

1 [Planning Code -Technical Amendments]

2

3 Ordinance amending the Planning Code in order to correct errors in enacted
4 legislation, update outdated references, clarify existing requirements, and re-enact
5 existing text inadvertently deleted in the reorganization of Articles 2 and 7; affirming
6 the Planning Department’s determination under the California Environmental Quality
7 Act; making findings of consistency with the General Plan and the eight priority
8 policies of Planning Code, Section 101.1; and adopting findings of public necessity,
9 convenience, and general welfare under Planning Code, Section 302.

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

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

18

19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 180557 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On March 8, 2018, the Planning Commission, in Resolution No. 20128, adopted
findings 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

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 180557, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
4 ordinance will serve the public necessity, convenience, and general welfare for the reasons
5 set forth in Planning Commission Resolution No. 20128, and the Board adopts said reasons
6 herein by reference.

7
8 Section 2. The Planning Code is hereby amended by revising Sections 102, 121.2,
9 121.6, 121.9, 132, 142, 145.1, 145.4, 149, 151, 151.1, 155.2, 177, 186, 186.1, 187.1, 191,
10 201, 202.2, 204.5, 205.2, 206.2, 206.3, 206.4, 206.5, 206.6, 206.8, 207, 209.2, 209.3, 210.1,
11 210.3C, 211.1, 249.36, 249.45, 249.52, 249.59, 249.60, 249.62, 249.65, 249.70, 249.73,
12 249.74, 249.75, 249.76, 249.79, 303.1, 308.1, ~~312~~, 342.1, 401, 413.3, 415.3, 415.6, 415.7,
13 423.5, 604, 703, 710, 711, 712, 714, 717, 718, 722, 723, 726, 728, 732, 753, 754, 780.1, 814,
14 846, and 996, to read as follows:

15 **SEC. 102. DEFINITIONS.**

16 * * * *

17 **Accessory Use.** A related minor Use that is either necessary to the operation or enjoyment
18 of a lawful Principal Use or Conditional Use, or appropriate, incidental, and subordinate to any
19 such use, and is located on the same lot. Accessory Uses are regulated by Sections 204
20 through 204.5 and Sections 703(d), ~~and~~ 803.2(b)(1)(C), 803.3(b)(1)(C), and 825(c)(1)(C) of this
21 Code.

22 * * * *

23 **Arts Activities.** A Retail Entertainment, Arts and Recreation Use that includes performance,
24 exhibition (except exhibition of films), rehearsal, production, post-production and some
25 schools of any of the following: Dance, music, dramatic art, film, video, graphic art, painting,

1 schools of any of the following: Dance, music, dramatic art, film, video, graphic art, painting,
2 drawing, sculpture, small-scale glassworks, ceramics, textiles, woodworking, photography,
3 custom-made jewelry or apparel, and other visual, performance and sound arts and craft. It
4 shall exclude accredited Schools and Post Secondary Educational Institutions. It shall include
5 commercial arts and art-related business service uses including, but not limited to, recording
6 and editing services, small-scale film and video developing and printing; titling; video and film
7 libraries; special effects production; fashion and photo stylists; production, sale and rental of
8 theatrical wardrobes; and studio property production and rental companies. Arts spaces shall
9 include studios, workshops, archives and theaters, and other similar spaces customarily used
10 principally for arts activities, exclusive of a Movie Theater, Amusement Game Arcade
11 Enterprise, Adult Business Entertainment, and any other establishment where liquor is
12 customarily served during performances.

13 * * * *

14 **Automotive Use.** A Commercial Use category that includes Automotive Repair, Ambulance
15 Services, Automobile Sale or Rental, Automotive Service Station, Automotive Wash, Gas
16 Station, Parcel Delivery Service, Private Parking Garage, Private Parking Lot, Public Parking
17 Garage, Public Parking Lot, Vehicle Storage Garage, Vehicle Storage Lot, and Motor Vehicle
18 Tow Service. All Automotive Uses that have Vehicular Use Areas defined in this Section of the
19 Code shall meet the screening requirements for vehicular use areas in Section 142.

20 **Automotive Use, Non-Retail.** A subcategory of Automotive Use that includes Ambulance
21 Services, Parcel Delivery Service, Private Parking Garage, Private Parking Lot, and Motor
22 Vehicle Tow Service.

23 * * * *

24 **Design Professional.** A Non-Retail Sales and Service Use that provides professional design
25 services to the general public or to other businesses and includes architectural, landscape

1 architectural, engineering, interior design, and industrial design services. It does not include
2 (1) the design services of graphic artists or other visual artists which are included in the
3 definition of Arts Activities; or (2) the services of advertising agencies or other services which
4 are included in the definition of Professional Service or Non-Retail Professional Service,
5 Financial Service or Medical Service. Design Professional in Neighborhood Commercial Districts
6 is subject to the operating restrictions outlined in Section 202.2(i).

7 * * * *

8 **Hours of Operation.** A commercial Use Characteristic limiting the permitted hours during
9 which any commercial establishment, not including automated teller machines, may be open
10 for business. Other restrictions on the hours of operation of Movie Theaters, Adult
11 Businesses, Nighttime Entertainment, General Entertainment, and Other Entertainment Uses,
12 as defined in ~~this~~ Sections 102 and 890, shall apply pursuant to provisions in Section 303(p),
13 when such uses are permitted as Conditional Uses. A Pharmacy may qualify for the exception
14 to operate on a 24-hour basis provided in Section 202.2(a)(2) of the Code.

15 **Industrial Use.** A Use Category ~~continuing~~ containing the following uses: Automobile
16 Wrecking, Automobile Assembly, Food Fiber and Beverage Processing 1 and 2, Grain
17 Elevator, Hazardous Waste Facility, Junkyard, Livestock Processing 1 and 2, Heavy
18 Manufacturing 1,2, and 3, Light Manufacturing, Metal Working, ~~Power Plant~~, Ship Yard,
19 Storage Yard, Volatile Materials Storage, and Truck Terminal.

20 * * * *

21 **Notice of Special Restrictions.** A document recorded with the San Francisco Recorder's
22 Office ~~for any unit subject to this Program~~ detailing specific restrictions placed on an Assessor's lot
23 that are typically associated with an approval action by the Planning Department, Planning
24 Commission, Zoning Administrator, or other City agency. ~~the sale and resale or rental restrictions and~~

1 *any restrictions on purchaser or tenant income levels included as a Condition of Approval of the*
2 *principal project relating to the unit.*

3 * * * *

4 **Permeable Surfaces.** Permeable surfaces are those that allow ~~storm~~water to infiltrate the
5 underlying soils. Permeable surfaces shall include, but not be limited to, vegetative planting
6 beds, porous asphalt, porous concrete, single-sized aggregate, open-jointed blocks, stone,
7 pavers, or brick that are loose-set and without mortar. Permeable surfaces are required to be
8 contained so neither sediment nor the permeable surface material discharges off the site.

9 * * * *

10 **Production, Distribution, and Repair (PDR) Use.** A grouping of uses that includes, but is
11 not limited, to all Industrial and Agricultural Uses, Ambulance Services, Animal Hospital,
12 Automotive Service Station, Automotive Repair, Automotive Wash, Arts Activities, Business
13 Services, Cat Boarding, Catering *Service*, Commercial Storage, Kennel, Motor Vehicle Tow
14 Service, Livery Stable, Parcel Delivery Service, Public Utilities Yard, Storage Yard, Trade
15 Office, Trade Shop, Wholesale Sales, and Wholesale Storage.

16 * * * *

17 **Public Facility.** An Institutional Use that consists of publicly or privately owned use that
18 provides public services to the community, whether conducted within a building or on an open
19 lot, and which has operating requirements that necessitate location within the district and is in
20 compliance with the General Plan, including civic structures (such as museums, post offices,
21 administrative offices of government agencies), public libraries, police stations, and
22 transportation facilities. Such use shall not include service yards, machine shops, garages,
23 incinerators, Utility Installations, and publicly operated parking in a garage or lot (Public
24 Automobile Parking Garages and Public Parking Lots).

25 * * * *

1 **Restaurant, Limited.** A Retail Sales and Service Use that serves ready-to-eat foods and/or
2 drinks to customers for consumption on or off the premises, that may or may not have seating.
3 It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on
4 the premises as an Accessory Use as set forth in Sections 204.3 or ~~703(d) 703.2~~
5 803.2(b)(1)(C), 803.3(b)(1)(C) and 825(c)(1)(C) depending on the zoning district in which it is
6 located. It includes, but is not limited to, foods provided by sandwich shops, coffee houses,
7 pizzerias, ice cream shops, bakeries, delicatessens, and confectioneries meeting the above
8 characteristics, but is distinct from a Specialty Grocery, Restaurant, and Bar. Within the North
9 Beach SUD, it is also distinct from Specialty Food Manufacturing, as defined in
10 Section 780.3(b). It shall not provide on-site beer and/or wine sales for consumption on the
11 premises, but may provide off-site beer and/or wine sales for consumption off the premises
12 with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine),
13 that occupy less than 15% of the Occupied Floor Area of the establishment (including all
14 areas devoted to the display and sale of alcoholic beverages). Such businesses shall operate
15 with the specified conditions in Section 202.2(a)(1).

16 * * * *

17 **Tobacco Paraphernalia Establishment.** A Retail Sales and Service Use where more than
18 ~~10% percent~~ of the square footage of ~~o~~Occupied ~~f~~Floor ~~a~~Area, as defined in Section 102, or
19 more than 10 linear feet of display area projected to the floor, whichever is less, is dedicated
20 to the sale, distribution, delivery, furnishing, or marketing of Tobacco Paraphernalia from one
21 person to another. For purposes of Sections 719, ~~719.1, 786, and 723, and 723.1~~ of this Code,
22 Tobacco Paraphernalia Establishments shall mean retail uses where Tobacco Paraphernalia
23 is sold, distributed, delivered, furnished, or marketed from one person to another. "Tobacco
24 Paraphernalia" means paraphernalia, devices, or instruments that are designed or
25 manufactured for the smoking, ingesting, inhaling, or otherwise introducing into the body of

tobacco, products prepared from tobacco, or controlled substances as defined in California Health and Safety Code Sections 11054, *et seq.* "Tobacco Paraphernalia" does not include lighters, matches, cigarette holders, any device used to store or preserve tobacco, tobacco, cigarettes, cigarette papers, cigars, or any other preparation of tobacco that is permitted by existing law. Medical Cannabis Dispensaries, as defined in Section 3301(f) of the San Francisco Health Code, are not Tobacco Paraphernalia Establishments.

* * * *

Utility and Infrastructure. A Use *e*Category that includes Community Recycling Center, Internet Service Exchange, *Power Plant*, Public Transportation Facility, Public Utilities Yard, Wireless Telecommunications Services (WTS) Facility, and Utility Installation.

* * * *

SEC. 121.2. NON-RESIDENTIAL USE SIZE LIMITS IN NEIGHBORHOOD COMMERCIAL AND NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICTS.

(a) In order to protect and maintain a scale of development appropriate to each district, Non-Residential Uses of the same size or larger than the square footage stated in the table below may be permitted only as Conditional Uses. The use area shall be measured as the Gross Floor Area for each individual Non-Residential Use.

District	Use Size Limits
Castro Street	2,000 sq. ft.
North Beach	
Pacific Avenue	
<i>Polk Street</i>	
24 th th Street-Mission	2,500 sq. ft.
24 th th Street-Noe Valley	
Haight Street	

1	Inner Clement Street	
2	Inner Sunset	
3	Japantown	
4	Outer Clement Street	
5	<i>Polk Street</i>	
6	Sacramento Street	
7	Union Street	
8	Upper Fillmore Street	
9	West Portal Avenue	
9	NC-1, NCT-1	3,000 sq. ft.
10	Broadway	
11	Hayes-Gough	
12	Upper Market Street	
13	Valencia Street	
14	NC-2, NCT-2	4,000 sq. ft.
15	<i>NC-3, NCT-3</i>	
16	Divisadero Street	
17	Folsom Street	
18	Glen Park	
18	Irving Street	
19	Judah Street	
20	Noriega Street	
21	Ocean Avenue	
22	SoMa	
23	Taraval Street	6,000 sq. ft.
24	<u>NC-3, NCT-3</u>	
25	Excelsior Outer Mission Street	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Fillmore Street	
Mission Street	
NC-S	
Regional Commercial District	10,000 sq. ft.
NC 2, NCT 2	4,000 sq. ft.
NC 3, NCT 3	
Divisadero Street	
Folsom Street	
Glen Park	
Irving Street	
Judah Street	
Noriega Street	
Ocean Avenue	
SoMa	
Taraval Street	6,000 sq. ft.
NC 3, NCT 3	
Excelsior Outer Mission Street	
Fillmore Street	
Mission Street	
NC-S	
Regional Commercial District	10,000 sq. ft.

* * * *

1 **SEC. 121.6. LARGE-SCALE RETAIL USES.**

2 * * * *

3 (e) For purposes of this Section 121.6:

4 (1) "sales floor area" includes only interior building space devoted to the sale
5 of merchandise, and does not include restrooms, office space, storage space, automobile
6 service areas, or open-air garden sales space;:-

7 (2) "non-taxable merchandise" includes only grocery products not subject to
8 California State sales tax;:- and

9 (3) "single retail use" shall include, except for Hotels and Motels, all Retail and
10 Service Uses listed in Section 102 and retail uses identified in Article 8 of this Code ~~except for Hotels~~
11 ~~and Motels.~~

12 * * * *

13
14 **SEC. 121.9. SUBDIVISION OF LARGE LOTS, PDR DISTRICTS.**

15 In order to promote, protect, and maintain viable space for a wide range of light
16 industrial uses in PDR Districts, in furtherance of Objective 4 of the Commerce and Industry
17 Element and Policies 1.5 and 8.1 of the Bayview Hunters Point Area Plan, any proposal to
18 subdivide, resubdivide, or perform a lot line adjustment to a parcel that is equal to or greater
19 than 10,000 square feet, into one or more smaller parcels, shall be permitted only with
20 ~~e~~Conditional Use authorization approval.

21 Additionally, all proposals for the subdivision, resubdivision, or lot line adjustments of
22 parcels in PDR Districts shall be evaluated in consideration of the following criteria in order to
23 further Objective 4 of the Commerce and Industry Element and Policies 1.5 and 8.1 of the
24 Bayview Hunters Point Area Plan:

25 (a) The proposed parcelization will support light industrial activities in the district.

1 (b) If the resulting parcelization will require demolition of a structure, the demolition
2 of the structure complies with the *Industrial Uses* replacement requirement per
3 Section ~~202.7~~ 230.

4 (c) The uses proposed for the parcels, if any, comply with the cumulative use size
5 limits detailed in the PDR Zoning Control Table.

