

1 [Planning Code - Child Care Facilities]

2
3 **Ordinance amending the Planning Code to allow residential uses and Child Care**
4 **Facility uses to share required open space; make Child Care Facilities principally**
5 **permitted in all zoning districts except the Production, Distribution, and Repair (Light**
6 **Industrial Buffer) (PDR-1-B), Production, Distribution, and Repair (General) (PDR-1-G)**
7 **and Industrial (Light Industrial) (M-1) zoning districts, where they would be**
8 **conditionally permitted, and in the Production, Distribution, and Repair (Core**
9 **Production, Distribution, and Repair) (PDR-2) and Industrial (Heavy Industrial) (M-2)**
10 **zoning districts, where they would not be permitted; remove certain notice**
11 **requirements for Child Care Facilities; and make other conforming changes to**
12 **references to the definition of Child Care Facility; affirming the Planning Department's**
13 **determination under the California Environmental Quality Act; and making findings of**
14 **consistency with the General Plan and the eight priority policies of Planning Code**
15 **Section 101.1.**

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

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

25 Section 1. Findings

1 (a) The Planning Department has determined that the actions contemplated in this
2 ordinance comply with the California Environmental Quality Act (California Public Resources
3 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
4 Supervisors in File No. 170693 and is incorporated herein by reference. The Board affirms
5 this determination.

6 (b) On May 18, 2017, the Planning Commission, in Resolution No. 19920, adopted
7 findings that the actions contemplated in this ordinance are consistent, on balance, with the
8 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
9 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
10 Board of Supervisors in File No. 170693, and is incorporated herein by reference.

11 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
12 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
13 in Planning Commission Resolution No. 19920, and the Board incorporates such reasons
14 herein by reference.

15
16 Section 2. On June 30, 2017 and on July 27, 2017, this Board passed Ordinance No.
17 129-17 and Ordinance No. 166-17 (Board File Nos. 170203 and 170820, respectively), which
18 substantially amended several Planning Code sections that are also amended by this
19 Ordinance. Because this ordinance was introduced prior to the effective date of Ordinance
20 Nos 129-17 and 166-17, as introduced this ordinance did not reflect these later amendments
21 as part of the existing Planning Code. Accordingly, this ordinance has been revised on
22 September 5, 2017, to reflect the current Planning Code as amended by Ordinance Nos. 129-
23 17 and 166-17. Only new amendments proposed that differ from the currently effective
24 Planning Code are shown here as additions, deletions, Board amendment additions, or Board
25 amendment deletions.

1
2 Section 23. The Planning Code is hereby amended by revising Sections 135, 209.1,
3 209.2, 209.3, 209.4, 210.2, 210.3, 211.2, 311, 312, 710, 711, 713, 714, 715, 716, 717, 718,
4 719, 720, 721, 722, 723, 724, 725, 726, 728, 729, 730, 731, 732, 733, 734, 750, 751, 752,
5 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 813, 814, 815, 816, 817, 818,
6 827, 829, 840, 841, 842, 843, 844, 845, 846, 847, and 890.50, to read as follows:
7

8 **SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP**
9 **HOUSING, R, NC, MIXED USE, C, AND M DISTRICTS.**

10 Except as provided in Sections 134.1, 172 and 188 of this Code, usable open space
11 shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use,
12 and M Districts according to the standards set forth in this Section unless otherwise specified
13 in specific district controls elsewhere in this Code.

14 * * * *

15 (c) **Permitted Obstructions.** In the calculation of either private or common usable
16 open space, those obstructions listed in Sections 136 and 136.1 of this Code for usable open
17 space shall be permitted. Additionally, required common useable open space may be partially used
18 for the provision of open space associated with an on-site Child Care Facility as follows:

19 (1) The open space shall meet all state licensing requirements;

20 (2) Not more than 50% of a single common open space may be used by the Child Care
21 Facility; and

22 (3) The hours of use of the common open space by the Child Care Facility are limited to
23 Monday through Friday, 9 am to 6 pm.

