subject-to-interpretation “near” or “close”. With the change in the definition of “adjacent,” it is possible to have metal-and-glass office-styled buildings on a commercially zoned street that is 150 feet away or ½-mile away to fit the new vague “near” meaning of “adjacent”. Then this office-styled building will be determined to be appropriate next to a row of Edwardians of lower height buildings on a residentially zoned lot.

With prior Zoning Administrator decisions on the appropriateness of design, especially in well-established neighborhoods, the UDGs, with the change of the definition of “adjacent” will wreak havoc on the ambiance of the neighborhood. As the UDGs are not clear on this, the new definition for “adjacent” as being “near, close or continuous” needs to be left to the original Planning Code definition in Section 102 rather than “near,” or “close,” e.g.

REQUEST: For Planning Commission to direct Planning staff to 1) preserve and align with the current traditional definition of “adjacent” as in “adjacent building” in Section 102 of the Planning Code; 2) delete the ambiguous meanings of “close” or near” for “adjacent” as this term will be subject to abuse.

B. “Context”: The UDGs propose to adopt an alternate meaning of “context” as being something that could “contrast” or “reinterpret”. CSFN suggests to use a definition more in line with what lay persons think of when hearing the word “context” such as:

“blend seamlessly with and be a clear and fully compatible design to”

With this new definition of “context,” any person off the street with no architectural or design education can understand what might be expected rather than having a building “contrast” or “emulate” or “reinterpret” a design as these will be used to abuse the designs of existing buildings in the neighborhood.

The March 16, 2017 proposed Draft UDGs text regarding “context” reads:
“The design context of a building may **emulate**, **reinterpret**, or **contrast** <emphasis added> with it (sic) surroundings.”

When a project will be allowed to “contrast with its surroundings,” it will, by virtue of the common definition of “contrast” *not* match anything abutting it or around it. This could potentially be very jarring to the beauty, spiritual health and the welfare of an established neighborhood. By having the UDGs adopt the “architectural context” meaning of “context,” the decision-makers can create exceptions (see Item 6 below) to the project design that does not respect the main style or flavor of the particular neighborhood. This *esoteric* application of a new meaning for “context” is not one that an average, regular person of general intelligence would think would be the meaning of “context,” and thus the new definition with “reinterpret” or

“contrast” should be stricken from what “context” would do.

Use of the architectural meaning of “context” in the UDGs could enable decision-makers to pass incongruous and out-of-character buildings as in *design* “spot-zoning”. CSFN is aware that the RDGs utilize designs of buildings next door and/or across the street as the main design determinants for new development so when one parcel is “design-spot-zoned,” one can change the entire look of a neighborhood, and based on the way these UDGs are written, such action may be done “as-of-right.” The public has little recourse with vague and uniquely esoteric definitions arbitrarily being adopted to force certain “designs” as intrusions into neighborhoods.

This vague usage will become important especially for residentially-zoned parcels such as RHs, RMs, RTOs and PDRs abutting NCDs with certain primary design features established through decades and sometimes even as long as over a hundred years of an area being established. The NCDs are also tailored with great sensitivity to the abutting RHs, RMs, RTOs (recently rezoned designation of prior RHs, e.g.) and PDRs through the Urban Design Guidelines of the Commerce and Industry Element of the General Plan do apply (see Item #1 above for inclusion of this text and the Urban Design Element into the UDGs as requested). The words “emulate” and “interpret” are vague and subject to abuse.

REQUEST: For Planning Commission to direct staff to delete the “architectural context” use of the word “context” and utilize one or both of CSFN’s potential definitions for “context” in the paragraph above.

3. CONCERN: Explicit exemption in first sentence is negated in second sentence on Page 6:

“The Urban Design Guidelines apply to buildings in all districts outside RH-, RM-, and RTO- and PDR-districts. In Residential Districts, they apply to projects that have non-residential uses or have either six units or more or frontage longer than 150’ (sic) feet.”

The second sentence that starts with “In Residential Districts” negates the RH-, RM-, RTO- and PDR districts that were excluded in the first sentence. The second sentence by virtue of it referring to “Residential Districts” includes the same districts excluded prior. This means that the first sentence is left with no standing so that the applicability of the UDGs *could* apply to RHs, RMs, etc. as these are technically *residential* districts. The second sentence is vague with “Residential Districts” could allow “spot-zoning” of the UDG-based design styles precisely in the areas to be exempted per the first sentence.

REQUEST: For Planning Commission to request staff to delete the second sentence.

4. CONCERN: This is related to #3 above. Non-complying multi-unit buildings in low-density RH areas and buildings in Neighborhood Commercial Districts (NCDs) influencing