6 **SEC. 132. FRONT SETBACK AREAS, IN RTO, RH, AND RM DISTRICTS AND FOR**
7 **REQUIRED SETBACKS FOR PLANNED UNIT DEVELOPMENTS.**

8 * * * *

9 (g) **Landscaping and Permeable Surfaces.** The landscaping and ~~p~~Permeable
10 ~~s~~Surface requirements of this ~~S~~Subsection (g) and ~~S~~Subsection (h) below shall be met by the
11 permittee in the case of construction of a new building; the addition of a new Dwelling Unit, a
12 garage, or additional parking; any addition to a structure that would result in an increase of
13 20% or more of the existing Gross Floor Area, ~~as defined in Section 102~~; a Residential Merger,
14 as defined in Section 317; or paving or repaving more than 200 square feet of the front
15 setback. All front setback areas required by this Section 132 shall be appropriately
16 landscaped, meet any applicable water use requirements of Administrative Code Chapter 63,
17 and in every case not less than 20% of the required setback area shall be and remain
18 unpaved and devoted to plant material, including the use of climate appropriate plant material
19 as defined in Public Works Code Section 802.1. For the purposes of this Section 132,
20 permitted obstructions as defined by Section 136(c)(6) chimneys, Section 136(c)(14) steps,
21 and Section 136(c)(26) underground garages, shall be excluded from the front setback area
22 used to calculate the required landscape and ~~p~~Permeable ~~s~~Surface area. If the required
23 setback area is entirely taken up by one or more permitted obstructions, the Zoning
24 Administrator may allow the installation of sidewalk landscaping that is compliant with
25 applicable water use requirements of Chapter 63 of the Administrative Code to satisfy the

1 requirements of this Section 132, subject to permit approval from the Department of Public
2 Works in accordance with Public Works Code Section 810B.

3 (h) **Permeable Surfaces.** The front setback area shall be at least 50% permeable
4 so as to increase stormwater infiltration. The ~~p~~Permeable ~~s~~Surface may be inclusive of the
5 area counted towards the landscaping requirement; provided, however, that turf pavers or
6 similar planted hardscapes shall be counted only toward the ~~p~~Permeable ~~s~~Surface requirement
7 and not the landscape requirement. ~~Permeable surfaces are defined in Section 102.33.~~

8 (1) The Zoning Administrator, after consultation with the Director of Public
9 Works, may waive the ~~p~~Permeable ~~s~~Surface requirement if the site does not qualify as a
10 suitable location pursuant to Department of Public Works rules and regulations.

11 (2) If the site receives stormwater run-off from outside the lot boundaries, the
12 Zoning Administrator, after consultation with the General Manager of the Public Utilities
13 Commission, may modify the ~~p~~Permeable ~~s~~Surface requirement to include alternative
14 management strategies, such as bio-retention or other strategies, pursuant to Public Utilities
15 Commission rules and regulations.

16 (i) **Planned Unit Developments.** In addition to the front yard landscaping
17 requirements in Section 132(g). Planned Unit Developments are required to install the
18 following front yard landscape features.

19 (1) Where ground floor setbacks are required, landscaping is also required in
20 the setbacks per Section 132(g). All building setback areas not occupied by steps, porches or
21 other permitted obstructions shall be ~~p~~Permeable Surfaces as defined in Section 102.33.
22 Setbacks should be designed to provide access to landscaped areas, encouraging active use
23 by residents.

24 * * * *

1 **SEC. 142. SCREENING AND GREENING OF PARKING AND ~~VEHICLE~~ VEHICULAR USE**
2 **AREAS.**

3 Off-street parking and "~~vehiele~~ Vehicular ~~u~~Use ~~a~~Areas" adjacent to the public right-of-
4 way shall be screened as provided in this Section.

5 (a) **Screening of Parking and Vehicular ~~Vehiele~~ Use Areas less than 25 Linear**
6 **Feet Adjacent to a Public Right-of-Way.**

7 (1) Every off-street parking space within a building, where not enclosed by
8 solid building walls, shall be screened from view from all Streets and Alleys through use of
9 garage doors or by some other means.

10 (2) Along rear yard areas and other interior open spaces, all off-street
11 parking spaces, driveways and maneuvering areas within buildings shall be screened from
12 view and confined by solid building walls.

13 (3) Off-street parking spaces in ~~p~~Parking ~~l~~Lots shall meet the requirements of
14 Section 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas
15 shall be screened from view as provided in Section 156(c) of this Code.

16 (b) **Vehicular Use Areas That Are Greater than 25 Linear Feet along the Public**
17 **Right-of-Way.** All lots containing ~~v~~Vehicular ~~u~~Use ~~a~~Areas where such area has more than 25
18 linear feet along any public right-of-way shall provide screening in accordance with the
19 requirements of this Section and the Ornamental Fencing *definition in* Section 102-32. The
20 following instances shall trigger the screening requirements for these ~~vehiele~~ Vehicular ~~u~~Use
21 ~~a~~Areas:

22 (1) Any existing ~~v~~Vehicular ~~u~~Use ~~a~~Area that is accessory to an existing
23 ~~p~~Principal ~~u~~Use if such use expands ~~g~~Gross ~~f~~Floor ~~a~~Area equal to 20% ~~percent~~ or more of the
24 ~~g~~Gross ~~f~~Floor ~~a~~Area of an existing building;

1 (2) Any repair rehabilitation or expansion of any existing ~~v~~Vehicular ~~u~~Use
2 ~~a~~Area, if such repair, rehabilitation or expansion would increase the number of existing
3 parking spaces by either more than 20% or by more than four spaces, whichever is greater; or

4 (3) The excavation and reconstruction of an existing ~~v~~Vehicular ~~u~~Use ~~a~~re
5 ~~Area~~ if such excavation and reconstruction involves the removal of 200 square feet or more of
6 the asphalt, concrete or other surface devoted to vehicular use. This provision does not apply
7 to the resurfacing due to emergency work to underground utilities if such work is intended to
8 maintain safety or other public purpose beyond the control of the property owner.

9 (c) **Perimeter Screening.** All ~~v~~Vehicular ~~u~~Use ~~a~~Areas that are greater than 25 linear
10 feet adjacent to the public right-of-way shall provide a screening feature around the perimeter
11 of the lot adjacent to the public right-of-way. Screening shall add to the visual diversity of the
12 use and need not be an opaque barrier. This feature shall be at least one of the following:

13 (1) Ornamental ~~f~~Fencing or a solid wall that is 4 feet in height and a 5 foot
14 deep ~~p~~Permeable ~~s~~Surface with landscaping along the perimeter of the lot that is adjacent to a
15 public right-of-way and compliant with the applicable water use requirements of Administrative
16 Code Chapter 63; or

17 (2) A combination of permeable landscaping compliant with the applicable
18 water use requirements of Administrative Code Chapter 63 and ~~o~~Ornamental ~~f~~Fencing where
19 the ~~p~~Permeable ~~s~~Surface and landscaping is the equivalent area of a 5 foot deep average
20 perimeter landscaping that has been otherwise configured to result in either: (~~i~~A) a public
21 space or amenity that is accessible from the public right-of-way or (~~#~~B) a natural drainage
22 system, such as combined swales, retention basins, detention basins or rain gardens, to
23 reduce stormwater runoff.

24 (d) **Modification of Perimeter Screening Requirements.** The Zoning Administrator is
25 authorized to modify the requirements of subsection (c), thereby allowing alternative

1 landscape treatments to partially or wholly satisfy this screening requirement provided that
2 alternative landscape treatments such as landscaped berms, perimeter plantings, pedestrian
3 lighting, benches and seating areas, or additional landscaping and tree plantings are provided
4 elsewhere on the site and will be visible from the public right-of-way or are provided in the
5 public right-of-way as regulated by Section 810B of the Public Works Code. The Zoning
6 Administrator may authorize such modification only upon finding that the proposed alternative
7 landscape treatment would:

- 8 (1) Provide a visual effect that promotes and enhances the pedestrian
9 experience through the use of quality urban design;
- 10 (2) Promote the reduction of stormwater runoff; and
- 11 (3) Use climate appropriate plant materials, as defined in Public Works Code
12 Section 802.1, that are compliant with the applicable water use requirements of Administrative
13 Code Chapter 63.

14 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL, RESIDENTIAL-**
15 **COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

16 * * * *

17 (c) **Controls.** The following requirements shall generally apply, except for those
18 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling
19 Height, which only apply to a "development lot" as defined above.

20 * * * *

21 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere
22 in this Code:

- 23 (A) All ground floor uses in UMU Districts shall have a minimum floor-
24 to-floor height of 17 feet, as measured from grade. Ground floor Residential Uses shall also
25 be designed to meet the City's Guidelines for Ground Floor Residential Design *Guidelines*.

1 (B) Ground floor Non-Residential Uses in all C-3, NCT, DTR,
 2 Chinatown Mixed Use, RSD, SLR, SLI, SPD, SSO, RED-MX, WMUG, MUG, MUR, WMUO
 3 and MUO Districts shall have a minimum floor-to-floor height of 14 feet, as measured from
 4 grade.

5 (C) Ground floor ~~Non-Residential~~ ~~Uses~~ in all RC districts, C-2
 6 districts, RED districts, and NC districts other than NCT, shall have a minimum floor-to-floor
 7 height of 14 feet, as measured from grade except in 40-foot and 50-foot height districts, where
 8 buildings shall have a minimum floor-to-floor height of 10 feet.

9 * * * *

10 (6) **Transparency and Fenestration.** Frontages with active uses that are not
 11 ~~residential or~~ PDR must be fenestrated with transparent windows and doorways for no less
 12 than ~~60% percent~~ of the street frontage at the ground level and allow visibility to the inside of
 13 the building. The use of dark or mirrored glass shall not count towards the required
 14 transparent area. Buildings located inside of, or within an unobstructed line of less than 300
 15 feet of an Urban Bird Refuge, as defined in Section 139(c)(1), shall follow glazing
 16 requirements within Section 139(c) of this Code.

17 * * * *

18 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

19 * * * *

20 **Table 145.4**

Reference for Commercial, Neighborhood Commercial, and	Reference for Mixed Use Districts	Use

1	Residential-Commercial		
2	Districts		
3	* * * *	* * * *	* * * *
4	<i>102</i>	<i>790.122</i>	<i>Take-Out Food</i>
5	* * * *	* * * *	* * * *
6	<i>102</i>	<i>890.140</i>	<i>Walk-Up Facility</i>

7 * * * *

8 (e) **Modifications.** Modifications to the requirements of this Section are not
9 permitted in DTR Districts. In Neighborhood Commercial *and Commercial* Districts,
10 modifications to the requirements of this Section may be granted through the Conditional Use
11 process, as set forth in Section 303. In the Eastern Neighborhoods Mixed Use Districts,
12 modifications to the requirements of this Section may be granted through the procedures of
13 Section 329 for projects subject to that Section or through an Administrative Modification from
14 the Zoning Administrator for other projects, as set forth in Section 307(g).

15 **SEC. 149. BETTER ROOFS; LIVING ROOF ALTERNATIVE.**

16 * * * *

17 (e) **Waiver.** If the project sponsor demonstrates to the Zoning Administrator's
18 satisfaction that it is physically infeasible to meet the Living Roof requirements as written for
19 the project in question, the Zoning Administrator may, in his or her sole discretion and
20 pursuant to the procedures set forth in Planning Code Section 307(h), grant partial relief from
21 the requirements stated in subsection (d) where the design of the Better Roof is within 10%
22 *percent* of any quantitative requirements. The requirements of CCR Title 24, Part 6, Section
23 110.10 for the solar zone shall remain applicable.

24 **SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.**

25 * * * *

(b) Minimum Parking Required.

Table 151

OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
RESIDENTIAL USES	
* * * *	
Senior H Housing, as defined in Section 102 of this Code, or <i>housing for</i> persons with physical disabilities, as defined in the Americans with Disabilities Act.	None in districts other than RH-1 and RH-2. In RH-1 and RH-2 Districts, one-fifth the number of spaces specified above for the district in which the dwelling is located.
<i>Homeless Shelters</i>	<i>None required</i>
* * * *	
NON-RESIDENTIAL USES	
* * * *	
Industrial Use Category	
* * * *	
<i>Homeless Shelters</i>	<i>None required</i>
* * * *	
Residential Care Facility	None in districts other than RH-1 and RH-2. In RH-1 and RH-2 Districts, one for 10 ₇ beds where the number of beds exceeds nine.
* * * *	

* * * *

SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN SPECIFIED DISTRICTS.

(a) **Applicability.** This Section 151.1 shall apply only to NCT, RC, RCD, RTO, Mixed Use, M-1, PDR-1-D, PDR-1-G, and C-3 Districts, and to the Broadway, Excelsior Outer Mission Street, Japantown, North Beach, Polk, and Pacific *Avenue* Neighborhood Commercial Districts.¹

* * * *

**Table 151.1
OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
RESIDENTIAL USES	
* * * *	* * * *
Dwelling Units in C-3 Districts	P up to one car for each two Dwelling Units; C up to, 0.75 cars for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(e); NP above three cars for each four Dwelling Units.
* * * *	* * * *

* * * *

(e) **Excess Residential Parking.** Any request for accessory residential parking, in excess of what is principally permitted in Table 151.1, shall be reviewed by the Planning Commission as a Conditional Use. In MUG, WMUG, MUR, MUO, RED, RED-MX, and SPD Districts, any project subject to Section 329 and that requests residential accessory parking in

1 excess of that which is principally permitted in Table 151.1, but which does not exceed the
 2 maximum amount stated in Table 151.1, shall be reviewed by the Planning Commission
 3 according to the procedures of Section 329. Projects that are not subject to Section 329 shall
 4 be reviewed under the procedures detailed in subsection (f) below.

5 * * * *

6 **SEC. 155.2. BICYCLE PARKING: APPLICABILITY AND REQUIREMENTS FOR SPECIFIC**
 7 **USES.**

8 * * * *

Table 155.2		
Bicycle Parking Spaces Required		
Use	Minimum Number of Class 1 Spaces Required	Minimum Number of Class 2 Spaces Required
Residential Uses		
* * * *	* * * *	* * * *
Group Housing (including SRO Units and Student Housing that are Group Housing; Homeless Shelters are exempt)	One Class 1 space for every four beds. For buildings containing over 100 beds, 25 Class 1 spaces plus one Class 1 space for every five beds over 100. Group H Housing that is also considered Student Housing per Section 102.36 shall provide 50% percent more	Minimum two spaces. Two Class 2 spaces for every 100 beds. Group Housing that is also considered Student Housing shall provide 50% percent more spaces than would otherwise be required.

	spaces than would otherwise be required.	
* * * * *	* * * * *	* * * * *

* * * * *

SEC. 177. LEGITIMIZATION OF CERTAIN MASSAGE ESTABLISHMENTS.

