

1 [Planning Code - Zoning Controls for Urban Mixed Use District - Office Uses]

2

3 **Ordinance amending the Planning Code to provide that in the Mission Area Plan**
4 **portion of the Urban Mixed Use District all office uses not in a landmark building are**
5 **prohibited, except that a Professional Service, Financial Service, or Medical Service is**
6 **allowed as a conditional use on the ground floor when primarily open to the general**
7 **public on a client-oriented basis; affirming the Planning Department’s determination**
8 **under the California Environmental Quality Act; making findings of consistency with**
9 **the General Plan and the eight priority policies of Planning Code, Section 101.1; and**
10 **adopting findings of public necessity, convenience, and welfare under Planning Code,**
11 **Section 302.**

12 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
13 **Additions to Codes** are in *single-underline italics Times New Roman font*.
14 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
15 **Board amendment additions** are in double-underlined Arial font.
16 **Board amendment deletions** are in ~~strikethrough Arial font~~.
17 **Asterisks (* * * *)** indicate the omission of unchanged Code
18 subsections or parts of tables.

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

20

21 Section 1. Findings.

22 (a) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25 Supervisors in File No. 200143 and is incorporated herein by reference. The Board affirms
this determination.

///

1 (b) On April 23, 2020, the Planning Commission, in Resolution No. 20688, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 200143 and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
7 ordinance will serve the public necessity, convenience, and general welfare for the reasons
8 set forth in Planning Commission Resolution No. 20688.

9
10 Section 2. Article 8 of the Planning Code is hereby amended by revising Sections
11 803.9 and 843, to read as follows:

12 **SEC. 803.9. USES IN MIXED USE DISTRICTS.**

13 * * * *

14 (f) **Vertical Controls for Office Uses.**

15 (1) **Purpose.** In order to preserve ground floor space for production,
16 distribution, and repair uses and to allow the preservation and enhancement of a diverse mix
17 of land uses, including limited amounts of office space on upper stories, additional vertical
18 zoning controls shall govern office uses as set forth in this Section 803.9(f).

19 (2) **Applicability.** This Section 803.9(f) shall apply to all office uses in the
20 MUG ~~and UMU~~ and UMU Districts~~s~~ and all office uses in buildings in the PDR-1-D and PDR-1-
21 G Districts that are designated as landmarks pursuant to Article 10 of the Planning Code,
22 where permitted.

23 (3) **Definitions.** Office use shall be as defined in Section 890.70 of this
24 Code.

25 ///

1 (4) **Controls.**

2 (A) **Prohibition of Office Uses in the Mission Area Plan Area.** Except
3 for Professional Services, Financial Services, Medical Services, and Office Uses in Landmark
4 Buildings, Office Uses are prohibited in the Mission Area Plan area.

5 (~~B~~ A) **Designated Office Story or Stories.** Office uses are not
6 permitted on the ground floor, except as specified in Sections 840.65A and 843.65A. Office
7 uses may be permitted on stories above the ground floor if they are designated as office
8 stories. On any designated office story, office uses are permitted, subject to any applicable
9 use size limitations. On any story not designated as an office story, office uses are not
10 permitted. When an office use is permitted on the ground floor per Sections 840.65A and
11 843.65A, it shall not be considered a designated office story for the purposes of ~~§~~sub
12 (h)(4)(D) below.

13 (~~C~~ ~~B~~) **Timing of Designation.** In the case of new construction, any
14 designated office story or stories shall be established prior to the issuance of a first building
15 permit or along with any associated Planning Commission action, whichever occurs first. In
16 the case of buildings that were constructed prior to the effective date of this Section, any such
17 story or stories shall be designated prior to the issuance of any building permit for new or
18 expanded office uses or along with any associated Planning Commission action, whichever
19 occurs first.

20 (~~D~~ ~~C~~) **Recordation of Designation.** Notice of the designation of office
21 stories shall be recorded as a restriction on the deed of the property along with plans clearly
22 depicting the designated story or stories in relation to the balance of the building. A
23 designated office story may only be re-allocated when the designated office story is first
24 returned to a permitted non-office use and associated building modifications to the designated
25 office story are verified by the Zoning Administrator.