24 * * * *

25 **Table 209.1**

Zoning Control Table for RH Districts

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
Institutional Use Category						
Institutional Uses*	§ 102	NP	NP	NP	NP	NP
Child Care Facility	§ 102	P (2)	P (2)	P (2)	P (2)	P (2)
* * * *						

* * * *

(2) *C* required for 15 or more children. [Note Deleted]

* * * *

Table 209.2

Zoning Control Table for RM Districts

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
Institutional Use Category					
Institutional Uses*	§ 102	NP	NP	NP	NP
Child Care Facility	§ 102	P (2)	P (2)	P (2)	P (2)
* * * *					

* * * *

(2) *C* required for 15 or more children. [Note Deleted]

* * * *

Table 209.3

Zoning Control Table for Residential-Commercial Districts

Zoning Category	§ References	RC-3	RC-4
* * * *			
Institutional Use Category			
Institutional Uses*	§ 102	C	C
Child Care Facility	§ 102	P (2)	P (2)
* * * *			

* * * *

(2) C required for 15 or more children [Note Deleted]

* * * *

Table 209.4

Zoning Control Table for RTO Districts

Zoning Category	§ References	RTO	RTO-M
* * * *			
Institutional Use Category			
Institutional Uses*	§ 102	NP	NP
Child Care Facility	§ 102	P (2)	P (2)
* * * *			

* * * *

(2) C required for 15 or more children [Note Deleted]

* * * *

Table 210.2

Zoning Control Table for C-3 Districts

Zoning Category	§ References	C-3-O	C-3-O (SD)	C-3-R	C-3-G	C-3-S
* * * *						
Institutional Use Category						
Institutional Uses*	§§ 102, 202.2(e)	P	P	P	P	P
Child Care Facility	§ 102	P	P	P	P	G
* * * *						

* * * *

Table 210.3

Zoning Control Table for PDR Districts

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
* * * *					
Institutional Use Category					
Child Care Facility	§ 102	<u>NP-C</u>	P	<u>NP-C</u>	NP
* * * *					

* * * *

Table 210.4

Zoning Control Table for PDR Districts

Zoning Category	§ References	M-1	M-2
* * * *			
Institutional Use Category			

Child Care Facility	§ 102	<u>PC</u>	NP
* * * *			

* * * *

SEC. 211.2. CONDITIONAL USES, P DISTRICTS.

The following uses shall require Conditional Use authorization from the Planning Commission, as provided in Section 303 of this Code, unless otherwise permitted under Section 211.1 of this Code:

(a) For any P District, Social Service and Philanthropic Facility, ~~Child Care Facility~~, School, Post-Secondary Educational Institution, Religious Institution, Community Facility, Open Recreation Area, Passive Outdoor Recreation and Neighborhood Agriculture as defined in Section 102 of this Code. Additionally, Neighborhood Agriculture, as defined in Section 102 of this Code, if it does not comply with the performance and operational standards contained in Section 202.2(c), and a Wireless Telecommunications Services Facility, as defined in Section 102 of this Code, if used for commercial communication systems.

* * * *

SEC. 311. RESIDENTIAL PERMIT REVIEW PROCEDURES FOR RH, RM, AND RTO DISTRICTS.

(a) Purpose. The purpose of this Section is to establish procedures for reviewing building permit applications for lots in R Districts in order to determine compatibility of the proposal with the neighborhood and for providing notice to property owners and residents on the site and neighboring the site of the proposed project and to interested neighborhood organizations, so that concerns about a project may be identified and resolved during the review of the permit.

1 (b) Applicability. Except as indicated herein, all building permit applications for
2 demolition and/or new construction, and/or alteration of residential buildings, including the
3 removal of an authorized or unauthorized residential unit, in RH, RM, and RTO Districts shall
4 be subject to the notification and review procedures required by this Section. Subsection
5 311(e) regarding demolition permits and approval of replacement structures shall apply to all
6 R Districts.