(a) ~~*Intent. The purpose of this Section 177 is to established*~~ a time-limited program whereby existing Massage Establishments that have operated without required permits may seek those permits. *Pursuant to its terms, this program sunsetted on December 27, 2016, 18 months after its effective date of June 27, 2015.*

(b) ~~*Legitimization Program for Certain Massage Establishments. A Massage Establishment shall be considered a legal, as defined in Section 180, or a permitted Conditional Use, and shall be authorized to continue to operate without obtaining a Conditional Use authorization from the Planning Commission, as required by Sections 102 and 890.60 of this Code, if it meets all of the following requirements:*~~

~~(1) — *As of January 19, 2015, it was operating in that location;*~~

~~(2) — *As of to January 19, 2015, it obtained a business license from the City;*~~

~~(3) — *As of to January 19, 2015, all employees obtained a valid certification from the California Massage Therapy Council (CAMTC) or a valid permit from the Department of Public Health (DPH);*~~

~~(4) — *There are no open Police Department, Planning Department or DPH enforcement cases against the Massage Establishment at the time of permit approval; and*~~

~~(5) — *The Massage Establishment applies for a permit from DPH under Section 29.25 of the Health Code within 90 days of the effective date of this Section 177.*~~

(c) ~~*Website Notice. As soon as possible after enactment of this Section 177, the Planning Department and DPH shall post notice of this legitimization program on their websites, inviting*~~

1 ~~Massage Establishment owners or operators to take advantage of this program, and describing its~~
2 ~~contents and requirements. The notice shall clearly explain which zoning districts of the City permit~~
3 ~~Massage Establishments as of right, which ones permit them with a Conditional Use authorization, and~~
4 ~~which do not permit them.~~

5 ~~(d) — **Determination of Applicability.** Upon receiving a Massage Establishment referral from~~
6 ~~the DPH pursuant to Section 29.28 of the Health Code, the Planning Department shall assess whether~~
7 ~~the Massage Establishment meets the conditions set forth in this Section 177. Massage Establishment~~
8 ~~owners or operators shall submit to the Planning Department evidence supporting the findings~~
9 ~~required under Subsection (b) above. Such evidence may include, but is not necessarily limited to, the~~
10 ~~following: rental or lease agreements, building or other permits, utility records, business licenses,~~
11 ~~CAMTC certification materials, permits from DPH, or tax records. The Planning Department shall~~
12 ~~determine compliance with this Section in its response to the referral form received from DPH.~~

13 ~~(e) — **Limitation of Intensification, Expansion or Discontinuance.** Enlargements,~~
14 ~~Intensifications or Discontinuances of Massage Establishments that follow the Legitimization Process~~
15 ~~authorized by this Section 177 shall be subject to the controls applicable under Sections 178, 181, 182~~
16 ~~and 183 of this Code.~~

17 ~~(f) — **Compliance with Other Requirements of the Planning Code.** Massage Establishments~~
18 ~~that follow the Legitimization Process authorized by this Section shall comply with all applicable~~
19 ~~requirements of the Planning Code, other than those requirements from which they are specifically~~
20 ~~exempted under this Section 177.~~

21 ~~(g) — **Sunset.** Unless readopted, this Section 177 shall sunset 18 months after its effective date~~
22 ~~of June 27, 2015. The City Attorney is hereby authorized to direct the Publisher to delete Section 177~~
23 ~~on or after December 27, 2016.~~

24 **SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL**
25 **NONCONFORMING USES IN RH, RM, RTO, AND RED DISTRICTS.**

1 * * * *

2 (a) **Exemption from Termination Provisions.** The following nonconforming uses
3 in R Districts shall be exempt from the termination provisions of Section 185, provided such
4 uses comply with all the conditions specified in ~~S~~subsection (b) below:

5 (1) Any nonconforming use at any ~~s~~Story in an RTO, RH or RM District which
6 is located more than one-fourth ~~1/4~~ mile from the nearest Named Individual Area Neighborhood
7 Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, and
8 which complies with the use limitations specified for the ~~f~~First ~~s~~Story and below of an NC-1
9 District, as set forth in Sections ~~710.10 through 710.95~~ of this Code .

10 (2) Any nonconforming use in an RTO, RH or RM District which is located
11 within one-fourth ~~1/4~~ mile from any Named Individual Area Neighborhood Commercial District or
12 ~~#~~Restricted ~~#~~Use ~~s~~Subdistrict and which complies with the most restrictive use limitations
13 specified for the ~~f~~First ~~s~~Story and below of:

14 (A) an NC-1 District, as set forth in Sections ~~710.10 through 710.95~~ of
15 this Code; ~~and~~

16 (B) ~~A~~ny Named Individual Area Neighborhood Commercial District
17 within one-fourth ~~1/4~~ mile of the use, as set forth in Sections ~~714.10 through 748 and 753 through~~
18 ~~764 729.95~~ of this Code;

19 (C) Any Restricted Use Subdistrict within one-fourth ~~1/4~~ mile of the use,
20 as set forth in Sections ~~781 et seq. through 781.7~~ of this Code.

21 (3) In the RED Districts, any nonconforming use which is a personal service
22 use falling within zoning category 816.31; home and business service use falling within zoning
23 categories 816.42 through 816.47; live/work unit falling within zoning category 816.55;
24 wholesale sales, storage or light manufacturing uses falling within zoning categories 816.64
25 through 816.67.

1 (b) **Conditions on Limited Nonconforming Uses.** The limited nonconforming
2 uses described above shall meet the following conditions:

3 (1) The building shall be maintained in a sound and attractive condition,
4 consistent with the general appearance of the neighborhood;

5 (2) Any signs on the property shall be made to comply with the requirements
6 of ~~Article 6~~ Section 606(c) of this Code ~~for Limited Commercial~~ applying to nonconforming uses;

7 * * * *

8 **SEC. 186.1. EXEMPTION OF NONCONFORMING USES IN NEIGHBORHOOD**
9 **COMMERCIAL DISTRICTS.**

10 * * * *

11 (b) **Enlargements or Alteration.**

12 (1) A nonconforming use may not be significantly altered; enlarged or
13 intensified, except upon approval of a ~~e~~Conditional ~~#~~Use application pursuant to the provisions
14 of Section 303 ~~Article 3~~ of this Code, provided that the use not have or result in a greater height,
15 bulk or floor area ratio, less required rear yard or open space, or less required off-street
16 parking space or loading space than permissible under the limitations set forth in this Code for
17 the district or districts in which such use is located.

18 (2) A nonconforming use may expand to include public sidewalk space
19 provided that such space is only occupied with tables and chairs as permitted by this
20 Municipal Code.

21 (3) No existing use or structure which fails to meet the requirements of this
22 Code in any manner as described above in this ~~S~~Subsection (b) shall be constructed,
23 reconstructed, enlarged, altered or relocated so as to increase the discrepancy, or to create a
24 new discrepancy, at any level of the structure, between existing conditions on the lot and the
25 required standards for new construction set forth in this Code.

1 (c) **Changes in Use.** A nonconforming use may be changed to another use or
2 feature as described below.

3 (1) A nonconforming use may be changed to a use listed in Article 7 of this
4 Code as a ~~p~~Principal ~~u~~Use for the district in which the property is located, and the new use
5 may thereafter be continued as a *Principally p*Permitted *principal* ~~u~~Use.

6 (2) A nonconforming use may be changed to a use listed in Article 7 of this
7 Code as a Conditional Use for the district in which the use is located, only upon approval of a
8 ~~e~~Conditional ~~u~~Use application pursuant to the provisions of Article 3 of this Code, and the new
9 use may thereafter be continued as a permitted ~~e~~Conditional ~~u~~Use, subject to the provisions of
10 Section 178 of this Code.

11 (3) A nonconforming use may be changed to a use which is not permitted in
12 that Neighborhood Commercial District as described below, only upon approval of a
13 Conditional Use application, pursuant to the provisions of Article 3 of this Code:

14 (A) Any Bar, Limited Restaurant, or Restaurant use ~~described in zoning~~
15 ~~categories .41, .43, or .44, as defined in Sections 790.22, 790.90, and 790.91, respectively,~~ may
16 change to another Bar, Limited Restaurant, or Restaurant use ~~described in zoning categories .41 or~~
17 ~~.44, even though such other use is not permitted in that Neighborhood Commercial District,~~
18 unless such other use is located in an Alcohol Restricted Use Subdistrict and is prohibited by
19 the provisions governing that Alcohol Restricted Use Subdistrict.

20 (B) Any Business Service, Health Service, Personal Service, or Retail
21 Professional Service use ~~described in zoning categories .51, .52, or .53, as defined in Sections~~
22 ~~790.114, 790.116, and 790.108 respectively,~~ may change to another such use ~~described in zoning~~
23 ~~categories .51, .52, or .53,~~ even though such other use is not permitted in that Neighborhood
24 Commercial District.

1 (C) Any Automotive Repair, Automotive Service Station, or Gas Station use
2 ~~described in zoning categories .57, .58, or .59, as defined in Sections 790.14, 790.17, and 790.15~~
3 ~~respectively~~, may be demolished and reconstructed as the same use or may change to another
4 such use ~~described in zoning categories .57, .58, or .59~~, even though such other use is not
5 permitted in that Neighborhood Commercial District.

6 The new use shall still be classified as a nonconforming use.

7 The changes in use described in this ~~S~~subsection (c)(3) shall include remodeling
8 activities involving the demolition and replacement of structures that result in a change of use.

9 * * * *

10 (5) In the Castro Street Neighborhood Commercial District, any use in this
11 ~~d~~District that exceeds the maximum Non-Residential ~~u~~Use ~~s~~Size limit of Section 121.2(b) may
12 ~~be~~ not be changed to a new use. The only method for changing a nonconforming use identified
13 in this ~~S~~subsection (c) is to reduce the nonconforming use:

14 (A) to a conforming use size; or

15 (B) to a size specified in Subsection 121.2(a) pursuant to Conditional Use
16 authorization.

17 Notwithstanding the above, any use in this District that exceeds the maximum Non-
18 Residential ~~u~~Use ~~s~~Size limit of Section 121.2(b), and is ~~a~~ categorized in the Other General Retail
19 Sales and Services ~~use zoning classification~~, as defined in Section ~~102~~ 790.102, may change to
20 another use category enumerated in the definition of General Retail Sales and Service
21 Section 790.102 as long as the use size is not increased and the Commission approves a
22 Conditional Use application for such change. The Commission's approval of such Conditional
23 Use application shall explicitly address the use size findings of Section 303(c).

24 (d) **Discontinuance.** A nonconforming use that is discontinued for a period of three
25 years, or otherwise abandoned or changed to another use that is listed in Article 7 of this

1 Code as a Principal or Conditional Use for the district in which the use is located shall not be
2 reestablished, except in the following instances:

3 * * * *

4 (2) In the Polk Street Neighborhood Commercial Districts ~~for Tobacco~~
5 ~~Paraphernalia Establishments, as defined in Sections 102 and 790.123 of this Code, only~~, the period
6 of non-use for a nonconforming Tobacco Paraphernalia Establishment use to be deemed
7 discontinued shall be ~~eighteen~~ (18) months.

8 (3) For Formula Retail uses in any district that prohibits or requires
9 Conditional Use authorization for Formula Retail uses, the period of non-use to be deemed
10 discontinued is 18 months.

11 * * * *

12 **SEC. 187.1. AUTOMOTIVE SERVICE STATIONS AND GASOLINE STATIONS AS LEGAL**
13 **NONCONFORMING USES.**

14 (a) Continuation as a Nonconforming Use. Notwithstanding any other provision of this
15 Code, an Automotive Service Station or ~~an~~ Automotive a Gas Station as defined in Section 102
16 of this Code, located in ~~an~~ a Residential district, and having legal nonconforming use status
17 under the provisions of this Code on January 1, 1980, shall be regarded as a legal
18 nonconforming use so long as the station continues to sell and dispense gasoline and other
19 motor fuels and lubricating fluids directly into motor vehicles.

20 (b) Enlargement and Intensification. An Automotive Service Station regarded as a
21 legal nonconforming use under Subsection (a) of this Section 187.1 may enlarge or intensify
22 its current service station operations provided the station receives ~~e~~Conditional ~~u~~Use
23 authorization approval for such enlargement or intensification under Section 303 of this Code.
24 Conditional Use authorizations issued pursuant to this Section 187.1 shall not contain
25 termination dates.

1 (c) Accessory Uses. Parking for car-share vehicles, as defined in Section 166, is
2 permitted as an ~~a~~Accessory ~~u~~Use, and the addition of car-share vehicle parking shall not
3 constitute an enlargement or intensification of the use, ~~as defined in Subsection (b) above.~~

4 **SEC. 191. AUTHORIZATION OF TEMPORARY CANNABIS SALES USES.**

5 (a) A Grandfathered MCD, as defined in Section 190, that receives a permit to
6 operate as a Medical Cannabis Dispensary from the Department of Public Health before
7 January 1, 2019 shall be deemed a Temporary Cannabis Sales Use, as defined in Section
8 205.2. Upon expiration of the Temporary Cannabis Sales Use authorization, the land use
9 authorization for the parcel will revert to the original authorization to operate as a Medical
10 Cannabis Dispensary Use, unless the Planning Department or Planning Commission has
11 issued a permanent authorization for a Cannabis Retail Use.

12 (b) This Section 191 shall expire by operation of law on January 1, 2020. Upon its
13 expiration, the City Attorney shall cause this Section 191 to be removed from the Planning Code.

14 **SEC. 201. CLASSES OF USE DISTRICTS.**

15 In order to carry out the purposes and provisions of this Code, the City is hereby
16 divided into the following classes of use districts:

17 * * * *

Neighborhood Commercial Districts (NC) General Neighborhood Commercial Districts (Defined in Sec. 702(a)(1))	
NC-1	Neighborhood Commercial Cluster District (Defined in Sec. 710- F)
NC-2	Small-Scale Neighborhood Commercial District (Defined in Sec. 711- F)
NC-3	Moderate-Scale Neighborhood Commercial District (Defined in Sec. 712- F)
NC-S	Neighborhood Commercial Shopping Center District (Defined in Sec. 713- F)

Named Neighborhood Commercial Districts (Defined in Sec. 702(a)(1))	
* * * *	

1	Haight Street Neighborhood Commercial District (Defined in Sec. 719)
2	<i>North Beach Neighborhood Commercial District (Defined in 722)</i>
3	Japantown Neighborhood Commercial District (Defined in Sec. 721 748)
4	<i>North Beach Neighborhood Commercial District (Defined in Sec. 722)</i>
5	Polk Street Neighborhood Commercial District (Defined in Sec. 723)
6	* * * *
7	<i>Japantown Neighborhood Commercial District (Defined in Sec. 721)</i>
8	<i>West Portal Avenue Neighborhood Commercial District (Defined in Sec. 729.1)</i>

* * * *

"NCT District" shall mean any district *described listed* in Section ~~702(a)(2)~~ 702.1(b), including any NCT-1, NCT-2, NCT-3, and any *Named* Neighborhood Commercial Transit District *identified by street or area name*; and

* * * *

SEC. 202.2. LOCATION AND OPERATING CONDITIONS.

* * * *

(e) **Institutional Uses.** The Institutional Uses listed below shall be subject to the corresponding conditions:

(1) **Medical Cannabis Dispensaries.** Medical Cannabis Dispensary Uses are required to meet all of the following conditions:

* * * *

(E) Alcohol shall not be sold or distributed on the premises for on- or off-site consumption; *and*

~~(F) — Upon acceptance of a complete application for a building permit for a Medical Cannabis Dispensary, the Planning Department shall cause a notice to be posted on the proposed site and shall cause written notice to be sent via U.S. Mail to all owners and occupants of properties within 300 feet of the subject lot in the same Assessor's Block and on the block face across~~

1 ~~from the subject lot as well as to all individuals or groups that have made a written request for~~
2 ~~notification regarding specific medical cannabis dispensaries;~~

3 ~~(G) — All building permit applications shall be held for a period of 30 calendar~~
4 ~~days from the date of the mailed notice to allow review by residents, occupants, owners of~~
5 ~~neighborhood properties, and neighborhood groups;~~

6 ~~(H) — After this 30-day period, the Planning Commission shall schedule a~~
7 ~~hearing to consider whether to exercise its discretionary review powers over the building permit~~
8 ~~application for a Medical Cannabis Dispensary. The scheduling and the mailed notice for this hearing~~
9 ~~shall be processed in accordance with Section 312(e) of this Code; and~~

10 ~~(I)~~ (F) Any permit issued for a Medical Cannabis Dispensary shall
11 contain the following statement in boldface type: "Issuance of this permit by the City and
12 County of San Francisco is not intended to and does not authorize the violation of State or
13 Federal law."