1 (E D) **Maximum Number of Designated Stories.** The maximum
2 number of designated office stories shall correspond to the total number of stories in a given
3 building, as set forth in the table below. The designation of a particular story shall apply to the
4 total floor area of that story and no partial designation, split designation, or other such
5 subdivision of designated floors shall be permitted. For the purposes of the following table, the
6 total number of stories in a given building shall be counted from grade level at curb and shall
7 exclude any basements or below-grade stories.

8 * * * *

9 (E E) For projects in MUG and UMU Districts with multiple buildings,
10 consolidation of permitted office stories may be permitted, pursuant to the controls set forth in
11 Section 329(d)(9).

12 **SEC. 843. UMU – URBAN MIXED USE DISTRICT.**

13 The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while
14 maintaining the characteristics of this formerly industrially-zoned area. It is also intended to
15 serve as a buffer between residential districts and PDR districts in the Eastern
16 Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair
17 uses such as light manufacturing, home and business services, arts activities, warehouse,
18 and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime
19 entertainment. Housing is also permitted, but is subject to higher affordability requirements.
20 Family-sized dwelling units are encouraged. Within the UMU, ~~limited~~ office uses ~~servicing the~~
21 ~~general public~~ are generally prohibited in the Mission Area Plan and elsewhere are restricted to
22 the upper floors of multiple story buildings ~~allowed on the ground floor with Conditional Use~~
23 ~~authorization restricted to the upper floors of multiple story buildings.~~ In considering any new land
24 use not contemplated in this District, the Zoning Administrator shall take into account the
25 intent of this District as expressed in this Section 843 and in the General Plan. Accessory

Dwelling Units are permitted within the district pursuant to subsections 207(c)(4) and (c)(6) of this Code.

* * * *

Table 843
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
Office			
843.65	Office Uses in Landmark Buildings	§§ 890.70, 803.9(c)	P
843.65A	Services, Professional; Services, Financial; Services, Medical	§§ 890.108, 890.110, 890.114	Subject to vertical control of Sec. 803.9(f). P Subject to vertical control of Sec. 803.9(f). P NP, except C on the ground floor when primarily open to the general public on a client-oriented basis. (1)
843.66	All other Office Uses	§§ 803.9(f), 890.70, 890.118	Subject to vertical control of Sec. 803.9(f) NP Subject to vertical control of Sec. 803.9(f) (2)
843.67	Live/Work Units	§ 233	NP
* * * *			

(1) NP in the area covered by the Mission Area Plan, except C on the ground floor when primarily open to the general public on a client-oriented basis.

(2) NP in the area covered by the Mission Area Plan.

Section 3. 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.

1 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

7

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

10 By: /s/ JUDITH A. BOYAJIAN
11 JUDITH A. BOYAJIAN
12 Deputy City Attorney

13 n:\legana\as2020\2000290\01463313.docx

14

15

16

17

18

19

20

21

22

23

24

25



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200143

Date Passed: August 11, 2020

Ordinance amending the Planning Code to provide that in the Mission Area Plan portion of the Urban Mixed Use District all office uses not in a landmark building are prohibited, except that a Professional Service, Financial Service, or Medical Service is allowed as a conditional use on the ground floor when primarily open to the general public on a client-oriented basis; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

April 27, 2020 Land Use and Transportation Committee - CONTINUED

May 04, 2020 Land Use and Transportation Committee - CONTINUED

May 11, 2020 Land Use and Transportation Committee - CONTINUED TO CALL OF THE CHAIR

July 20, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 20, 2020 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

July 28, 2020 Board of Supervisors - PASSED ON FIRST READING

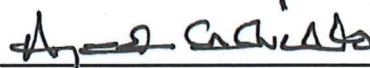
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

August 11, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200143

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 8/11/2020 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

8.21.20

Date Approved