7 (1) For the purposes of this Section, an alteration in RH and RM Districts shall
8 be defined as any change in use, removal of more than 75 percent of a residential building's
9 existing interior wall framing or the removal of more than 75 percent of the area of the existing
10 framing, or an increase to the exterior dimensions of a residential building except those
11 features listed in Section 136(c)(1) through 136(c)(24) and 136(c)(26). Notwithstanding the
12 foregoing or any other requirement of this Section 311, a change of use to a Child Care Facility, as
13 defined in Section 102, shall not be subject to the notification requirements of this Section 311.

14 (2) For the purposes of this Section, an alteration in RTO Districts shall be defined as
15 a change of use described in Section 312(c), removal of more than 75 percent of a building's
16 existing interior wall framing or the removal of more than 75 percent of the area of the existing
17 framing, or an increase to the exterior dimensions of a building except those features listed in
18 Section 136(c)(1) through 136(c)(24) and 136(c)(26). Notwithstanding the foregoing or any other
19 requirement of this Section 311, a change of use to a Child Care Facility, as defined in Section 102,
20 shall not be subject to the notification requirements of this Section 311.

21 * * * *

22 **SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**
23 **NEIGHBORHOODS MIXED USE DISTRICTS.**

24 (a) **Purpose.** The purpose of this Section is to establish procedures for reviewing
25 building permit applications for lots in NC and Eastern Neighborhoods Mixed Use Districts in

1 order to determine compatibility of the proposal with the neighborhood and for providing notice
2 to property owners, occupants and residents on the site and neighboring the site of the
3 proposed project and to interested neighborhood organizations, so that concerns about a
4 project may be identified and resolved during the review of the permit.

5 (b) **Applicability.** Except as indicated herein, all building permit applications for
6 demolition, new construction, the removal of an authorized or unauthorized Dwelling Unit,
7 changes in use to a Formula Retail use as defined in Section 303.1 of this Code or alterations
8 which expand the exterior dimensions of a building shall be subject to the notification and
9 review procedures required by subsection 312(d). Subsection 312(f) regarding demolition
10 permits and approval of replacement structures shall apply to all NC and Eastern
11 Neighborhoods Mixed Use Districts. For the purposes of this Section, addition to a building of
12 the features listed in Section 136(c)(1) through 136(c)(24) and 136(c)(26) shall not be subject
13 to notification under this Section.

14 (c) **Changes of Use.** In NC Districts, all building permit applications for a change of
15 use to or the establishment of an Adult Business, Bar, ~~Child-Care Facility~~, General
16 Entertainment, Group Housing, Limited Restaurant, Liquor Store, Restaurant, Massage
17 Establishment, Nighttime Entertainment, Outdoor Activity Area, Post-Secondary Educational
18 Institution, Private Community Facility, Public Community Facility, Religious Institution,
19 Residential Care Facility, School, Tobacco Paraphernalia Establishment, or Trade School
20 shall be subject to the provisions of subsection 312(d); provided, however, that a change of
21 use from a Restaurant to a Limited-Restaurant shall not be subject to the provisions of
22 subsection 312(d). In addition, any accessory massage use in the Ocean Avenue
23 Neighborhood Commercial Transit District shall be subject to the provisions of subsection
24 312(d). ~~Notwithstanding the foregoing or any other requirement of this Section 312, a change~~
25

of use to a Child Care Facility, as defined in Section 102, shall not be subject to the notification requirements of this Section 312.

* * * *

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

* * * *				
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	NP
Child Care Facility	§102	P	P(3)	P(3)
* * * *				

* Not listed below

* * * *

(3) C required for 13 or more children. [Note deleted.]

* * * *

**Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

* Not listed below

* * * *

(2) C required for 13 or more children. [Note deleted.]