14 * * * *

15 (g) ~~Other Uses.~~ *The uses listed below are subject to the corresponding controls:*

16 ~~(1)~~ **Small Enterprise Workspace (S.E.W.).** *S.E.W.'s are subject to the following*
17 *conditions:*

18 ~~(A)~~ (1) An S.E.W. building must meet the following requirements:

19 ~~(A i)~~ Each unit may contain only uses principally or conditionally
20 permitted in the subject zoning district, or ~~Office~~ ~~Uses~~ (as defined in Sections 102 and
21 890.70);

22 ~~(B ii)~~ Any non-accessory ~~Retail~~ ~~Uses~~ are subject to any per parcel size
23 controls of the subject zoning district;

24 ~~(C iii)~~ No ~~Residential~~ ~~Uses~~ shall be permitted;

1 (D iv) Each of the units in the building must contain no more than 1,500
2 gross square feet each; an exception to this rule applies for larger PDR spaces on the ground
3 floor, as described in subsection (g)(1)(E) below

4 (E v) An S.E.W. building may contain units larger than 1,500 square feet
5 on the ground floor as long as each such unit contains a principal PDR ~~u~~Use. *For the purposes*
6 *of this Section, a PDR use is defined in Section 102 of this Code.* Such PDR units may be
7 independently accessible from the street.

8 (F vi) After the issuance of any certificate of occupancy or completion for
9 the building, any merger, subdivision, expansion, or other change in ~~g~~Gross ~~f~~Floor ~~a~~Area of
10 any unit shall be permitted only as long as the provisions of ~~this~~ subsections (D) and (E),
11 above, are met.

12 (2 B) S.E.W. units may be established only in new buildings or in buildings for
13 which a first certificate of occupancy or completion was issued after January 19, 2009.

14 (3 C) Where permitted, S.E.W. Buildings are exempt from the controls in
15 Section 202.7 Sec. 230 limiting demolition of industrial buildings.

16 (4 D) S.E.W. projects shall provide a PDR Business Plan in accordance with
17 the requirements of Section 210.3C of this Code.

18 (5 E) In considering the approval of a S.E.W. project, the Planning Commission
19 should consider the likely viability of the new PDR space that the development creates, as
20 influenced by such facts as the content of the project sponsor's PDR Business Plan and
21 whether the project sponsor has the commitments of established PDR tenants and/or a
22 demonstrated relationship with organizations established in the PDR community.

23 * * * *

24 (i) Non-Retail Sales and Service Use; Design Professional. In order to preserve and
25 enhance active commercial frontage in the City's Neighborhood Commercial Districts, a Design

1 Professional use located on the First Story or below within any Neighborhood Commercial or
2 Neighborhood Commercial Transit District must provide its services to the general public.

3 **SEC. 204.5. PARKING AND LOADING AS ACCESSORY USES.**

4 In order to be classified as an aAccessory uUse, off-street parking and loading shall
5 meet all of the following conditions:

6 (a) **Location.** Such parking or loading facilities shall be located on the same lot as
7 the structure or use served by them. (For provisions concerning required parking on a
8 separate lot as a pPrincipal or Conditional Use, see Sections 156, 159, 160, and 161 of this
9 Code.)

10 (b) **Parking Accessory to Dwellings.** Unless rented on a monthly basis to serve a
11 Dwelling Unit pursuant to Section 204.5(b)(1), below, accessory parking facilities for any
12 dDwelling in any R District shall be limited, further, to storage of private passenger
13 automobiles, private automobile trailers, boats, bicycle parking and car-share vehicles as
14 permitted by Section 150 and trucks of a rated capacity not exceeding three-quarters of a ton.
15 Notwithstanding any provision of this Code to the contrary, the following shall be permitted as
16 an aAccessory uUse:

17 (~~H~~) Lease of lawfully existing off-street residential parking spaces by the
18 property owner or manager, for a term of no less than one month, is permitted as follows:

19 (1 A) for use by any resident of a Dwelling Unit located on a different lot within
20 1,250 feet of such parking space; or

21 (2 B) for use by any resident of a Dwelling Unit located on a different lot within
22 the City and County of San Francisco so long as no more than five spaces are rented to those
23 who live beyond 1,250 feet of such parking space.

24 (c) **Parking Exceeding Accessory Amounts.** Accessory parking facilities shall
25 include only those facilities that do not exceed the amounts permitted by Section 151(c) or

1 Table 151.1. Off-street parking facilities that exceed the accessory amounts shall be classified
2 as a separate use, and may be principally or conditionally permitted as indicated in the Zoning
3 Control Table for the district in which such facilities are located.

4 **SEC. 205.2. TEMPORARY USES: ONE- OR TWO-YEAR LIMIT.**

5 A temporary use may be authorized for a period not to exceed two years for any of the
6 following uses:

7 * * * *

8 (e) Temporary Cannabis Retail Use for a period of up to one year, as provided by
9 Section 191, to be authorized no earlier than January 1, 2018 and to expire on January 1,
10 2019. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis products.

11 **SEC. 206.2. DEFINITIONS.**

12 * * * *

13 "Restricted Affordable Unit" means a dWelling unit within a Housing Project which will be
14 Affordable to Very Low, Lower or Moderate Income Households, as defined in this Section
15 206.2 for a minimum of 55 years. Restricted Affordable Units shall meet all of the
16 requirements of Government Code 65915, except that Restricted Affordable Units that are
17 ownership units shall not be restricted using an equity sharing agreement."

18 * * * *

19 **SEC. 206.3. HOUSING OPPORTUNITIES MEAN EQUITY - SAN FRANCISCO PROGRAM.**

20 * * * *

21 (c) **HOME-SF Project Eligibility Requirements.** To receive the development
22 bonuses granted under this Section 206.3, a HOME-SF Project must meet all of the following
23 requirements:

24 * * * *

1 (3) All HOME-SF units shall be no smaller than the minimum unit sizes set
2 forth by the California Tax Credit Allocation Committee as of May 16, 2017. In addition,
3 notwithstanding any other provision of this Code, HOME-SF projects shall provide a minimum
4 dwelling unit mix of (A) at least 40% two and three bedroom units, including at least 10% three
5 bedroom units, or (B) any unit mix which includes some three bedroom or larger units such
6 that 50% of all bedrooms within the HOME-SF Project are provided in units with more than
7 one bedroom. Larger units should be distributed on all floors, and prioritized in spaces
8 adjacent to open spaces or play yards. Units with two or three bedrooms are encouraged to
9 incorporate family friendly amenities. Family friendly amenities shall include, but are not
10 limited to, bathtubs, dedicated cargo bicycle parking, dedicated stroller storage, open space
11 and yards designed for use by children. HOME-SF Projects are not eligible to modify this
12 requirement under Planning Code Section ~~303(t)~~ 328 or any other provision of this Code;

13 * * * *

14 (5) Includes at the ground floor level active uses, as defined in Section 145.1,
15 at the same square footages as any neighborhood commercial uses demolished or removed,
16 unless the Planning Commission has granted an exception under Section 328 ~~303(t)(2)(G)~~.

17 * * * *

18 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

19 (a) **Purpose and Findings.** This Section ~~206.3~~ 206.4 describes the 100 Percent
20 Affordable Housing Bonus Program, or “100 Percent Affordable Housing Program”. In addition
21 to the purposes described in Section 206.1, the purpose of the 100 Percent Affordable
22 Housing Program is to facilitate the construction and development of projects in which all of
23 the residential units are affordable to Low and Very-Low Income Households. Projects
24 pursuing a development bonus under this 100 Percent Affordable Program would exceed the
25 City’s shared Proposition K housing goals that 50% of new housing constructed or

1 rehabilitated in the City by 2020 be within the reach of working middle class San Franciscans,
2 and at least 33% affordable for low and moderate income households.

3 (b) **Applicability.** A 100 Percent Affordable Housing Bonus Project under this
4 Section ~~206.3~~ 206.4 shall be a Housing Project that:

5 (1) contains three or more Residential Units, as defined in Section 102, not
6 including any additional units permitted though this Section ~~206~~ 206.4 through a density bonus;

7 * * * *

8 **SEC. 206.5. STATE RESIDENTIAL DENSITY BONUS PROGRAM: ANALYZED.**

9 * * * *

10 (b) **Applicability.**

11 (1) A Housing Project that meets all of the requirements of this subsection
12 (b)(1) or is a Senior Housing Project meeting the criteria of (b)(2) shall be an Analyzed State
13 Density Bonus Project or an "Analyzed Project" for purposes of Section 206 et seq. A
14 Housing Project that does not meet all of the requirements of this subsection (b), but seeks a
15 density bonus under State law may apply for a density bonus under Section 206.6 as an
16 Individually Requested State Density Bonus Project. To qualify for the Analyzed State Density
17 Bonus Program a Housing Project must meet all of the following:

18 * * * *

19 (C) for projects located in Neighborhood Commercial Districts is not
20 seeking to merge lots that result in more than 125 *linear feet* in lot frontage on any one street;

21 * * * *

22 **SEC. 206.6. STATE DENSITY BONUS PROGRAM: INDIVIDUALLY REQUESTED.**

23 * * * *

24 (c) **Development Bonuses.** Any Individually Requested Density Bonus Project shall,
25 at the project sponsor's request, receive any or all of the following:

1 (1) **Density Bonus.** Individually Requested Projects that provide On-site
2 Inclusionary Housing Units or Restricted Affordable Units shall receive a density bonus as
3 described in Table 206.6A as follows:

4 * * * *

5 (H) Certain other types of development activities are specifically
6 eligible for a development bonus pursuant to State law, including land donation under
7 Government Code Section 65915(g), condominium conversions under Government Code
8 Section 65915.5 and qualifying mobile home parks under Government Code Section
9 65915(b)(1)(C). Such projects shall be considered Individually Requested State Density
10 Bonus Projects.

11 * * * *

12 **SEC. 206.8. AFFORDABLE HOUSING BONUS PROGRAM EVALUATION.**

13 * * * *

14 (d) **Program Evaluation and Update.**

15 (1) **Purpose and Contents.** Every five years, beginning five years from
16 March 22, 2015, the Department shall prepare a Program Evaluation and Update. The
17 Program Evaluation and Update shall include an analysis of the Bonus Programs'
18 effectiveness as it relates to City policy goals including, but not limited to Proposition K
19 (November 2014) and the Housing Element. The Program Evaluation and Update shall
20 include a review of all of the following:

21 * * * *

22 (E) Review of the process for considering projects under the Bonus
23 Program, including a review of Section 328, the appeal process, Section 303~~(f)~~ and other
24 relevant process considerations.

25 * * * *

1 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

2 * * * *

3 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
4 under this Section 207 shall be made in the following circumstances:

5 * * * *

6 (6) **Accessory Dwelling Units in Existing Single-Family Homes.**

7 * * * *

8 (B) **Lots Zoned for Single-Family or Multifamily Use and**
9 **Containing an Existing Single-Family Home; Controls on Construction.** An Accessory
10 Dwelling Unit located in a residential zoning district and constructed pursuant to this
11 subsection (c)(6) shall meet all of the following:

12 (i) The ADU will strictly meet the requirements set forth in this
13 subsection (c)(6)(B) without requiring a waiver of Code requirements pursuant to subsection
14 (c)(4)(G).

15 * * * *

16 (C) **Permit Application Review and Approval.** Except as authorized
17 by subsections (c)(6)(B)(v) and (vi), the Department shall approve an application for a permit
18 to construct an Accessory Dwelling Unit within 120 days from receipt of the complete
19 application, without modification or disapproval, if the proposed construction fully complies
20 with the requirements set forth in subsection (c)(6)(B).

21 * * * *

22 **SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.**

23 * * * *

24 **Table 209.2**
25 **ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
RESIDENTIAL STANDARDS AND USES					
* * * *					
Residential Uses					
Residential Density, Dwelling Units (7)	§ 207	<i>3 units per lot or Up to one unit per 800 square feet of lot area.</i>	<i>3 units per lot or Up to one unit per 600 square feet of lot area.</i>	<i>3 units per lot or Up to one unit per 400 square feet of lot area.</i>	<i>3 units per lot or Up to one unit per 200 square feet of lot area. (8)</i>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Sales and Service Category					
Retail Sales and Service Uses*	§ 102	NP	NP	NP	NP
Hotel	§ 102	C (4)	C (4)	C (4)	C (4)
Mobile Food Facility	§ 102				
Mortuary	§ 102	C (5)	C (5)	C (5)	C (5)
* * * *					

SEC. 209.3. RC (RESIDENTIAL-COMMERCIAL) DISTRICTS.

* * * *

**Table 209.3
ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS**

Zoning Category	§ References	RC-3	RC-4		
* * * *					

RESIDENTIAL STANDARDS AND USES

* * * *

Residential Uses

Residential Density, Dwelling Units (7)	§ 207	<i>3 units per lot or Up to one unit per 400 square feet of lot area.</i>	<i>3 units per lot or Up to one unit per 200 square feet of lot area. No density limits in the Van Ness SUD (§ 243). (8)</i>
* * * *	* * * *	* * * *	* * * *
Residential Density, Group Housing	§ 208	<i>P Up to one bedroom for every 140 square feet of lot area. (9)</i>	<i>P Up to one bedroom for every 70 square feet of lot area. (9)</i>
* * * *	* * * *	* * * *	* * * *

NON-RESIDENTIAL STANDARDS AND USES

Development Standards

Floor Area Ratio	§§102,123,124	3.6 to 1	4.8 to 1. Other FAR controls apply in the Van Ness SUD; §143 <i>243(c)(1)</i>
* * * *	* * * *	* * * *	* * * *

SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.

These districts serve several functions. They provide convenience goods and services to Residential areas of the City, both in outlying sections and in closer-in, more densely built communities. In addition, some C-2 Districts provide comparison shopping goods and services on a general or specialized basis to a Citywide or a regional market area, complementing the main area for such types of trade in downtown San Francisco. The extent of these districts varies from smaller clusters of stores to larger concentrated areas, including both shopping centers and strip developments along major thoroughfares, and in each case

1 the character and intensity of commercial development are intended to be consistent with the
 2 character of other uses in the adjacent areas. ~~As in C-1 Districts, t~~The emphasis in C-2 Districts
 3 is upon compatible retail uses, but the district also allows a wider variety of goods and services
 4 is included to suit the longer-term needs of customers and a greater latitude is given for the
 5 provision of automobile-oriented uses.

