


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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Tel. No. (415) 554-5184
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MEMORANDUM

Date: August 16, 2024
To: Joaquín Torres, Assessor-Recorder, Office of the Assessor-Recorder
From:  Angela Calvillo, Clerk of the Board, Board of Supervisors
Subject: Planning Code, Zoning Map - RED and WMUG Districts, Rezone 135
Kissling Street (File No. 240173)

On July 16, 2024, the Board of Supervisors finally passed Ordinance No. 187-24 (File No. 240173, Planning Code, Zoning Map - RED and WMUG Districts, Rezone 135 Kissling Street). The ordinance was enacted on July 26, 2024.

A copy of the Ordinance is being forwarded to you, pursuant to the Administrative Code, Section 34.1.

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184.

c: Kurt Fuchs, Office of the Assessor-Recorder
Holly Lung, Office of the Assessor-Recorder

1 [Planning Code, Zoning Map - ~~Residential Enclave-Mixed~~RED and WMUG Districts, Rezone
2 135 Kissling Street]

3 Ordinance amending the Planning Code to conditionally permit vehicle storage lots in
4 the Residential Enclave-Mixed (RED-MX) and Western SoMa Mixed Use-General
5 (WMUG) Districts and to update citations and cross-references in the text and tables of
6 specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street,
7 Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to
8 RED-MX; and affirming the Planning Department's determination under the California
9 Environmental Quality Act, making findings of consistency with the General Plan and
10 the eight priority policies of Planning Code, Section 101.1, and making findings of
11 public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

18 Section 1. Environmental and Land Use Findings.

19 (a) The Planning Department has determined that the actions contemplated in this
20 ordinance comply with the California Environmental Quality Act (California Public Resources
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22 Supervisors in File No. 240173 and is incorporated herein by reference. The Board affirms
23 this determination.
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1 (b) On May 23, 2024, the Planning Commission, in Resolution No. 21566,
2 recommended the proposed Zoning Map amendments for approval and adopted findings that
3 the actions contemplated in this ordinance are consistent, on balance, with the City's General
4 Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these
5 findings as its own. A copy of said Resolution is on file with the Clerk of the Board of
6 Supervisors in File No. 240173, and is incorporated herein by reference.

7 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
8 amendments will serve the public necessity, convenience, and welfare for the reasons set
9 forth in Planning Commission Resolution No. 21566, and the Board incorporates such
10 reasons herein by reference. A copy of said resolution is on file with the Clerk of the Board of
11 Supervisors in File No. 240173.

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13 Section 2. Article 8 of the Planning Code is hereby amended by revising Sections
14 803.9, 827, 829, ~~and 835~~, and 839 to read as follows:

15
16 **SEC. 803.9. COMMERCIAL USES IN EASTERN NEIGHBORHOODS MIXED USE**
17 **DISTRICTS.**

18 * * * *

19 (b) **Preservation of Historic Buildings within Certain Eastern Neighborhoods**
20 **Mixed Use Districts.** The following controls are intended to support the economic viability of
21 buildings of historic importance within Eastern Neighborhoods.

22 * * * *

23 (2) **RED and RED-MX Districts.** This subsection (b)(2) applies only to
24 buildings in RED and RED-MX Districts that are a designated landmark building per Article 10
25 of the Planning Code, buildings designated as Category I-IV pursuant to Article 11 of this

1 Code and located within the Extended Preservation District, or a building listed in or
2 determined individually eligible for the National Register of Historic Places or the California
3 Register of Historical Resources by the State Office of Historic Preservation.

4 (A) Arts Activities, Community Facility, Private Community Facility,
5 Public Facility, School, Social Service or Philanthropic Facility, and Trade School uses are
6 principally permitted, and Retail Sales and Services uses and Office Uses as defined in
7 Section ~~890.70102~~, are permitted only with Conditional Use authorization, pursuant to Planning
8 Code Section 303, provided that:

9 * * * *

10 (3) **WMUG District.** This subsection (b)(3) applies only to buildings in the
11 WMUG District that are a designated landmark building per Article 10 of the Planning Code,
12 buildings designated as Category I-IV pursuant to Article 11 of this Code and located within
13 the Extended Preservation District, or a building listed in or determined individually eligible for
14 the National Register of Historic Places or the California Register of Historical Resources by
15 the State Office of Historic Preservation.