* * * *

Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S

ZONING CONTROL TABLE

* * * *				
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P(1)	P(1)	NP(1)
Child Care Facility	§102	P(1)	P(1)	P(1)(2)
* * * *				

* Not listed below

* * * *

(2) NP for 13 or more children. [Note deleted.]

* * * *

Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

* Not listed below

* * * *

(2) G required for 13 or more children [Note deleted.]

* * * *

**Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

* Not listed below

* * * *

(2) C required for 13 or more children. [Note deleted.]

* * * *

**Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

**Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				

Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

**Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

Table 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+
<u>Agricultural Use Category</u>			
* * * *			

* Not listed below

* * * *

Table 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+
<u>Agricultural Use Category</u>			
* * * *			

* Not listed below

* * * *

Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

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

NON-RESIDENTIAL STANDARDS AND USES

* * * *

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(3)	P(3)
* * * *				

* Not listed below

* * * *

(3) C required for 13 or more children. [Note deleted.]

* * * *

Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C

Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) ~~C required for 13 or more children.~~ [Note deleted.]

* * * *

**Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) ~~C required for 13 or more children.~~ [Note deleted.]

* * * *

**Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children [Note deleted.]

* * * *

**Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING
CONTROL TABLE**

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				

Institutional Uses*	§102, 202.2(e)	NP	NP	NP
Child Care Facility	§102	C(1) P	NP	NP
* * * *				

* Not listed below

(1) NP for 13 or more children [Note deleted.]

* * * *

**Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children [Note deleted.]

* * * *

**Table 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	C	C	NP
Child Care Facility	§102	P(1)	P(1)	NP
* * * *				

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

**Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	
Agricultural Use Category		1st	2nd	3rd+

Agricultural Use Category

* * * *

Institutional Use Category

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)

* * * *

* Not listed below

(1) C required for 13 or more children. [Note deleted.]

* * * *

**Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

	Controls by Story		
	1st	2nd	3rd+
<u>Agricultural Use Category</u>			

Agricultural Use Category

* * * *

Institutional Use Category

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)

* * * *

* Not listed below

(1) C required for 13 or more children [Note deleted.]

1 * * * *

2 **Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
3 **ZONING CONTROL TABLE**

4 * * * *

5 **NON-RESIDENTIAL STANDARDS AND USES**

6 * * * *

	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

15 * Not listed below

16 (1) C required for 13 or more children [Note deleted.]

17 * * * *

18 **Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
19 **ZONING CONTROL TABLE**

20 * * * *

21 **NON-RESIDENTIAL STANDARDS AND USES**

22 * * * *

	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+

<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children [Note deleted.]

* * * *

Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT NCT-2 ZONING CONTROL TABLE

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(1)	P(1)
* * * *				

* Not listed below

(1) C required for 13 or more children [Note deleted.]

1 * * * *

2 **Table 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1**
3 **ZONING CONTROL TABLE**

4 * * * *

5 **NON-RESIDENTIAL STANDARDS AND USES**

6 * * * *

	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	NP
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

15 * Not listed below

16 (1) C required for 13 or more children; NP on 3rd floor for 13 or more children. [Note deleted.]

17 * * * *

18 **Table 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2**
19 **ZONING CONTROL TABLE**

20 * * * *

21 **NON-RESIDENTIAL STANDARDS AND USES**

22 * * * *

	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+

Agricultural Use Category

* * * *

Institutional Use Category

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)

* * * *

* Not listed below

* * * *

(2) C required for 13 or more children [Note deleted.]

* * * *

**Table 752. NCT-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT
DISTRICT NCT-3 ZONING CONTROL TABLE**

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

	Controls by Story			
	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	P	P
Child Care Facility	§102	P	P	P
* * * *				

* Not listed below

1 * * * *

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

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	C	C	C
<u>Child Care Facility</u>	<u>§102</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
* * * *				

15 * Not listed below

16 * * * *

17 (2) C required for 13 or more children[Note deleted.]