6 **Table 210.1**
 7 **ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<i>Entertainment, Arts and Recreation Use Category</i>		
Entertainment and Recreation Uses*	§ 102	P
<i>Entertainment, Outdoor</i>	§ 102	NP
* * * *	* * * *	* * * *

16
 17 **SEC. 210.3C. ALLOWANCE FOR USES TO SUPPORT THE DEVELOPMENT OF NEW**
 18 **PDR SPACE IN THE PDR-1-D AND PDR-1-G DISTRICTS.**

19 * * * *

20 (c) **Controls.** The Planning Commission may permit, per the procedures described
 21 below in § subsection (d), non-PDR uses on the subject lot pursuant to the following
 22 provisions:

23 (1) At least ~~1/3~~ one-third of the total Gross Floor Area developed on the
 24 parcel shall contain PDR Uses, ~~as defined in Section 102.~~

1 (2) For purposes of this Subsection (c), every square foot of Small
2 Enterprise Workspace, ~~as defined in Section 102~~, shall count as 0.5 square feet of PDR space
3 and 0.5 square feet of non-PDR space as specified in Subsection (c)(3) below.

4 (3) The non-PDR space may contain one or a combination of the following
5 uses:

- 6 (A) Office Uses, ~~as defined in Section 102~~;
- 7 (B) Institutional Uses, ~~as defined in Section 102~~, except for Hospitals;
- 8 and/or
- 9 (C) Gym ~~U~~se, as defined in Section 102.

10 (4) Uses other than those listed in Subsections (c)(2) and (c)(3) above, such
11 as ~~R~~etail, are subject to the controls of the underlying district.

12 (5) No ~~R~~esidential ~~U~~ses are permitted, even as part of an Institutional Use
13 ~~Institutions as defined under Section 890.50~~, except as allowed as Accessory Uses pursuant to
14 Section 204.4. * * * *

15 * * * *

16 (8) Accessory parking for ~~U~~ses listed in subsection (c)(2) above may be
17 permitted up to one space per each 1,500 square feet of ~~o~~ccupied ~~f~~loor ~~a~~rea, and all such
18 parking shall be subject to the pricing requirements of Section 155(g).

19 * * * *

20 (d) **Referral to OEWD.** Upon receiving an application for a project under this
21 Section 210.3C, the Planning Department shall inform the Director of the Office of Economic
22 and Workforce Development (OEWD) or successor agency, so that OEWD may inform the
23 project sponsor of existing programs and requirements relevant to PDR businesses, including
24 any existing economic incentive and hiring programs.
25

1 (e) **Approvals.**

2 * * * *

3 (2) A Notice of Special Restriction ("NSR") shall be recorded on the title of
4 any property receiving approval under this Section 210.3C ~~219.1~~. Such NSR shall:

5 * * * *

6 (B) State that the proportion of ~~g~~Gross ~~f~~Floor ~~a~~Area on the site
7 dedicated to PDR uses shall never be less than ~~1/3~~ one-third of the total ~~g~~Gross ~~f~~Floor ~~a~~Area
8 on the parcel, including any future building or use alterations or expansions;

9 * * * *

10 **SEC. 211.1. PRINCIPAL USES PERMITTED, P DISTRICTS.**

11 The following uses are principally permitted in all P Districts when found to be in
12 conformity with the General Plan:

13 * * * *

14 (c) Accessory nonpublic uses, which in P Districts may or may not be related to the
15 ~~p~~Principal ~~u~~Use, provided that they meet the following standards:

16 (1) If the accessory nonpublic use is located on a lot with an OS Height and
17 Bulk designation per Section 290 of this Code, it shall occupy a de minimis amount of space
18 so that it does not detract from the lot's principal or exclusive purpose as open space. In no
19 case may accessory nonpublic uses occupy more than one-third ~~1/3~~ of the total lot area
20 occupied by the ~~principle~~ Principal ~~u~~Use;

21 * * * *

22 **SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**

23 * * * *

24 (c) **Controls.** All provisions of the Planning Code currently applicable shall
25 continue to apply, except as otherwise provided in this Section 249.36:

1 (1) **Medical Services.** Medical services, including medical offices and clinics,
2 as defined in Section 890.114, are a ~~p~~Prin cipally ~~p~~Per mitted ~~u~~Use and are exempted from use
3 size limitations, PDR replacement requirements (Sec. ~~202.7 230~~), and vertical (floor-by-floor)
4 zoning controls (Sec. 803.9(h)). For the purposes of this Section, a medical service use may
5 be affiliated with a hospital or medical center as defined in 890.44.

6 (2) **Life Science Offices.** Office uses that contain Life Science facilities, as
7 defined in Section 890.53, are a ~~p~~Prin cipally ~~p~~Per mitted ~~u~~Use and are exempted from use size
8 limitations, PDR replacement requirements (Sec. ~~202.7 230~~), and vertical (floor-by-floor)
9 zoning controls (Sec. ~~210.3C 219.1~~ and 803.9(h)).

10 (3) **Life Science Laboratories.** Laboratories that engage in life science
11 research and development, as defined in Section 890.52, are a ~~p~~Prin cipally ~~p~~Per mitted ~~u~~Use
12 and are exempted from use size limitations, PDR replacement requirements (Sec. ~~202.7 230~~),
13 and vertical (floor-by-floor) zoning controls (Sec. ~~210.3C 219.1~~ and 803.9(h)).

14 **SEC. 249.45. VISITACION VALLEY/SCHLAGE LOCK SPECIAL USE DISTRICT.**

15 * * * *

16 (e) **Controls in Zone 1.** Development in Zone 1 of the Special Use District shall be
17 regulated by the controls contained in this Section 249.45(e) and the Design for Development.
18 Where not explicitly superseded by definitions and controls established in this Section
19 249.45(e) or the Design for Development, the definitions and controls in this Planning Code
20 shall apply except where those controls conflict with the Development Agreement. The
21 following shall apply only in Zone 1 of the Special Use District:

22 * * * *

23 (2) **Use Requirements.**

24 * * * *

1 (B) **Formula Retail Uses.** Formula ~~R~~etail uses as defined in
2 Section ~~303.1 703.3~~, except those uses set forth in subsection ~~249.45~~(e)(2)(C) below, shall be
3 principally permitted subject to the following requirements:

4 * * * *

5 (6) **Building Standards.**

6 (A) **Vertical Control for Office.** Vertical floor controls for office set
7 forth in Section 803.9 shall not apply in existing buildings on the site.

8 (B) **Height.** Height of a building or structure shall be defined,
9 measured, and regulated as provided for in Sections ~~102.12~~ and 260 where applicable, and as
10 below in the following scenarios:

11 (i) Where the lot is level with or slopes downward from a street
12 at the centerline of the building or building step, the measurement point shall be taken at the
13 back of sidewalk level on such a street. The plane determined by the vertical distance at such
14 point may be considered the height limit at the opposite (lower) end of the lot, provided the
15 change in grade does not enable an additional story of development at the downhill property
16 line. This takes precedence over Section ~~260(a)(1)(B) 102.12(b)~~.

17 (ii) Where the change in grade does enable an additional floor
18 of development, height must be measured from the opposite (lower) end of the lot, ~~as specified~~
19 ~~in Section 102.12(e)~~.

20 (iii) Where there is conflict with Section ~~102.12~~ or Section 260 of
21 the Code, the requirements of this Special Use District shall apply.

22 * * * *

23 **SEC. 249.52. TREASURE ISLAND/YERBA BUENA ISLAND SPECIAL USE DISTRICT.**

24 * * * *

(e) **Development Controls.** Development and uses of property within this Special Use District shall be regulated by the controls contained herein and in the Design for Development, provided, however, that if there is any inconsistency between this Special Use District and the Design for Development, this Special Use District shall control.

* * * *

(2) **Uses.** The uses listed in Figure 3 are permitted in this Special Use District as indicated by the following symbols in the respective column for each district: (i) P – permitted as a *p*Principal *u*Use in this zoning designation; (ii) IC – subject to approval as an Island Conditional Use pursuant to the procedures set forth in subsection (h) below; (iii) blank – not permitted in this zoning designation.

Figure 3: Treasure Island and Yerba Buena Island Permitted Uses

	TI-R	TI-MU	TI-OS	TI-PCI	P=Permitted Use; IC= Island Conditional Use Permit Required; * and/or † = See Comments
Land Use	Zone				
* * * *					
Retail Sales and Services					
****	****	****	****	****	
32. Retail, Restaurants, Kiosks, Pushcarts, and other uses*		P	P		*Uses accessory to and supportive of recreation and open space uses, consistent with the Open Space Area standards and guidelines set forth in Chapter II <u>VI</u> of the Treasure Island/Yerba Buena Island Design for Development document
****	****	****	****	****	****
* * * *					
Parking					
****	****	****	****	****	****

1						†Limited to the storage of private passenger automobiles belonging to Treasure Island residents, visitors, and workers, and meeting the siting and design requirements, car-share requirements, and otherwise complying with the provisions of Chapter T6 <u>Y6</u> of the Treasure Island/Yerba Buena Island Design for Development document
2	55. Community garages†	P	P	IC		
3						
4						
5	56. Accessory Parking Facilities†	P	P		P	†Off-street parking, either surface or structured, that is accessory to a permitted or special use, subject to the requirements of Chapter T6 <u>Y6</u> of the Design for Development document, in terms of location and quantity
6						
7						
8	****	****	****	****	****	****
9	* * * *					
10	Civic, Public, Open Space, and Public Service Uses					
11	****	****	****	****	****	****
12	69. Open space Maintenance Facility†			P	IC	†For support of open space program on T <u>Treasure</u> Island and Yerba Buena Island, and compliant to the standards and guidelines for each specific open space area listed in Chapter T7 <u>Y1</u> of the Design for Development document
13						
14						
15	70. Playground	P*	P	P	P	*See Open Space Chapter T7 <u>Y1</u> of Design for Development document for programming and size standards
16						
17	71. Public Parks	P*	P	P	P	*See Open Space Chapter T7 <u>Y1</u> of Design for Development document for programming and size standards
18						
19	****	****	****	****	****	****
20	77. Wireless Telecommunications Services Facility†	P	P	P	P	†See Building Design Chapter T5 <u>Y5</u> of the Design for Development document for placement standards
21						
22						
23	****	****	****	****	****	****
24	* * * *					
25						

1 (g) **Review and Approval of Vertical Development.**

2 * * * *

3 (4) **Schematic Design Document Applications under Planning**
4 **Commission Jurisdiction.**

5 * * * *

6 (E) **Public Hearing for Large Projects.** Prior to decision by the
7 Director of Planning ~~Director~~ pursuant to Subsection (g)(4)(C) above, each project subject to
8 the below criteria shall be presented at a regularly scheduled hearing of the Planning
9 Commission. Such hearing shall be calendared within 30 days after the application is
10 complete or deemed complete. If a public hearing is required under subsection (g)(4)(D) and
11 this ~~sub~~subsection (g)(4)(E), the Planning Commission shall jointly calendar and hear both items,
12 to take action on the Major Modification and to provide comment only on the project design.
13 The Director of Planning shall consider all comments from the public and the Planning
14 Commission in making his or her decision to approve, conditionally approve, or disapprove
15 the project design. Criteria necessitating public hearing are as follows:

16 (i) The project includes the construction of a new building
17 greater than 70 feet in height, or includes a vertical addition to an existing building resulting in
18 a total building height greater than 70 feet; or

19 (ii) The project involves a net addition or new construction of
20 more than 25,000 gross square feet of commercial space.

21 * * * *

22 **SEC. 249.59. CALLE 24 SPECIAL USE DISTRICT.**

23 * * * *

24 (d) **Controls.** The following provisions, in addition to all other applicable provisions
25 of the Planning Code, shall apply within the Calle 24 Special Use District:

1 * * * *

2 (2) **Conditional Use Authorization.** The following, if not otherwise
3 prohibited, shall require Conditional Use authorization from the Planning Commission
4 pursuant to Section 303:

5 * * * *

6 (C) A First Story Health Medical Service Use as defined in
7 Section 790.114.

8 * * * *

9 **SEC. 249.60. MISSION ALCOHOLIC BEVERAGE SPECIAL USE DISTRICT.**

10 * * * *

11 (d) **Good Neighbor Policies.** The operating conditions established in
12 Section 202.2 of this Code shall apply to all liquor establishments in this SUD in order to
13 maintain the safety and cleanliness of the premises and vicinity. In addition, all new,
14 relocated, or expanded liquor establishments, and any liquor establishment with a license
15 referred for review to the Planning Department by the State of California Department of
16 Alcohol Beverage Control, shall comply with the requirements set forth below. Liquor
17 establishment shall have the meaning set forth in subsection (c) above.

18 * * * *

19 (2) No more than 33% *percent* of the square footage of the windows and clear
20 doors of the liquor establishment shall bear advertising or signage of any sort, and all
21 advertising and signage shall be placed and maintained in a manner that ensures that law
22 enforcement personnel have a clear and unobstructed view of the interior of the premises
23 from the exterior public sidewalk or entrance to the premises. This requirement shall not apply
24 to premises where there are no windows, or where existing windows are located at a height
25 that precludes a view of the interior of the premises to a person standing outside the

1 premises. Street facing facades shall maintain at least ~~50% percent~~ clear and visually-
2 permeable glazing.

3 For any use authorized pursuant to a Conditional Use authorization after the effective
4 date of Ordinance No. 143-14 repeated violations of the Good Neighbor Policies set forth in
5 this ~~subsection (d)~~, of the operating conditions set forth in Section ~~202.2 703.5~~ of this Code, or
6 of any conditions associated with a Condition of Approval shall require a hearing at the
7 Planning Commission to consider revocation of the Conditional Use authorization.

8 * * * *

9 **SEC. 249.62. THIRD STREET ALCOHOL RESTRICTED USE DISTRICT.**

10 * * * *

11 (c) **Definitions.**

12 "Liquor establishment" shall mean any enterprise selling alcoholic beverages, as
13 defined by California Business and Professions Code Section 23004 and 23025, pursuant to a
14 California Alcoholic Beverage Control Board license.

15 "Off-sale liquor establishment" shall mean any *Liquor Store use as establishment that is*
16 defined in Section ~~102 790.55~~ of this Code.

17 "Prohibited liquor establishment" shall mean any establishment selling alcoholic
18 beverages lawfully existing prior to the effective date of the establishment of the Third Street
19 Alcohol RUD and licensed by the State of California for the retail sale of alcoholic beverages
20 for on- or off-site consumption, so long as otherwise lawful.

21 * * * *

22 **SEC. 249.65. BAYSHORE BOULEVARD HOME IMPROVEMENT SPECIAL USE**
23 **DISTRICT.**

24 * * * *

1 (c) **Controls.** The following controls shall apply in the Bayshore Boulevard Home
2 Improvement Special Use District:

3 * * * *

4 (5) The provisions set forth in Section ~~202.7 230~~ of this Code, which relate to
5 demolition of industrial buildings in PDR districts, shall not apply.

6 (6) ~~The requirements for street trees set forth in Section 428 of this Code shall apply.~~

7 ~~(7)~~ Formula retail uses as defined in Section 303.1 of this Code that are
8 10,000 square feet or larger shall be subject to the Redevelopment Agency's Bayview
9 Hunters Point "Employment and Contracting Policy."