16 (A) Office uses, as defined in Planning Code Section ~~890.70102~~, are
17 principally permitted, provided that:

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25 **SEC. 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (RH-DTR).**

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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
Building and Siting Standards			
.10	Height and Bulk	§§ 102-12 , 105, 106, 250 - 252, 260, 270	Varies 45 - 550 feet. For height limits, see Zoning Map 1H and § 263.19; for bulk controls, see § 270(e).
* * * *			
.17	Awning	§ 136. 12 (a)	P
.18	Canopy	§ 136. 12 (b)	P
.19	Marquee	§ 136. 12 (c)	P
Non-Residential Standards and Uses			
.20	Required Residential to Non-Residential Use Ratio	§ 102-10	Non-residential uses limited to occupiable sf per 6 occupiable sf devoted to residential uses. § 825(c)(2).

* * * *			
.33	Nighttime Entertainment	§§ 102. 17 , 803.5(g)	C
* * * *			
Residential Standards and Uses			
* * * *			
.54	Large-Scale Urban Agriculture	§ 102. 35(b)	C
* * * *			

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SEC. 829. SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (SB-DTR).

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Table 829

SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	<i>South Beach Downtown Residential Mixed Use District Zoning Controls</i>
Building and Siting Standards			
.10	Height and Bulk	§§ 102. 12 , 105, 106, 250 - 252, 260, 270	Varies 40 - 200 feet. For height limits, see Zoning Map 1H and § 263.19; for bulk controls, see § 270(e).
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.17	Awning	§ 136. 12 (a)	P
.18	Canopy	§ 136. 12 (b)	P
.19	Marquee	§ 136. 12 (c)	P
Non-Residential Standards and Uses			
.20	Required Residential to Non-Residential Use Ratio	§ 102. 10	Non-residential uses limited to occupiable sf per 6 occupiable sf devoted to residential uses. § 825(c)(2).
* * * *			
.30b	Residential Care Facility	§ 102	P
* * * *			
.33	Nighttime Entertainment	§§ 102. 17 , 803.5(b)	C
* * * *			
Residential Standards and Uses			
* * * *			
.51	Residential Conversions	§ 790.84 <u>317</u> , Ch. 41 Admin. Code	C
.52	Residential Demolition	§ <u>317</u>	C
.53	Large-Scale Urban Agriculture	§ 102. 35 (b)	C
* * * *			

* * * *

1 **SEC. 835. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

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3 **Table 835**

4 **RED-MX – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE**

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Zoning Category	§ References	Residential Enclave-Mixed District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
Automotive Uses*	§ 102	NP
Automotive Repair	§ 102	P(3)
Private Parking Garage	§ 102	C
<i>Vehicle Storage Lot</i>	<i>§ 102</i>	<i>C</i>
Vehicle Storage Garage	§ 102	C
* * * *		

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23 **SEC. 839. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.**

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25 **Table 839**

1 **WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE**

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Zoning Category	§ References	Western SoMa Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
Automotive Uses*	§ 102	P(4)
* * * *		
Vehicle Storage Lot	§ 102	<u>NPC</u>
* * * *		

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12 Section 3. The Planning Code is hereby amended in accordance with Planning Code

13 Section 106 by revising Zoning Use District Map ZN07 of the Zoning Map of the City and

14 County of San Francisco, as follows:

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Description of Property	Current Zoning to be Superseded	Proposed Zoning to be Approved
Assessor's Parcel Block No. 3516, Lot No. 068	RED	RED-MX

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20 Section 4. Effective Date. This ordinance shall become effective 30 days after

21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board

23 of Supervisors overrides the Mayor's veto of the ordinance.

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

7
8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Heather Goodman
11 HEATHER L. GOODMAN
12 Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

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

File Number: 240173

Date Passed: July 16, 2024

Ordinance amending the Planning Code to conditionally permit vehicle storage lots in the Residential Enclave-Mixed (RED-MX) and Western SoMa Mixed Use-General (WMUG) Districts and to update citations and cross-references in the text and tables of specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street, Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to RED MX; and 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

July 01, 2024 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 01, 2024 Land Use and Transportation Committee - CONTINUED AS AMENDED

July 08, 2024 Land Use and Transportation Committee - DUPLICATED

July 08, 2024 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT

July 09, 2024 Board of Supervisors - PASSED ON FIRST READING

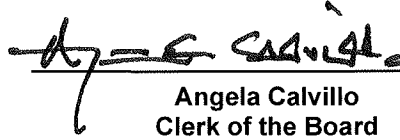
Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai and Walton
Excused: 1 - Stefani

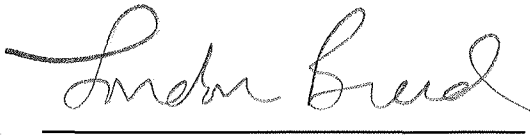
July 16, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 240173

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on 7/16/2024 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

7/26/24
Date Approved