18 * * * *

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

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	

Agricultural Use Category	1st	2nd	3rd+
<u>Agricultural Use Category</u>			
* * * *			
Institutional Use Category			
Institutional Uses*	§102	P	P
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P</u>
* * * *			

* Not listed below

* * * *

**Table 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+
<u>Agricultural Use Category</u>			
* * * *			
Institutional Use Category			
Institutional Uses*	§102	P	C
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>
* * * *			

* Not listed below

* * * *

1 (2) ~~C~~ required for 13 or more children[Note deleted.]

2 * * * *

3 **Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING**
4 **CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
* * * *				

16 * Not listed below

17 * * * *

18 (2) ~~C~~ required for 13 or more children[Note deleted.]

19 * * * *

20 **Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
21 **ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				

		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	NP	NP	NP
Child Care Facility	§102	P	P	<u>NP</u>
* * * *				

* Not listed below

* * * *

**Table 758. REGIONAL COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102, 202.2(e)	NP	NP	NP
Child Care Facility	§102	P(3)	P(3)	NP
* * * *				

1 * Not listed below

2 * * * *

3 (3) ~~G~~ required for 13 or more children. [Note deleted.]

4 * * * *

5 **Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
6 **ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
			Controls by Story	
Agricultural Use Category		1st	2nd	3rd+
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(3)	P(3)
* * * *				

18 * Not listed below

19 * * * *

20 (3) ~~G~~ required for 13 or more children. [Note deleted.]

21 * * * *

22 **Table 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
23 **ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				

* * * *			
	Controls by Story		
Agricultural Use Category	1st	2nd	3rd+
<u>Agricultural Use Category</u>			
* * * *			

* Not listed below

* * * *

**Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

* Not listed below

* * * *

(2) C required for 13 or more children [Note deleted.]

* * * *

1 **Table 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

14 * Not listed below

15 * * * *

16 (2) C required for 13 or more children [Note deleted.]

17 * * * *

18 **Table 763. 24TH STREET - MISSION NEIGHBORHOOD COMMERCIAL TRANSIT**
 19 **DISTRICT ZONING CONTROL TABLE**

* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
	Controls by Story			
Agricultural Use Category	1st	2nd	3rd+	

Agricultural Use Category

* * * *

Institutional Use Category

Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)

* * * *

* Not listed below

* * * *

(2) C required for 13 or more children[Note deleted.]

* * * *

**Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT
DISTRICT ZONING CONTROL TABLE**

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

	Controls by Story			
	1st	2nd	3rd+	
Agricultural Use Category				
<u>Agricultural Use Category</u>				
* * * *				
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P(2)	P(2)
* * * *				

* Not listed below

1 * * * *

2 (2) C required for 13 or more children [Note deleted.]

3 * * * *

4 **Table 813**

5 **RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Residential Enclave Controls
* * * *			
Institutions			
* * * *			
813.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

12 * * * *

13 **Table 814**

14 **SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	South Park District Controls
* * * *			
Institutions			
* * * *			
814.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

21 * * * *

22 **Table 815**

23 **RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
* * * *			
Institutions			
* * * *			
815.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 816

SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
* * * *			
Institutions			
* * * *			
816.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 817

SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Service/Light Industrial District Controls
* * * *			

Institutions			
* * * *			
817.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 818

SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Service/Secondary Office District Controls
* * * *			
Institutions			
* * * *			
818.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 827

RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Rincon Hill Downtown Residential Mixed Use District Zoning Controls
* * * *			
Non-Residential Standards and Uses			
* * * *			

.45b	<i>Child Care Facility</i>	§ 102	P
* * * *			

* * * *

Table 829

SOUTH BEACH DOWNTOWN RESIDENTIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	South Beach Downtown Residential District Zoning Controls
* * * *			
Non-Residential Standards and Uses			
* * * *			
.45a	<i>Child Care Facility</i>	§ 102	P
* * * *			