10 * * * *

11 **SEC. 249.70. CENTRAL SUBWAY TUNNEL BORING MACHINE EXTRACTION SITE**
12 **SPECIAL USE DISTRICT.**

13 * * * *

14 (b) **Controls.** All otherwise applicable provisions of the Planning Code shall apply to
15 this Special Use District, except as specifically provided in this Section 249.70:

16 * * * *

17 (8) **Height and Bulk.** The height and bulk applicable to this Special Use
18 District shall be 55-X, provided, however, that in no case shall the height of any new structure
19 exceed the height of the existing Pagoda Palace structure. For purposes of measurement of
20 height in this District, the height of a projecting business sign shall be exempt, provided that
21 such sign is the reconstruction or rehabilitation of an existing projecting movie theater blade
22 sign as provided in ~~Section-subsection (b)(9) herein~~. Prior to demolition of the existing structure,
23 the owner or owners authorized agent shall prepare and submit to the Planning Department a
24 detailed survey, including elevations and sections, which accurately dimension the height of
25 the existing theater building, including the heights of all rooftop features.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * *

SEC. 249.73. JEWISH HOME OF SAN FRANCISCO SPECIAL USE DISTRICT.

A Special Use District entitled the Jewish Home of San Francisco Special Use District ("District"), the boundaries of which are shown on Special Use District Map ~~SU11 011~~ of the Zoning Map of the City and County of San Francisco, is hereby established for the purposes set out below.

* * * *

(b) **Controls.** Applicable provisions of the Planning Code shall apply except as otherwise provided in this Section 249.73. In the event of a conflict between other provisions of the Planning Code and this District, this Section 249.73 shall control.

(1) **Accessory Uses.** In this District, exceptions from otherwise applicable requirements of the Planning Code may be appropriate to further the goals set forth in *this* Section 249.73. Accessory uses within this District shall be governed by Planning Code Section ~~703(d) 703.2(b)(1)(C)~~. Outpatient services, acute care psychiatric hospital uses, and all other uses listed in Section 249.73(a)(2) shall be permitted as ~~a~~Accessory ~~u~~Uses and may be made available to non-resident seniors.

* * * *

SEC. 249.74. FIFTH AND MISSION SPECIAL USE DISTRICT.

* * * *

(d) **Development Controls.** Applicable provisions of the Planning Code shall control except as otherwise provided in this Section and the Design for Development. In the event of a conflict between other provisions of the Planning Code, the Design for Development, or this District, the provisions of this District shall control.

* * * *

1 (2) **Additional Conditional Uses.** In addition to the Conditional Use
2 requirements of the C-3-S district, the following uses shall require Conditional Use
3 authorization:

4 (A) Those uses identified in Planning Code Section 249.40A(c)(1)(A)(i)
5 through (iv) and 249.40A(c)(1)(A)(vi) through (x), but excepting Restaurant uses *as defined in*
6 *Planning Code Section 790.91*; and

7 (B) Formula Retail uses, consistent with the requirements of Planning
8 Code Section 303.1.

9 * * * *

10 **SEC. 249.75. SUNNYDALE HOPE SF SPECIAL USE DISTRICT.**

11 * * * *

12 (c) **Development Controls.** The controls contained in the Design Standards and
13 Guidelines shall regulate development in the Sunnydale HOPE SF Special Use District,
14 except for those controls specifically enumerated in this Section 249.75. Where not explicitly
15 superseded by definitions established in the Design Standards and Guidelines, the definitions
16 in this Code shall apply. All procedures and requirements in Article 3 of the Planning Code
17 shall apply to development in this Special Use District to the extent that they are not in conflict
18 with this Special Use District or the Development Agreement. The Planning Commission may
19 amend the Design Standards and Guidelines upon initiation by the Planning Department or
20 upon application by an owner of property within this Special Use District (or his or her
21 authorized agent), or any party to the Development Agreement, to the extent that such
22 amendments are consistent with this Special Use District, the General Plan, and the
23 Development Agreement. The Zoning Administrator may approve minor amendments to the
24 Design Standards and Guidelines upon initiation by the Planning Department or upon
25 application by an owner of property within this Special Use District (or his or her authorized

1 agent), or any party to the Development Agreement. For the purposes of this subsection (c),
2 “minor amendments” shall be defined as amendments necessary to clarify omissions or
3 correct inadvertent mistakes in the Design Standards and Guidelines and are consistent with
4 the intent of the Design Standards and Guidelines, this Special Use District, the General Plan,
5 and the Development Agreement.

6 * * * *

7 (2) **Uses.**

8 (A) **Permitted Uses.** In addition to the uses permitted in the RM-1
9 district, those uses that are principally or conditionally permitted in a Small-Scale
10 Neighborhood Commercial District (NC-2) use district shall be permitted in this Special Use
11 District to the same extent as in a NC-2 district; provided, however, that ~~Liquor sStores and~~
12 ~~mMedical eCannabis dDispensaries~~ shall not be permitted in this Special Use District and that
13 Conditional Use size thresholds *for Non-Residential Uses in an NC-2 District pursuant to Planning*
14 *Code Section 711.21* shall not apply to *Institutional and Health Service Medical uUses, Large*
15 *Institutions, Small Institutions, Public Uses.* Public *Facility Uuses* shall be principally permitted.

16 (B) **Ground Floor Uses.** Notwithstanding anything in this
17 Section 249.75 to the contrary, “active uses” as defined in Section 145.1(b)(2) or *Health*
18 *Service uses Medical Services as defined in Section 790.114* shall be required at the ground floor
19 frontages along the west side of Hahn Street between Sunnydale Avenue and Center Street,
20 as identified in the Development Agreement, and the south side of Sunnydale Avenue
21 between Hahn Street and A Street, as identified in the Development Agreement; provided,
22 however, that for purposes of this Section of the Special Use District, active uses shall
23 exclude ground floor residential units.

24 * * * *

1 **SEC. 249.76. POTRERO HOPE SF SPECIAL USE DISTRICT.**

2 * * * *

3 (c) **Development Controls.** The controls contained in the Design Standards and
4 Guidelines shall regulate development in the Potrero HOPE SF Special Use District, except
5 for those controls specifically enumerated in this Section 249.76. Where not explicitly
6 superseded by definitions established in the Design Standards and Guidelines, the definitions
7 in this Code shall apply. All procedures and requirements in Article 3 of the Planning Code
8 shall apply to development in this Special Use District to the extent that they are not in conflict
9 with this Special Use District or the Development Agreement. The Planning Commission may
10 amend the Design Standards and Guidelines upon initiation by the Planning Department or
11 upon application by an owner of property within this Special Use District (or his or her
12 authorized agent), or by any Party to the Development Agreement, to the extent that such
13 amendments are consistent with this Special Use District, the General Plan, and the
14 Development Agreement. The Zoning Administrator may approve minor amendments to the
15 Design Standards and Guidelines upon initiation by the Planning Department or upon
16 application by an owner of property within this Special Use District (or his or her authorized
17 agent), or by any Party to the Development Agreement. For the purposes of this subsection
18 (c), "minor amendments" shall be defined as amendments necessary to clarify omissions or
19 correct inadvertent mistakes in the Design Standards and Guidelines and are consistent with
20 the intent of the Design Standards and Guidelines, this Special Use District, the General Plan,
21 and the Development Agreement.

22 (2) **Uses.**

23 (A) **Permitted Uses.** In addition to the uses permitted in the RM-2
24 district, those uses that are principally or conditionally permitted in a Small-Scale
25 Neighborhood Commercial District (NC-2) use district shall be permitted in this Special Use

1 District to the same extent as in a NC-2 district; provided, however, that ~~Liquor s~~Stores and
2 ~~m~~Medical ~~e~~Cannabis ~~d~~Dispensaries shall not be permitted in this Special Use District and that
3 Conditional Use size thresholds *for Non-Residential Uses in an NC-2 District pursuant to Planning*
4 *Code Section 711.21* shall not apply to *Institutional and Health Service Medical Uses, Large*
5 *Institutions, Small Institutions, Public Uses*. Public *Facility Uses* shall be principally permitted.

6 (B) **Ground Floor Uses.** Notwithstanding anything in this
7 Section 249.76 to the contrary, “active uses” as defined in Section 145.1(b)(2) or *Health*
8 *Service uses Medical Services as defined in Section 790.114* shall be required at the ground floor
9 frontages on 24th Street between Arkansas Street and Missouri Street; provided, however,
10 that for purposes of this Section of the Special Use District, active uses shall exclude ground
11 floor residential units.

12 * * * *

13 (e) **Project Review and Approval.**

14 * * * *

15 (4) **Approvals and Public Hearings.**

16 * * * *

17 (C) **Notice of Hearings.** The Department shall provide notice of
18 hearings required by subsections (A) and (B) above as follows: (i) mail notice to the project
19 applicant, property owners within 300 feet of the exterior boundaries of the property that is the
20 subject of the application, using for this purpose the names and addresses as shown on the
21 citywide assessment roll in the Office of the Tax Collector, and residents within 150 feet of the
22 exterior boundaries of the property that is the subject of the application, and any person who
23 has requested notice by mail not less than 20 days prior to the date of the hearing ~~to~~; and (ii)
24 post notice on the subject property at least 10 days prior to the date of the hearing.

25 * * * *

1 (10) **Interim Uses.** An interim use may be authorized by the Planning
2 Director, pursuant to the Design Review procedures outlined in ~~subection~~ subsection (e)(3) of
3 this Special Use District for a period not to exceed 5 years, if the Director finds that such use:
4 (A) will not impede orderly development within the Special Use District; (B) is consistent with
5 intent Special Use District and Development Agreement; and (C) would not pose a nuisance
6 to surrounding residential uses. In addition to those uses set forth in Section 205, such interim
7 uses may include, but are not limited to: farmers' markets; arts or concert uses; and rental or
8 sales offices incidental to new development. Temporary or semi-temporary structures may be
9 permitted under this subsection (10) for resident-serving community facilities such as wellness
10 centers, or other improvements intended to facilitate phased development of the Project. An
11 authorization granted pursuant to this subsection (10) shall not exempt the applicant from
12 obtaining any other permit required by law. Additional time for such uses may be authorized
13 only if the Planning Director approves the action after receiving a new application.

14 **SEC. 249.79 PIER 70 SPECIAL USE DISTRICT.**

15 * * * *

16 (g) **Uses.**

17 * * * *

18 (5) **Ground Floor Frontages.**

19 * * * *

20 (D) **Retail and Service Frontages.** To embed a broader set of active
21 uses elsewhere on the site, including community facilities and personal services, Retail and
22 Service Frontages shall occur along the northern and southern waterfront edge, as well as
23 along the 200-foot portion of Parcel C1 facing Orton Plaza and on key gateways into the site
24 from Illinois Street and corners adjacent to the Maryland Street corridor between 21st and
25 22nd Streets, as shown in Figure 1. Specified frontage zones shall be limited to the Priority

1 Retail uses listed in subsection 249.79(g)(5)(A) plus the following additional uses (each, a
2 "Priority Service Use") for a minimum of 50% of the shaded Retail and Services frontage zone
3 identified in Figure 1:

- 4 (i) Health Services;
- 5 (ii) Financial Services;
- 6 (iii) Retail Professional Services;
- 7 (iv) Institutional Use; and
- 8 (v) Non-Retail Sales and Service Use;
- 9 (vi) For Parcel C1 only, small Offices up to 5,000 square feet;
- 10 (vii) For Parcel C1 only, ground floor residential may qualify as a

11 permitted active use to meet this requirement if the building is 100% ~~percent~~ affordable
12 housing.

13 **SEC. 303.1. FORMULA RETAIL USES.**

14 (c) **"Retail Sales or Service Activity or Retail Sales or Service Establishment."**

15 For the purposes of this Section 303.1, a retail sales or service activity or retail sales or
16 service establishment shall include the following uses whether functioning as a ~~p~~P principal or
17 ~~a~~A accessory ~~u~~U use, as defined in Articles 1, 2, 7, and 8 of this Code:

- 18 * * * *
- 19 - Service, Personal §§ 102, -890.116
- 20 * * * *

21 (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in
22 the following zoning districts:

- 23 (1) Hayes-Gough Neighborhood Commercial Transit District;
- 24 (2) North Beach Neighborhood Commercial District;
- 25 (3) Chinatown Visitor Retail District;

1 (4) Upper Fillmore District does not permit Formula Retail uses that are also
2 Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*;

3 (5) Broadway Neighborhood Commercial District does not permit Formula
4 Retail uses that are also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90*
5 *and 790.91*;

6 (6) Mission Street Formula Retail Restaurant Subdistrict does not permit
7 Formula Retail uses that are also Restaurant or Limited-Restaurant uses *as defined in Sections*
8 *790.90 and 790.91*;

9 (7) Geary Boulevard Formula Retail Pet Supply Store and Formula Retail
10 Eating and Drinking Subdistrict does not permit Formula Retail uses that are also either a
11 Retail Pet Supply Store or an Eating and Drinking use as set forth in Section 781.4;

12 (8) Taraval Street Restaurant Subdistrict does not permit Formula Retail uses
13 that are also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*;

14 (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are
15 also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*.

16 * * * *

17 (j) **Change of Use.** Changes of Formula Retail establishments are generally
18 described below, except that a change of a Formula Retail use that is also a nonconforming
19 use pursuant to Section 182 is prohibited. In all other instances, changes of Formula Retail
20 establishments from one use category to another, including a change from one use to another
21 within the sub-categories of uses set forth in the definition of Retail Sales and Services *in*
22 Section 102 and in Section 890.102 for Mixed Use Districts, require a new Conditional Use
23 authorization as a new Formula Retail use. Changes of Formula Retail owner or operator
24 within the same use category that are determined to be an enlargement or intensification of
25 use pursuant to subsection 178(c) are required to obtain Conditional Use authorization and

1 shall meet the Commission’s adopted Performance-Based Design Guidelines for Formula
2 Retail. In cases determined not to be an enlargement or intensification of use, the
3 Performance-Based Design Guidelines for Formula Retail may be applied and approved
4 administratively by the Planning Department, unless the applicant requests a Conditional Use
5 hearing at the Planning Commission. The applicant shall also pay an administrative fee to
6 compensate Planning Department and City staff for its time reviewing the project under this
7 subsection (j), as set forth in Section 360 of this Code.

8 **SEC. 308.1. APPEALS: AMENDMENTS TO THE PLANNING CODE AND CONDITIONAL**
9 **USES.**

10 (a) **Right of Appeal.** The action of the Planning Commission, in disapproving in
11 whole or in part an amendment to the Planning Code initiated by application as described in
12 Section 302 and Sections 306 through 306.5, or in approving or disapproving in whole or in
13 part an application for Conditional Use authorization as described in Sections 303 and 304
14 *and* Sections 306 through 306.5 of this Code, shall be subject to appeal to the Board of
15 Supervisors in accordance with this Section. An action of the Commission so appealed from
16 shall not become effective unless and until approved by the Board of Supervisors in
17 accordance with this Section.

18 * * * *

19 ~~**SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**~~
20 ~~**NEIGHBORHOODS MIXED USE DISTRICTS AND FOR CANNABIS RETAIL AND**~~
21 ~~**MEDICAL CANNABIS DISPENSARY USES IN ALL NON-RESIDENTIAL ZONING**~~
22 ~~**DISTRICTS.**~~

23 * * * *

24 (c) ~~**Changes of Use.**~~

1 (1) ~~NC Districts~~. In NC Districts, all building permit applications for a change
2 of use to, or the establishment of, the following uses shall be subject to the provisions of
3 subsection 312(d) except as stated below:

4 * * * *

5 Child Care Facility

6 * * * *

7 However, a change of use from a Restaurant to a Limited Restaurant shall not be
8 subject to the provisions of subsection 312(d). In addition, any accessory massage use in the
9 Ocean Avenue Neighborhood Commercial Transit District shall be subject to the provisions of
10 subsection 312(d).

11 * * * *

12 **SEC. 342.1. DEFINITIONS.**

13 As used in these Sections 342 to 342.10, "Medical Use" shall mean a use as defined in
14 Sections ~~790.114, 790.44,~~ 890.114, or 890.44, of this Code or a Hospital or Health Service use
15 as defined in Section 102 of this Code, excluding any housing operated by a medical provider
16 or any massage use.

17 **SEC. 401. DEFINITIONS.**

18 In addition to the specific definitions set forth in Section 102 of this Code and elsewhere in
19 this Article, the following definitions shall govern interpretation of this Article:

20 * * * *

21 ~~"Board" or "Board of Supervisors." As defined in Section 102.~~

22 * * * *

23 "Change of Use." A change of ~~g~~Gross ~~f~~Floor ~~a~~Area from one category of use to another
24 category of use listed in the use table for the zoning district of the subject lot.

25 ~~"Child-care facility." As defined in Section 102.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * *

~~"City" or "San Francisco." As defined in Section 102.~~

~~"Commission" or "Planning Commission." As defined in Section 102.~~

* * * *

~~"Community facilities." As defined in Section 102.~~

~~"Condition(s) of approval." As defined in Section 102.~~

* * * *

~~"DBI." As defined in Section 102.~~

* * * *

~~"Department" or "Planning Department." As defined in Section 102.~~

"Designated affordable housing zones." For the purposes of implementing the Eastern Neighborhoods Public Benefits Fund, shall mean the Mission Street NCT defined in Section 754 736 and those Mixed Use Residential Districts defined in Section 841 that are located within the boundaries of either the East SoMa or Western SoMa Plan Areas.

* * * *

~~"Development impact fee." As defined in Section 102.~~

* * * *

~~"Director." As defined in Section 102.~~

* * * *

~~"DPW." As defined in Section 102.~~

* * * *

~~"Hotel" or "Hotel use." Space within a structure or portion thereof intended or primarily suitable for or accessory to the operation of a Hotel uses as defined in Code Section 102, regardless of the zoning district that the use is located in.~~

* * * *

1 "Housing project." Any development which includes ~~a~~ Residential ~~u~~Use as defined in *Planning*
2 *Code* Section 102 *of this Code*, including but not limited to Dwellings, Group Housing, Single
3 Room Occupancy Units, independent living units, and other forms of development which are
4 intended to provide long-term housing to individuals and households. "Housing project" shall
5 not include that portion of a development that qualifies as an Institutional Use under the
6 Planning Code. "Housing project" for purposes of the Inclusionary Housing Program shall also
7 include the development of ~~h~~Live/~~w~~Work units as defined by Section 102.13 ~~of this Code~~.
8 Housing project for purposes of the Inclusionary Housing Program shall mean all phases or
9 elements of a multi-phase or multiple lot residential development.

10 * * * *

11 *"In-Kind Agreement." As defined in Section 102.*

12 * * * *

13 *"In lieu fee." As defined in Section 102.*

14 * * * *

15 *"Licensed Child Care Facility." As defined in Section 102.*

16 * * * *

17 *"Live/work project." A housing project containing more than one live/work unit.*

18 *"Live/work unit" shall be as defined in Section 102.13 of this Code.*

19 *"Long term housing." As defined in Section 102.*

20 * * * *

21 "Management, Information and Professional Services (MIPS)." An economic activity category
22 under the TIDF that includes, but is not limited to, ~~o~~Office ~~u~~Uses; ~~medical offices and clinics;~~
23 ~~Health Service uses; as defined in Section 890.114 of this Code;~~ ~~b~~Business ~~s~~Services ~~uses, as defined~~
24 ~~in Section 890.111 of this Code;~~ Integrated PDR, ~~as defined in Section 890.49 of this Code,~~ and
25 Small Enterprise Workspaces, ~~as defined in Section 227(t) of this Code.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * *

"Medical and Health Services." An economic activity category under the TIDF that includes, but is not limited to, Hospital use and Social Service and Philanthropic Facility uses those non-residential uses defined in Sections 209.3(a) and 217(a) of this Code; and social and charitable services, as defined in Sections 209.3(d) and 217(d) of this Code.

* * * *

~~"Net addition." As defined in Section 102.~~

* * * *

~~"Non-residential use." As defined in Section 102.~~

~~"Notice of Special Restrictions." As defined in Section 102.~~

~~"Office use." As defined in Section 102.~~

* * * *

"Owner Occupied." A qualified-income owner lives in the affordable unit as his or her principle principal residence and resides in the unit for a minimum period of time set forth in the Procedures Manual.

~~"PDR use." As defined in Section 102.~~

* * * *

"Replacement of use." The total amount of ~~g~~Gross ~~f~~Floor ~~a~~Area, as defined in Section 102.9 of this Code, to be demolished and reconstructed by a development project.

* * * *

~~"Residential use." As defined in Section 102.~~

"Retail/entertainment." An economic activity category under the TIDF that includes, but is not limited to, a ~~r~~Retail ~~u~~Use, except those Retail Uses which are also PDR Uses; an entertainment use as defined in this section; and ~~m~~Massage ~~e~~Establishments, as defined in Section 102.

* * * *

1 ~~"Small Enterprise Workspace use." As defined in Section 102.~~

2 * * * *

3 ~~"Student Housing." As defined in Section 102.~~

4 * * * *

5 ~~"Use." As defined in Section 102.~~

6 * * * *

7 **SEC. 413.3. APPLICATION.**

8 (a) With the exception of uses listed below in subsection (b), Section 413.1 et seq.
9 shall apply to any development project:

10 (1) ~~That~~ increases by 25,000 or more gross square feet the total amount of
11 any combination of the following uses; entertainment, hotel, Integrated PDR, office, research
12 and development, retail, and/or Small Enterprise Workspace, and

13 (2) ~~Wh~~ose environmental evaluation application for the development project
14 was filed on or after January 1, 1999.

15 (b) Section 413.1 et seq. shall not apply to:

16 * * * *

17 (8) Any of the following free-standing uses. For purposes of this ~~S~~subsection
18 ~~(b)(8)~~, the term "free-standing" shall mean an independent building or structure used
19 exclusively by a single use and any ~~a~~ccessory ~~u~~ses, and that is not part of a larger
20 development project on the same environmental evaluation application.

21 (A) ~~any~~ free-standing ~~Pharmacy retail use, encompassed in the definition~~
22 ~~of "pharmacy" as proscribed in Section 790.48(b) of this Code and~~ which does not exceed more
23 than 50,000 square feet of retail or other space; or

1 (B) any free-standing General Grocery retail use encompassed in the
2 definition of "general grocery" proscribed in Section 790.102(a) of this Code, and which does not
3 exceed more than 75,000 square feet of retail or other space; or

4 (C) any mixed-use space consisting of ~~r~~Residential space and
5 ~~p~~Pharmacy retail space not exceeding 50,000 square feet, or ~~g~~General ~~g~~Grocery retail space
6 not exceeding 75,000 square feet.

7 **SEC. 415.3. APPLICATION.**

8 * * * *

9 (f) Section 415.1 et seq., the Inclusionary Housing Program, shall not apply to:

10 * * * *

11 (5) A Student Housing project that meets all of the following criteria:

12 * * * *

13 (D) The owner of the real property and each Post-Secondary
14 Educational Institution or Institutions shall agree to submit annual documentation to MOHCD
15 and the Planning Department, along with the annual monitoring fee, on or before December
16 31 of each year, which addresses the following:

17 * * * *

18 (iii) The owner of the real property records a Notice of Special
19 Restrictions (NSR) against fee title to the real property on which the Student Housing is
20 located that states the following:

21 * * * *

22 f. The Student Housing project may be inspected by
23 any duly authorized City employee ~~City employee~~ to determine its status as a Student Housing
24 project and its compliance with the requirements of this Code at any time upon at least 24
25 hours' prior notice to the owner of the real property or to the master lessee.

1 **SEC. 415.6. ON-SITE AFFORDABLE HOUSING ALTERNATIVE.**

2 If a project sponsor elects to provide on-site units pursuant to Section 415.5(g), the
3 development project shall meet the following requirements:

4 (a) **Number of Units.** The number of units constructed on-site shall be as follows:

5 * * * *

6 (4) Notwithstanding the foregoing, Area Median Income limits for Rental
7 Units and Owned Units, the maximum affordable rents or sales price shall be no higher than
8 20% below median *market* rents or sales prices for the neighborhood within which the project
9 is located, which shall be defined in accordance with the American Community Survey
10 Neighborhood Profile Boundaries Map. MOHCD shall adjust the allowable rents and sales
11 prices, and the eligible households for such units, accordingly, and such potential
12 readjustment shall be a condition of approval upon project entitlement. The City shall review
13 the updated data on neighborhood rents and sales prices on an annual basis.

14 * * * *

15 **SEC. 415.7. OFF-SITE AFFORDABLE HOUSING ALTERNATIVE.**

16 If the project sponsor is eligible and elects pursuant to Section 415.5(g) to provide off-
17 site units to satisfy the requirements of Sections 415.1 et seq., the project sponsor shall notify
18 the Planning Department and the Mayor's Office of Housing and Community Development
19 ("MOHCD") of its intent as early as possible. The Planning Department and MOHCD shall
20 provide an evaluation of the project's compliance with this Section 415.7 prior to approval by
21 the Planning Commission or Planning Department. The development project shall meet the
22 following requirements:

23 * * * *

24 (g) Notwithstanding the provisions of Section 415.7(f) above, a project may use
25 California Debt Limit Allocation Committee (CDLAC) tax-exempt bond financing and 4%

1 credits under the Tax Credit Allocation Committee (TCAC) to help fund its obligations under
2 this ordinance as long as the project provides ~~25%~~ at least 60% of the off-site affordable units as
3 affordable at ~~50%~~ 55% of area median income ~~for off-site housing~~ and the balance of the off-site
4 affordable units using these funds at affordability rates that comply with the requirements of TCAC,
5 CDLAC, and this Section 415. The income table to be used for such projects when the units are
6 priced at ~~50%~~ 55% of area median income is the income table used by MOHCD for the
7 Inclusionary Housing Program, not that used by TCAC or CDLAC. Except as provided in this
8 subsection (g), all units provided under this Section 415.7 must meet all of the requirements of
9 ~~this ordinance~~ the Inclusionary Affordable Housing Program and the Procedures Manual for off-
10 site housing.

11 * * * *

12 **SEC. 423.5. THE EASTERN NEIGHBORHOODS COMMUNITY IMPROVEMENTS FUND.**

13 * * * *

14 (c) Funds shall be allocated to accounts by improvement type as described below:

15 * * * *

16 (2) Funds collected in Designated Affordable Housing Zones (Mission NCT
17 and MUR Use Districts within the boundaries of either the East SoMa or Western SoMa Area
18 Plans (as defined in Section 401)), shall be allocated to accounts by improvement type as
19 described in Table 423.5A. For funds allocated to affordable housing, MOHCD shall expend
20 the funds as follows:

21 * * * *

22 **SEC. 604. PERMITS AND CONFORMITY REQUIRED.**

23 (a) **Approval of Application.** An application for a permit for a sign that conforms to
24 the provisions of this Code shall be approved by the Planning Department without
25 modification or disapproval by the Planning Department or the Planning Commission,

1 pursuant to the authority vested in them by Section 26 of the Business and Tax Regulations
2 Code or any other provision of said Municipal Code; provided, however, that applications
3 pertaining to (~~a 1~~) signs subject to the regulations set forth in Article 10 of the Planning Code,
4 Preservation of Historical, Architectural and Aesthetic Landmarks, Article 11, Preservation of
5 Buildings and Districts of Architectural, Historical and Aesthetic Importance in the C-3 Districts
6 and Historic Signs and Vintage Signs as defined in Sections 602.9 and 608.14 may be disapproved
7 pursuant to the relevant provisions thereof, and (~~b 2~~) preservation, restoration, rehabilitation,
8 or reconstruction of Historic Movie Theater Projecting Signs or Historic Movie Theater
9 Marquees as set forth in Section 188(e) may be modified or disapproved subject to applicable
10 sections of the General Plan, this Code, relevant design guidelines, Department or
11 Commission policy, or the Secretary of the Interior Standards for the Treatment of Historic
12 Properties. No sign, other than those signs exempted by Section 603 of this Code, shall be
13 erected, placed, replaced, reconstructed or relocated on any property, intensified in
14 illumination or other aspect, or expanded in area or in any dimension except in conformity
15 with Article 6 of this Code. No such erection, placement, replacement, reconstruction,
16 relocation, intensification, or expansion shall be undertaken without a permit having been duly
17 issued therefor, except as specifically provided otherwise in this Section 604.

18 * * * *

19 (i) **Business Signs.** When the activity for which a business sign has been posted
20 has ceased operation for more than 90 days, all signs pertaining to that business activity shall
21 be removed after that time. A lawfully existing business that is relocating to a new location
22 within 300 feet of its existing location within the North Beach Neighborhood Commercial
23 District described in Sections ~~702.1 and 722.1~~ of this Code may move to the new location within
24 said North Beach Neighborhood Commercial District one existing business sign together with
25 its associated sign structure, whether or not the sign is nonconforming in its new location;

1 provided, however, that the sign is not intensified or expanded in area or in any dimension
2 except in conformity with the provisions of this Code. With the approval of the Zoning
3 Administrator, however, the sign structure may be modified to the extent mandated by
4 the Building Code. In no event may a painted sign or a sign with flashing, blinking, fluctuating
5 or other animated light be relocated unless in conformity with current code requirements
6 applicable to its new location. In addition, the provisions of Articles 10 and 11 of this Code
7 shall apply to the relocation of any sign to a location regulated by the provisions of said
8 Articles.

9 * * * *

10 **SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

11 * * * *

12 (b) **Uses in Enclosed Buildings.** All permitted uses shall be conducted within an
13 enclosed building in Neighborhood Commercial Districts, unless otherwise specifically allowed
14 in this Code. Exceptions from this requirement are: uses which, when located outside of a
15 building, qualify as an Outdoor Activity Area or Open Air Sales, accessory off-street parking
16 and loading, and other uses listed below which function primarily as open-air uses, or which
17 may be appropriate if located on an open lot, outside a building, or within a partially enclosed
18 building, subject to other limitations of this Article 7 and other sections of this Code.