* * * *

Table 840

MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-General District Controls
* * * *			
Institutions			
* * * *			
840.35	<i>Child Care Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 841

MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-Residential District Controls
* * * *			
Institutions			
* * * *			
841.35	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

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

Table 842

MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-Office District Controls
* * * *			
Institutions			
* * * *			
842.35	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 843

UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
Institutions			
* * * *			
843.35	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

* * * *

Table 844

WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	WSoMa Mixed Use-General District Controls
-----	-----------------	--------------	---

* * * *			
Institutions			
* * * *			
844.35	Child Care <i>Facility</i>	<u>§ 102 § 890.50 (b)</u>	P
* * * *			

* * * *

Table 845

WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	WSoMa Mixed Use-Office District Controls
* * * *			
Institutions			
* * * *			
845.35	Child Care <i>Facility</i>	<u>§ 102 § 890.50 (b)</u>	P
* * * *			

* * * *

Table 846

SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	SALI District Controls
* * * *			
Institutions			
* * * *			
846.35	Child Care <i>Facility</i>	<u>§ 102 § 890.50 (b)</u>	<u>P</u>
* * * *			

1 * * * *

2 Table 847

3 RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Residential Enclave-Mixed District Controls
* * * *			
Institutions			
* * * *			
847.22	Child Care <i>Facility</i>	§ 102 § 890.50 (b)	P
* * * *			

11 * * * *

12 **SEC. 890.50. INSTITUTIONS, OTHER.**

13 A public or private, nonprofit or profit-making use, excluding hospitals and medical
14 centers, which provides services to the community, and meets the applicable provisions of
15 Section 304.5 of this Code concerning institutional master plans, including but not limited to
16 the following:

17 (a) **Assembly and Social Service.** A use which provides social, fraternal, counseling
18 or recreational gathering services to the community. It includes a private noncommercial
19 clubhouse, lodge, meeting hall, family or district association, recreation building, or community
20 facility not publicly owned. It also includes an unenclosed recreation area.

21 (b) ~~**Child Care.** A use which provides less than 24-hour care for children by licensed personnel
22 and which meets the requirements of the State of California and other authorities. [Definition Deleted]~~

23 (c) **Educational Service.** A use certified by the Western Association of Schools and
24 Colleges which provides educational services such as a school, college or university. It may
25

1 include, on the same premises, employee or student dormitories and other housing operated
2 by and affiliated with the institution.

3 * * * *

4 Section 34. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

8
9 Section 45. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
13 additions, and Board amendment deletions in accordance with the "Note" that appears under
14 the official title of the ordinance.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By:


19 MARLENA BYRNE
Deputy City Attorney

20 n:\egana\as2017\1700578\01217716.docx



City and County of San Francisco
Tails
Ordinance

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

File Number: 170693

Date Passed: September 12, 2017

Ordinance amending the Planning Code to allow residential uses and Child Care Facility uses to share required open space; make Child Care Facilities principally permitted in all zoning districts except the Production, Distribution, and Repair (Light Industrial Buffer) (PDR-1-B), Production, Distribution, and Repair (General) (PDR-1-G), and Industrial (Light Industrial) (M-1) zoning districts where they would be conditionally permitted, and in the Production, Distribution, and Repair (Core Production, Distribution, and Repair) (PDR-2), and Industrial (Heavy Industrial) (M-2) zoning districts where they would not be permitted; remove certain notice requirements for Child Care Facilities; make other conforming changes to references to the definition of Child Care Facility; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

July 10, 2017 Land Use and Transportation Committee - RECOMMENDED

July 18, 2017 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

July 25, 2017 Board of Supervisors - CONTINUED ON FINAL PASSAGE

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

September 05, 2017 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

September 05, 2017 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

September 12, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170693

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
9/12/2017 by the Board of Supervisors of
the City and County of San Francisco.



for Angela Calvillo
Clerk of the Board



Mayor



Date Approved