19 ~~33A.~~ Wireless Telecommunications Services Facility

20 * * * *

21 (d) **Accessory Uses.** Subject to the limitations set forth below and in Sections
22 204.1 (Accessory Uses for Dwellings *Units* in ~~R and NC~~ All Districts), 204.4 (Dwelling Units
23 Accessory to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code,
24 Accessory Uses as defined in Section 102 shall be permitted when located on the same lot.
25 Any ~~#~~Use that does not qualify as an Accessory Use shall be classified as a Principal or

1 Conditional Use unless it qualifies as a temporary use under Sections 205 through 205.4 of
 2 this Code.

3 * * * *

4 **SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

5 * * * *

6 **Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
 7 **ZONING CONTROL TABLE**

Zoning Category		§ References	NC-1 Controls		
* * * *					
NON-RESIDENTIAL USES			Controls by Story		
		1st	2nd	3rd+	
* * * *					
Sales and Service Use Category					
Retail Sales and Service Uses*	§ 102	P(2)(3)	NP	NP	
* * * *					

15 * * * *

16 * Not listed below

17
 18 (3) ~~[Note deleted.]~~ TARAVAL STREET RESTAURANT SUBDISTRICT. Applicable only for the Taraval
 19 Street NC-1 District between 40th and 41st Avenues and between 45th and 47th Avenues as mapped on
 20 Sectional Maps 5 SU and 6 SU. Restaurants and Limited Restaurants are C; Formula Retail
 21 Restaurants and Limited Restaurants are NP.

22 * * * *

23 **SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

24 * * * *

25 **Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2**

ZONING CONTROL TABLE

Zoning Category		§ References	NC-2		
Zoning Category		§ References	Controls		
* * * *					
NON-RESIDENTIAL USES		Controls by Story			
		1st	2nd	3rd+	
* * * *					
Sales and Service Use Category					
Retail Sales and Service Uses*	§ 102	P	P	NP	
* * * *	* * * *	* * * *	* * * *	* * * *	
Cannabis Retail	§§ 102, 202.2(a)	C	C	NP	
* * * *	* * * *	* * * *	* * * *	* * * *	

* * * *

(6) FRINGE FINANCIAL SPECIAL USE DISTRICT: The FFSUD and its $\frac{1}{4}$ *one-quarter* mile buffer includes, but is not limited to, properties within: the Mission Alcoholic Beverage Special Use District; the Haight Street Alcohol Restricted Use District; the Third Street Alcohol Restricted Use District; the Divisadero Street Alcohol Restricted Use District; the North of Market Residential Special Use District and the Assessor’s Blocks and Lots fronting on both sides of Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use District Maps SU11 and SU12; and includes Small-Scale Neighborhood Commercial Districts within its boundaries.

Controls: Within the FFSRUD and its $\frac{1}{4}$ *one-quarter* mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its *one-quarter* mile buffer, fringe financial services are P subject to the restrictions set forth in subsection 249.35(c)(3).

* * * *

SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

1 * * * *

2 (5) BROADWAY LIQUOR LICENSES FOR RESTAURANTS

3 **Boundaries:** Applicable to the Broadway Neighborhood Commercial District.

4 **Controls:** A Restaurant Use may only add ABC license types 47, 49 or 75 as a Conditional
5 Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning
6 Commission finds that the restaurant is operating as a Bona Fide Eating Place, as defined in
7 Section ~~790.142~~ 102 of this Code. Should a restaurant fail to operate as a Bona Fide Eating
8 Place for any length of time, the Conditional Use authorization shall be subject to immediate
9 revocation.

10 * * * *

11 **SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

12 * * * *

13 * Not listed below

14 * * * *

15 (4) Outdoor Activity Areas are permitted as a Principally Permitted ~~U~~ Use if they existed prior
16 to 1985.

17 * * * *

18 **SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

19 The Upper Fillmore Street Neighborhood Commercial District is situated in the south-
20 central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to
21 Bush and extends west one block along California and Pine Streets. This medium-scaled,
22 multi-purpose commercial district provides convenience goods to its immediate neighborhood
23 as well as comparison shopping goods and services on a specialized basis to a wider trade
24 area. Commercial businesses are active during both day and evening and include a number
25 of bars, restaurants, specialty groceries, and specialty clothing stores.

1 The Upper Fillmore District controls are designed to protect the existing building scale
 2 and promote new mixed-use development which is in character with adjacent buildings.
 3 Building standards regulate large lot and use development and protect rear yards above the
 4 ground story and at residential levels. Most commercial uses are permitted at the first two
 5 stories of new buildings. Special controls are designed to preserve the existing equilibrium of
 6 neighborhood-serving convenience and specialty commercial uses. In order to maintain
 7 convenience stores and protect adjacent livability, additional bars (unless part of a *full-service*
 8 restaurant) and formula retail establishments are prohibited, other eating and drinking
 9 establishments ~~and self-service specialty foods~~ require eConditional uUse authorization and
 10 ground-story entertainment and financial service uses are limited. In order to promote
 11 continuous retail frontage, drive-up and most automobile uses are prohibited.

12 * * * *

13 **SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.**

14 * * * *

15 **Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT**

16 **ZONING CONTROL TABLE**

Zoning Category	§ References	Controls		
RESIDENTIAL STANDARDS AND USES				
Loss of Dwelling Units		Controls by Story		
		1st	2nd	3rd+
Residential Conversion	§ 317, 780.3(c)(4) 317780.3(e)(4),	C	NP	NP
Residential Demolition and Merger	§§ 317, 780.3(c)(4)	C	NP	NP

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P(10)	* * * *	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Trade Shop	§ 102, 790.124	P	C	NP
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Zoning Category	§ References	Controls		
RESIDENTIAL STANDARDS AND USES				
* * * *	* * * *	* * * *		
Loss and Division of Dwelling Units		Controls by Story		
		1st	2nd	3rd+
* * * *	* * * *	* * * *		
Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
Development Standards				
* * * *	* * * *	* * * *		
Use Size	§§102, 121.2	P up to 1,999 square feet; C 2,000 <i>to 3,999 square feet</i> ; NP 4,000 and above		
* * * *	* * * *	* * * *		

****	****	****
------	------	------

Zoning Category	§ References	Controls
-----------------	--------------	----------

SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT

Zoning Category	§ References	Controls
RESIDENTIAL STANDARDS AND USES		
Development Standards		
****	****	****
Off-Street Parking Requirements	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per § 161. Bike parking required per § 155.2. <i>If car parking is provided, car share spaces are required when a project has 50 units or more per § 166.</i>
****	****	****

* * * *

SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

Zoning Category	§ References	Controls
RESIDENTIAL STANDARDS AND USES		

Residential Uses		Controls By Story		
		1st	2nd	3rd+
<u>Residential Uses</u>	<u>§ 102</u>	P	P	P
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

* * * *

**Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Commercial Use Characteristics		
* * * *	* * * *	* * * *
Maritime Use	§ 102	<u>NP</u>
* * * *	* * * *	* * * *

SEC. 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

* * * *

**Table 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *		
Zoning Category	§ References	Controls
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
		Controls by Story

		1st	2nd	3rd+
* * * *				
Entertainment, Arts, and Recreation Use Category				
Entertainment, Arts, and Recreation Uses*	§102	NP	NP	NP
<i>Arts Activities</i>	<i>§102</i>	<i>P(4)</i>	<i>P</i>	<i>P</i>
Amusement Game Arcade	§102	C	NP	NP
<i>Arts Activities</i>	<i>§102</i>	<i>P(4)</i>	<i>P</i>	<i>P</i>
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 780.1. LAKESHORE PLAZA SPECIAL USE DISTRICT.

In order to preserve the mix and variety of goods and services provided to the Lakeshore Acres, Crestlake, and Merced Manor neighborhood residents yet provide reasonable commercial expansion and intensification which would not disrupt the single-family residential character of the surrounding neighborhoods, there shall be a Lakeshore Plaza Special Use District, generally located on the NC-S-zoned block bounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, as designated on Sectional Map 13SU of the Zoning Map. The following provisions shall apply within such special use district:

* * * *

(b) **Controls.** The controls for the NC-S District, as set forth in Section 713 of this Code, shall apply to the Lakeshore Plaza Special Use District, except as provided below:

Zoning Category No.	Controls
* * * *	* * * *

.44	<i>Small self-service restaurants-Limited-Restaurants are permitted as eConditional uUses at the first and second stories.</i>
* * * *	* * * *
.69A	<i>elf-service-specialty food Restaurants is are permitted as a eConditional uUses at the first and second stories.</i>
* * * *	* * * *

SEC. 814. SPD – SOUTH PARK DISTRICT.

* * * *

SPD -- SOUTH PARK DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	South Park District Controls
* * * *	* * * *	* * * *	* * * *
814.11	Off-Street Parking, Non-Residential	§§ 150, 151.1, 153-156, 166, 204.5, 303	None required. Limits set forth in Section 151.1
* * * *	* * * *	* * * *	* * * *
* * * *			
Retail Sales and Services			
* * * *	* * * *	* * * *	* * * *
814.34 75	Cannabis Retail	§§ 202.2(a), 890.125	C up to 5,000 sf per lot
* * * *	* * * *	* * * *	* * * *

SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

* * * *

Table 846			
SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	SALI District Controls
BUILDING AND SITING STANDARDS			
* * * *	* * * *	* * * *	* * * *

Other Uses			
* * * *	* * * *	* * * *	* * * *
846.97b	Neighborhood Agriculture	§ 102.35(a)	P
846.97c	Large-Scale Urban Agriculture	§ 102.35(b)	NP
* * * *	* * * *	* * * *	* * * *

SEC. 996. DEFINITIONS OF TERMS USED IN ARTICLE 9.

(a) **Terms Defined Elsewhere in the Planning Code.** The definition of terms contained in Sections ~~102 and 102.1–102.27, 790 and 790.2–790.116~~ shall apply to those terms as used in Article 9, except to the extent expressly modified in Article 9.

(b) **Definition of Terms Used only in Article 9.** This subsection (b) provides definitions for certain terms which are used in this Article 9 and not elsewhere in this Code, as follows.

* * * *

(3) **Live/Work Unit (Any Permitted Work Activity).** Live/work unit (any permitted work activity) means a ~~Live/w~~Work ~~u~~Unit, as defined in Section ~~102.12~~, in which the ~~Non-Residential u~~Use or ~~u~~Uses are limited to ~~u~~Uses in this district which are ~~p~~Principally ~~p~~Permitted ~~u~~Uses, ~~it~~ or are ~~e~~Conditional ~~u~~Uses and approved as ~~e~~Conditional ~~u~~Uses.

(4) **Mid-block Lane.** A mid-block lane is an ~~a~~Alley as defined in Section ~~102.1~~ which meets the design and location standards established in the Mission Bay Plan.

* * * *

(11) **Story.** A ~~s~~Story is as defined in Section ~~102.22~~ except that parking which is depressed one-half level below grade shall not be considered to constitute a story.

1 (12) **Public Transportation Facility.** "Public Transportation Facility" shall
2 mean: (~~iA~~) all rail transportation facilities, including without limitation, passenger terminal
3 facilities, freight facilities, rail rights-of-way, railroad easements, main line corridors, drill
4 tracks, spur tracks, and other railroad, communication, and transportation facilities ancillary
5 thereto, whether publicly or privately owned, operated, or licensed by, among others,
6 Southern Pacific Transportation Company, the Department of Transportation of the State of
7 California, the Peninsula Corridor Study Joint Powers Board, and any successors and assigns
8 (collectively, the "Operators"), which lawfully exist as of the Effective Date of Ordinance No.
9 63-91 (this ordinance), as well as future modifications which may be required by law or are
10 otherwise deemed necessary or desirable by the owner/operator due to a change in rail
11 transportation use, technology, or method of operation, provided that any new buildings or
12 substantial additions to existing buildings accessory to such future rail transportation facilities
13 uses shall not be included within the meaning of this term; and (~~iB~~) all Municipal Railway
14 facilities, when in conformity with the *General Master* Plan.

15 **APPENDIX I TO ARTICLE 10 - SOUTH END HISTORIC DISTRICT**

16 * * * *

17 **SEC. 7. ADDITIONAL PROVISIONS FOR CERTIFICATES OF APPROPRIATENESS.**

18 The procedures, requirements, controls and standards in Sections 1006 through
19 1006.8 of Article 10 of the *City* Planning Code shall apply to all applications for Certificates of
20 Appropriateness in the South End Historic District. In addition, the following provisions shall
21 apply to all such applications; in the event of any conflict or inconsistency between the
22 following provisions and Article 10, those procedures, requirements, controls, and standards
23 affording stricter protection to landmarks, landmark sites, and the Historic District shall prevail.

24 * * * *

1 (d) **Alterations.** It is recognized that certain alterations to the exteriors of buildings
2 within the Historic District may be necessary in order to accommodate adaptive reuse of, and
3 to provide sufficient light and air in, such buildings. Substantial alterations to ~~p~~PPrincipal ~~f~~F
4 acades, as defined in Planning Code Section 102-~~21~~, should be discouraged. Substantial
5 alterations to non-principal facades, not originally intended to be viewed from the street, may
6 be appropriate, provided such alterations maintain the character of the historic district.

7 * * * *

8
9 Section 3. Amendment to All Zoning Control Tables in Article 7 of the Planning Code.
10 The following correction shall be made to all the Article 7 Zoning Control Tables: In the
11 Building Standards category, Miscellaneous subcategory, the “§ 602.7” reference for General
12 Advertising Signs shall be revised to read “§602.” These Zoning Control Tables include Tables
13 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 728,
14 729, 730, 731, 732, 733, 734, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761,
15 762, 763, and 764. However, in the event that an Article 7 Zoning Control Table covered by
16 this Section 3 is not identified in the preceding sentence, this Section 3 remains applicable to
17 said Zoning Control Table.

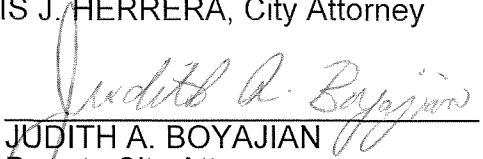
18
19 Section 4. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor’s veto of the ordinance.

23
24 Section 5. Scope of Ordinance. Except as stated in Section 3 of this ordinance, in
25 enacting this ordinance, the Board of Supervisors intends to amend only those words,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney
n:\legana\as2018\1800366\01290874.docx



City and County of San Francisco
Tails
Ordinance

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

File Number: 180557

Date Passed: July 31, 2018

Ordinance amending the Planning Code in order to correct errors in enacted legislation, update outdated references, clarify existing requirements, and re-enact existing text inadvertently deleted in the reorganization of Articles 2 and 7; 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 general welfare under Planning Code, Section 302.

July 23, 2018 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 23, 2018 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 24, 2018 Board of Supervisors - PASSED ON FIRST READING

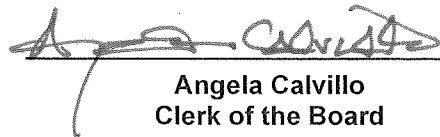
Ayes: 9 - Cohen, Brown, Kim, Mandelman, Peskin, Ronen, Safai, Stefani and Yee
Excused: 2 - Fewer and Tang

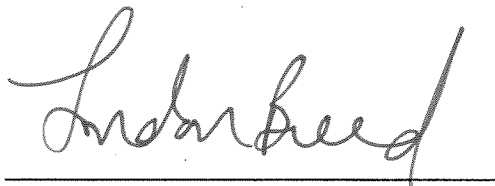
July 31, 2018 Board of Supervisors - FINALLY PASSED


Ayes: 11 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

File No. 180557

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/31/2018 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